



JOINT PLANS PANEL

Meeting to be held in MeetingLocation on
Thursday, 22nd June, 2017 at 1:00pm

MEMBERSHIP

Councillors

Councillor Javaid Akhtar
Councillor Barry Anderson
Councillor Salma Arif
Councillor Jonathan Bentley
Councillor David Blackburn
Councillor Colin Campbell
Councillor Brian Cleasby
Councillor David Congreve
Councillor Mick Coulson
Councillor Catherine Dobson
Councillor Robert Finnigan
Councillor Al Garthwaite
Councillor Ronald Grahame
Councillor Caroline Gruen
Councillor Peter Gruen
Councillor Sharon Hamilton
Councillor Julie Heselwood
Councillor Asghar Khan

Councillor Graham Latty
Councillor Thomas Leadley
Councillor Richard Lewis
Councillor Christine Macniven
Councillor James McKenna
Councillor Stuart McKenna
Councillor Elizabeth Nash
Councillor John Procter
Councillor Rachael Procter
Councillor Kevin Ritchie
Councillor Brian Selby
Councillor Alice Smart
Councillor Christine Towler
Councillor Fiona Venner
Councillor Paul Wadsworth
Councillor Neil Walshaw
Councillor Gerald Wilkinson
Councillor Rod Wood

Agenda compiled by:
Governance Services
Civic Hall
LEEDS LS1 1UR

Debbie Oldham
37 88656

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 To approve the minutes of the meeting held on 14 th July 2016 as a correct record and; To approve the minutes of the meeting held on 31 st January 2017 as a correct record.	1 - 16
8			PLANNING SERVICES END OF YEAR 2016-17, PERFORMANCE REPORT To receive the report of the Chief Planning Officer providing information on planning performance and activity for the period 2016-17 financial year. (Report attached)	17 - 32

Item No	Ward/Equal Opportunities	Item Not Open		Page No
9			PLANNING AND SCHOOLS PROVISION To receive the report of the Chief Planning Officer the purpose of which is to provide an overview and to update Members of the ongoing work being undertaken by the Planning Service (City Development) and officers from Children's Services in the delivery of new school place provision. (Report attached)	33 - 74
10			BUILDINGS AT RISK To receive the report of the Chief Planning Officer 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. (Report attached)	75 - 84
11	Wetherby		NEIGHBOURHOOD PLANNING UPDATE To receive the report of the Chief Planning Officer the report provides an update on neighbourhood planning progress and issues across the city, including good practice. (Report attached)	85 - 92
12			DATE AND TIME OF NEXT MEETING The next meeting of the Joint Plans Panel will be 30 th November 2017 at 1:30pm.	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
			<u>Third Party Recording</u> Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts named on the front of this agenda. Use of Recordings by Third Parties – code of practice a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title. b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete.	

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Joint Plans Panel

Thursday, 14th July, 2016

PRESENT: Councillor C Gruen in the Chair

Councillors J Akhtar, J Bentley,
D Blackburn, C Dobson, P Gruen,
S Hamilton, G Latty, T Leadley, R Lewis,
J McKenna, E Nash, F Venner,
G Wilkinson and R Wood

21 Election of the Chair

RESOLVED – That Councillor C Gruen be elected as Chair for the duration of the meeting.

22 Exempt Information - Possible Exclusion of the Press and Public

There were no exempt items.

23 Late Items

There was a late item marked as Item 13 Housing Land Supply – Implications of Grove Road decision. All Members had received a copy of the report prior to the meeting.

24 Declarations of Disclosable Pecuniary Interests

There were no declarations of pecuniary interest.

25 Apologies for Absence

Apologies for absence were submitted on behalf of Councillors B Anderson, C Campbell, D Congreve, M Coulson, A Garthwaite, J Heselwood, A Khan, S McKenna, K Ritchie, B Selby, C Towler, N Walshaw.

26 Minutes of the meeting held on 28th January 2016

RESOLVED – That the minutes of the meeting held on 28th January 2016, be approved as a correct record.

27 Matters arising from the minutes

Minute 16 – Matters arising

Members were provided with an update on Community Infrastructure Levy (CIL).

It was noted that there is currently no clear guidance how CIL would be reported to Plans Panels. The view is that where a significant amount of CIL money is received it would be recommended to Executive Board where Members would decide how the information would be disseminated

Members were informed that as of the previous week £135,000 of CIL had been received across the city.

Draft minutes to be approved at the meeting
to be held on Thursday, 15th December, 2016

Members to be kept updated.

In response to Members questions and, with the agreement of Members that where shared interests through Community Committees, Town and Parish Council and Neighbourhood Forums, and the distribution of CIL money this information would be disseminated at Joint Plans Panel.

Minute 17 – Planning Services Performance Report

It was noted that Members concerns were not in retrospective enforcement action but were in the delays in effective enforcement actions.

28 Housing Land Supply - Implications of Grove Road Decision

The report of the Chief Planning Officer informed Members of the considerations of the Secretary of State and his Inspector on an appeal against non-determination of planning permission for 103 dwellings on a Protected Area of Search at Grove Road, Boston Spa, which the Council had defended in May 2014. Members were informed that it had been determined that the appeal should be upheld and that permission should be granted.

It was noted that a challenge to the Secretary of State had been sent on 7th July 2016, on the grounds of inconsistency between Grove Road and the Bagley Lane decision in March 2015.

The basis of the challenge was set out at point 3 of the submitted report.

The Chief Planning Officer highlighted the following issues:

- The Council had decided to defend the Bagley Lane decision, the appeal is due to re-open in January 2017.
- The decision suggests that Leeds has a record of under-delivery of housing and should have a 20% buffer applied to its requirement, whereas the Bagley Lane inspector had accepted a 5% buffer.
- Two Inspectors decisions were diametrically opposite.
- 3 conjoined appeals heard by the same Inspector would be handed to the Secretary of State this summer

Members discussed at length the following points:

- The significant difference between a 5% buffer and a 20% buffer
- Early communication to communities should the need arise due the release of Protected Area of Search sites.
- Unachievable targets
- The effect that Brexit would have on planning and development.
- Using CIL money in the right location.
- Brownfield sites still awaiting development
- More affordable homes needed in Leeds
- Greenfield and Brownfield sites linked together for development

In response to Members it was noted that a visit from government was due to take place to speak on planning issues and discuss site allocation plan and the 5% buffer.

Members were informed of the difficulties in comparing ourselves with other authorities in the fact that Leeds is unique in size and geography given the amount of land that surrounds the city. Leeds has the highest targets to deliver against outside of London.

RESOLVED – That the Joint Plans Panel noted the submitted report for information.

29 2015-16 Performance Report

The report of the Chief Planning Officer provided the Members with an end of year report for the period April 2015 to March 2016.

Members were informed that there had been an increase in applications submitted and also an increase in decisions made.

The Panel heard that there had also been an improvement in timescales and service improvements continue to be made.

The Customer Services Section of Planning Services had retained the Customer Services Excellence standard which they had held since 2009. The Service was reassessed in March 2016 against two categories of the standard and was re-awarded the CSE standard with no non-compliances.

Members attention was drawn to specific points of the submitted report with Members provided with information on the following issues:

- Planning performance and workload
- Comparison with Core Cities
- Permitted development and the new changes
- Panel decision making and decisions not in accordance with officer recommendations
- Compliance activity – the number of enforcement cases remained at the same level as 2014-2015 with a significant number of complex cases being investigated. The number of cases had been reduced to 1000, a service objective.
- Work continues to monitor and control unauthorised long stay car parks within the city centre. A review of the commuter car parking policy is required following the granting of temporary permission for a number of car parks under the interim policy.
- Five people had left Planning Services two from the Area Teams, two from Customer Services and one from Enforcement.
- A Household Agents Conference held in October to look at improvements to the planning process was well attended with an action plan from the session now being delivered.
- Parish and Town Councils had moved to electronic working, receiving email notifications of applications in their area with a link to the application on Public Access. The move to electronic working will improve the service and deliver significant savings for the service.

- The Housing and Planning Bill was enacted on 13 May 2016.

The Chair thanked officers who continue to do their best to deliver as much as possible.

Members discussed the following points:

- Comparisons with Core Cities
- The working relationship between Members and Officers
- The amount of enforcement action undertaken in Leeds compared with other authorities and the frustration that Members often feel with these cases.
- The slow process in dealing with derelict buildings and the issues that they cause to communities.
- The Building Services Team who had not been included within the submitted report
- Validation of applications
- Retrospective applications
- Timescales for objections to permitted development

In response to Member discussions the Panel were informed:

- That not all enforcement cases were breaches of planning issues, therefore, planning were unable to take action. When the issue was a case for planning they had to weigh up whether enforcement action was the right and fair way to proceed. The service also had to decide on what the judgement would be and whether the Council would win.
- The fees for retrospective applications was imposed by central Government.
- Assurance given that no decision on a planning matter can be taken before the 21 day notice period.

Members requested that a clear and consistent format be used when providing Ward Councillor objections.

Members were of the view that Member Officer relationships worked well.

RESOLVED - That Members noted the report.

Cllrs Lewis and Peter Gruen left the meeting for a short period during this item.

Cllrs. Venner and Akhtar Left the meeting during this item.

30 Member Notification of Planning Applications

The officer member communication protocol was adopted in 2013 and set out the way officers should communicate and involve ward members in planning applications.

Some of the provisions in that protocol had become out dated and internal processes and technology had moved on.

A review of the protocol was undertaken by the Joint Member Officer Working Group (JMOWG) in March 2016.

The Working Group agreed that Public Access would be the main way to disseminate information about planning applications and appeals, as the system can automatically inform Members about such matters in their Ward area. It would require an initial set up but then required no on-going staff intervention.

The Parish and Town Councils had also started using the Public Access system as a way to inform them of planning applications in their area.

Members noted that the removal of a duplicate staff heavy process would create operational efficiencies without reducing the service to Members. Services to Members would then concentrate on those areas which would add value to the overall planning process such as Member briefings and workshops.

It was noted that the Group Office would be involved in the setting up of this system.

Members requested that Group Offices were made aware of the new system to ensure that this process is done efficiently.

Members discussed the new system also the system used by highways which they thought did not provide enough information to be relevant.

Members noted that the link to the highways system had been a white paper motion at full Council.

Cllr. Latty had been piloting the new Public Access system and spoke in support of the new system.

RESOLVED - That Members noted the report.

31 Household Permitted Development

The report of the Chief Planning Officer brought to Members attention the new guidance aimed at householders, which was intended to help home owners to understand more about detailed rules on permitted development and the terms used in those rules.

The guidance covered all classifications of development, such as extensions, conversions, additional buildings, external alterations, hard landscaping/surfaces, etc.

The guidance had been appended to the submitted report.

RESOLVED – That Members noted the submitted report.

32 Buildings at Risk

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

Members were informed that there are 89 known buildings at risk which account for 3.6% of the total of listed buildings in the city. The City Council owns 18 buildings at risk.

It was noted that an on-going building at risk survey was being carried out by volunteers under the joint management of the City Council and the Leeds Civic Trust. The survey is due to be completed by the end of the year.

The City Council has a strategy to deal with buildings at risk and had assisted with 11 buildings being repaired since the last report in 2015.

Members were informed of work being carried out at Mike's Carpets, Armley, Drighlington Junior School, St. John's Church, Roundhay, and York Road Library.

Members attention was drawn to the 'Big Five' a list of buildings with significant regeneration potential which was attached to the submitted report. The 'Big Five' included, First White Cloth Hall, Temple Mill and Temple Lodge, Holbeck, Stank Hall Barn, Beeston, Hunslet Mill, Thorpe Hall, Thorpe on the Hill.

Members were informed that significant progress had been made in securing funding for the restoration of First White Cloth Hall, which had been derelict for many decades. Substantial amounts had been offered by the Heritage Lottery Fund and Historic England. A feasibility study had been carried out which had identified a viable option and negotiations were ongoing to secure the freehold of the building. Work on the restoration would be completed in 2019.

Members discussed the following:

- Stanks Hall Barn – The issues associated with access, vandalism, and re-use.
- The improvement works on Mike's Carpets
- Specific buildings which were listed as part of the submitted report which were in their Wards.
- Concerns of safety around these buildings
- The relationship between officers and developers where linking a development to a listed building
- The High Royds development and the potential restoration of the ballroom.
- Signing of the Section 106 Agreement.
- The use of Community Committee funding for small community projects
- The need to put more pressure on the Heritage Board

RESOLVED – That Joint Plans Panel noted the content of the submitted report, in particular that work is progressing towards reducing the number of buildings at risk in the city.

Noted the report to Derelict and Nuisance Sites Steering Group on the findings of the pilot buildings at risk survey.

Cllrs Wilkinson, Hamilton and Lewis left the meeting during this item.

33 Date and time of next meeting

Draft minutes to be approved at the meeting
to be held on Thursday, 15th December, 2016

The date and time of the next meeting will be Thursday 15th December 2016, at 1.30pm.

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Joint Plans Panel

Tuesday, 31st January, 2017

PRESENT: Councillor J McKenna in the Chair

Councillors J Akhtar, J Bentley,
D Blackburn, C Campbell, B Cleasby,
D Congreve, M Coulson, C Dobson,
A Garthwaite, R Grahame, C Gruen,
P Gruen, S Hamilton, J Heselwood,
A Khan, T Leadley, C Macniven,
S McKenna, E Nash, K Ritchie, B Selby,
C Towler, F Venner, N Walshaw,
G Wilkinson and R Wood

Councillor

34 Election of the Chair

RESOLVED – That Cllr. J McKenna be elected as Chair for the duration of the meeting.

35 Exempt Information - Possible Exclusion of the Press and Public

There were no exempt items.

36 Late Items

There were no formal late items. However, there was supplementary information in relation to agenda item 12 - Consideration of Two Storey Side Extensions to Domestic Properties. This information had been circulated to Members prior to the meeting.

37 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests.

38 Apologies for Absence

Apologies for absence had been received from Cllrs. Arif and Smart.

39 Planning Services performance report quarters 1 to 3, April to December 2016

The Head of Development Management presented the report of the Chief Planning Officer which provided Members with performance for quarters 1 to 3, April to end of December 2016-17, to provide as much up to date information as possible.

Members were informed of the following main issues:

- 3,565 major, minor and other applications had been submitted an increase of 2.1%
- 3,510 decisions had been made with 97.6% of the decisions made by officers. A slight decrease compared with previous year of 98%.

- 152 Major applications had been submitted in quarters 1-3 representing 4% of total workload for the service. The Panel noted that this was above the national average of 3%.
- Members' attention was drawn to the table at paragraph 3.1.2 which demonstrated the workload profile for quarters 1-3.
- Performance on determination times had dropped slightly this was demonstrated in a table at paragraph 3.1.4 of the submitted report. It was noted that Leeds performance was significantly above the national average determination rate.
- After 9 months a total of £3,212,247 had been received in planning fees, almost £530,000 up on the projected budget for 2016-17.
- The service had received 460 pre-applications of which 102 were for major schemes. The pre application enquiry service had generated £139, 830 of income during the reporting period.
- It was noted that the anticipated volume of additional work in relation to permitted development prior approval had not materialised.
- 95 applications had been before the Plans Panels with 65 decisions having been made. A table at paragraph 3.4.1 of the submitted report showed the full workload breakdown for each Panel.
- 184 new appeals had been received and a breakdown of appeals by type was presented at paragraph 3.6.1 of the submitted report with, a breakdown of Planning Inspectorate decisions provided at paragraph 3.6.3.
- In response to a request from Members information on the Community Infrastructure Levy (CIL) was provided at paragraph 3.7 of the submitted report. A breakdown of the CIL balance was provided at 3.7.3.
- A greater number of Planning Contravention Notices (PCN's) and Section 330 notices had been serviced.
- Changes of staffing resources, vacancies, and long term absences and how the service had coped with additional workloads.
- 119 complaints had been received compared to 94 in the same reporting period last year. The main theme on upheld complaints revolved around the way the planning applications had been advertised to neighbours and that comments received from neighbours had not been taken into account by officers. It was noted that action had been taken to alleviate these issues.
- The Local Government Ombudsman (LGO) reported 14 cases to the Planning Service of which 10 were received closed with no further action. Four cases required investigation and these were detailed at paragraphs 3.9.5 and 3.9.6 of the submitted report.
- The Permitted Development enquiry service will be withdrawn from April 2017 and the more formal route of Certificate of Lawfulness will be offered.
- The service is still awaiting the Housing White Paper which will have implications for the planning system and the way new housing is delivered

Members discussed the following:

- CIL money and how the Neighbourhood Fund is spent in the communities in both town and parish areas and non-parish areas. Members wanted more consultation with communities to spend CIL money on what was wanted and needed. Members wanted to be kept informed on the amount of CIL received and how it was spent. The Chief Planning Officer highlighted that the

spending of the Strategic Fund was a matter for the Executive Board as part of the Council's budget setting process, as agreed in October 2015 and a report will be going to the Strategic Investment Board in February 2017 describing the sums available. It was noted that Town and Parish Councils are able to spend the money how they wish.

- Complaints – clarification was provided on how complaints were counted. Members also noted that action in relation to notification of applications had been addressed with photographs taken to include streetscene, specific date and to be put at a height suitable for all.
- Members requested information on PAS and Greenfield sites to include how large the proposed development would be and how many houses were proposed. Members were advised that PAS sites were dealt with differently and that land to be used was assessed on an individual basis.
- Clarification on S106 spending were provided as;
 - Parks – Green Spaces
 - Housing – Community Housing
 - Transport – Transport improvements
 - It was also noted that S106 monies can only be spent on previously agreed areas/issues as outlined in the legal agreement, in order to make the development acceptable in planning terms

RESOLVED – Members note the report and receive a further performance report in six months' time.

Councillors Towler and Venner left the meeting at the end of this item.

40 Government response to the use of planning conditions consultation

The report of the Chief Planning Officer brought the Government's response to the recent consultation on the use of planning conditions to Members' attention.

The consultation response provided detail on the approach the Government will take through legislation on the new process for the written agreement, with the applicant for pre-commencement conditions and prohibition of the use of certain types of conditions.

Paragraph 3.8 of the submitted report provided the Government's response to prohibit six types of planning conditions to be set out in draft regulations.

Members informed that this was not specifically for land banks.

Members discussed the conditions as set out at 3.8 of the report and made comments in relation to the use of certain words and how they could be interpreted.

Members were informed that conditions in relation to employment and skills should be enabled to continue.

RESOLVED – That Members note the report.

41 Member training 2017-18

The report of the Chief Planning Officer described the programme of training for Members of the Plans Panel in 2017-18.

Members were advised that due to the changes to the Council Procedure Rules allowing more flexible substitution, there would be more Members to undertake the compulsory training this year.

Members noted that compulsory training for Members nominated to Plans Panels would take place on 25th February 2017.

Members were informed that a tour of past sites which have already received planning permission and have been built would be organised. It was anticipated that the tour would be in Spring 2017 and that the list of sites would be drawn up in agreement with the Joint Member Officer Working Group.

A Plans Panel member has requested a site visit to North Stainley, Harrogate. This visit will be organised separately Members to be informed when a suitable date had been found. The visit would be open to all Plans Panel Members.

The Joint Member Officer Working Group had requested that a series of workshops be held throughout the year focussing on particular planning issues such as hot food takeaways, side extensions and housing design.

The first workshop had taken place on 13th January 2017 on tall buildings. Members who had attended said that the workshop had been well presented and had been a worthwhile session.

Paragraph 3.5 of the Submitted report listed some of the proposed workshops for 2017-18.

Members discussed the following:

- The changes to the Council Procedure Rules and the flexibility in substitution arrangements.
- Their experiences of training, workshops and shadowing

It was noted that some Members had been provided with a list that set out planning material and non-planning materials. It was suggested that this may be useful to newer members of Plans Panels. The Head of Development Management is to look at this.

RESOLVED – That Members note the report.

42 Leeds Planning Enforcement Plan

The report of the Chief Planning Officer on Leeds Planning Enforcement Plan was presented by the Group Manager (Compliance and Specialist).

The presenting officer highlighted point 2 of the submitted cover report which set out paragraph 207 of the National Planning Policy Framework that recommends that

Planning authorities should secure an enforcement plan to manage enforcement proactively and set out how cases will be investigated and actioned.

The Officer informed Members that the purpose of the planning enforcement plan was to assist the residents of Leeds and to ensure that appropriate development was undertaken which helps preserve the environment and maintains confidence in the planning system.

The enforcement service investigates breaches of planning control. The officer said that it was important that the service provided clear guidance on what it can do and these were listed at paragraphs 1.2, 2.2, 3.3, 4.4 of the submitted report.

It was noted that this service was a high demand service with between 30 – 40 cases a week. The service needed to be able to balance resources against priority. It was explained that within the service there are 3 categories of complaint depending on the alleged breach of planning control which are set out at paragraph 9 of the submitted report.

Members' attention was drawn to page 52 and 53 of the agenda which provided Members with a table setting out the Leeds Planning Enforcement Complaints Order of Priority. Members were being given the opportunity to see how the service triage and prioritise the workload. All Ward Members are to be consulted on this model.

The Chair suggested that the model be sent to Community Committees as they would find the information useful.

Members discussed the following points:

- The need to be kept informed of ongoing issues in their ward
- To informed of any issues early as possible.
- 'Visual amenity' was clarified as relating to streetscene
- The need to have a robust policy for breaches of planning control
- The need for a rigorous enforcement service
- Review of resources
- Brief planning Chairs so that they better understand the legal issues
- Resources over the weekend period
- Clarification on trees in conservation areas was sought

Members also suggested that a sentence be added to 2G to clarify the position at 1A, 1B, and 1C.

RESOLVED – That members note the report.

Councillors Selby and Wilkinson left the meeting at the end of this item.

43 Planning reform update

The report of the Chief Planning Officer sought to update Members on the main Government planning reform proposals in respect of England: the proposed Housing White Paper, the Housing and Planning Act and the Neighbourhood Planning Bill.

Members noted that the Housing White Paper was imminent and that it may contain some or all of the provisions listed at 3.1.1 of the submitted report.

Members discussed the following issues:

- Increase in planning fees
- Suggested a 100% fee for retrospective builds
- The need to include planning for both housing and employment on brownfield sites
- System built houses with components sourced locally to build sustainable sheltered housing

RESOLVED – That Members note the report.

Councillors Macniven and Dobson left the meeting at the end of this item

44 Consideration of Two storey Side Extensions to Domestic Properties

The Head of Development Management presented the report of the Chief Planning Officer in relation to the consideration of a two storey side extension to a domestic dwelling. This report had been brought before the Joint Plans Panel at the request of South and West Plans Panel.

The Members were provided with a brief outline of the application presented to the South and West Plans Panel for a part two storey, part single storey side extension and single storey rear extension at 43 Moor flatts Avenue. The application had been presented with an officer recommendation for approval.

At the meeting, Members resolved initially to defer the determination of the application and requested that officers carry out further negotiations with the applicant to in respect of setting the extension in from the boundary by 1m at both ground and first floor. The concern expressed related partly to access to the rear of the properties for bins, but mainly with regard to the dominance and overbearing effect upon side facing the main entrance to the adjacent bungalow. Members of South and West Plans Panel were concerned that Officers had brought forward an application for the approval of a proposal for a two storey extension which was almost directly on the boundary of the driveway with the adjacent bungalow whereas previously a 1m gap had been required.

Members of South and West Plans Panel had expressed concerns that there had been a change in approach with regard to the consideration of two storey side extensions. During discussions Officers had stated that the approach had not changed but that in this case other material considerations needed to be considered. The Panel overturned the recommendation and the application was refused for the following reason in summary:

‘the proposal is considered to be an overly intrusive form of development which will be significantly detrimental to the living conditions of the occupants of the said dwelling as a result of dominance, overshadowing and loss of light’.

Members of Joint Plans Panel were informed that the Policy/Guidance for considering such applications adopted by the Council had not changed. A summary of the policy context was provided at appendix A of the submitted report.

Members noted the key difference with regard how officers considered the application at Moor Flatts Avenue, the concerns the consideration and the weight attached to other material considerations specific to this site. In particular the interpretation of the Guidance provided in the householder design guide in view of the fall-ball position enjoyed by the applicant by virtue of the amendments made to the General Permitted Development Order in 2013 and the outcome of a recent appeal or a proposal at 71 Church Lane, Methley that had similarities to the application at 43 Moor Flatts Avenue.

Members were shown photographs of side extensions carried out at a number of properties specifically 71 Church Lane, Methley. Members were provided with clarifications of this issue at point 3.1 Householder Design Guide Considerations of the submitted report.

Members were advised that subsequent to the refusal of the application the applicant had appealed against the decision. The Inspectors decision had been received on 17th January 2017. The appeal had been dismissed and approval granted subject to conditions.

The findings of the Inspector were provided to Members at Point 3.4 of the submitted report.

RESOLVED – That Members note the report.

Cllr. Leadley left the meeting during this item.

45 Date and Time of Next Meeting

The date and time of the next meeting to be confirmed.

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Report of Chief Planning Officer

Report to Joint Plans Panel

Date: 22 June 2017

Subject: Planning Services end of year 2016-17, performance report

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. This report covers planning performance and activity for the period 2016-17 financial year.
2. Largely, it has been a year of good news: the service has been recredited for the Customer Services Excellence Award, was shortlisted for two planning excellence awards, by the industry ruling body, the RTPI, the number of applications determined in time remains consistently high, fee and pre-application income has increased and the service has had the ability to recruit agency staff and going forward into 2017-18 the service will appoint to two planner posts to deal with the high volume of work.
3. However, there are areas where the service has seen a drop in performance including an increase in the number of customer complaints received and in the number of upheld appeals. The residential housing appeal decisions received this year have been particularly significant in terms of the Council's five year housing land supply. Measures are being put in place to mitigate and manage these work areas going forward, but it has been a further challenging year, balancing workloads with the available resources within a changing planning environment and pick up in the economy.

Recommendations

4. Members are asked to note the report 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 31 January 2017, members received and noted a performance report for planning services for the first three quarters of 2016-17. It was resolved that the Joint Plans Panel would receive an end of year report at its next meeting.
- 1.2 This report is presented for information and comment.

2 Background information

- 2.1 During 2016-17 the service continued to deal with a significant workload, whilst progressing with a number of large and strategically important planning applications. This is in the context of an evolving national planning policy picture, as part of the Government's planning reform agenda and a pick-up in the economy.
- 2.2 The year has seen some significant applications come in, as well as some landmark appeal decisions, impacting on the Council's position on the five year housing land supply. Application numbers have risen again for the fifth successive year and at the same time the service is experiencing very buoyant pre-application activity. This is also in the context of the departure of further staff from the service this year.

3 Main issues

3.1 Planning performance and workload

- 3.1.1 In 2016-17, the service received 4,966 applications; this was a 5.6% increase from the previous year. This will be the fifth successive year that the service has seen an increase in number of applications being submitted. This is compared with national figures which has seen a 2% increase in overall workloads levels (year ending December 2015 compared with year ending December 2016)¹.
- 3.1.2 There have been 4,832 decisions made in the reporting period, 9.3% increase from the previous year.
- 3.1.3 Fee income at the end of the financial year was a very healthy £3,998,879 almost half a million pounds above the end of year estimate.
- 3.1.4 The table below shows the services' performance in relation to applications being determined in time or within agreed timescale.

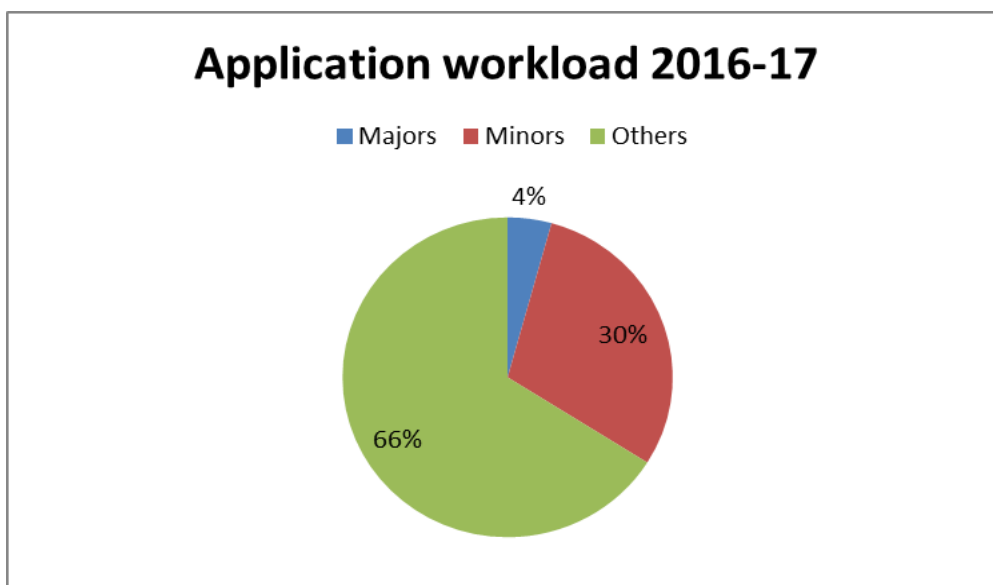
	% Majors in time	% Minors in time	% Other in time
2016-17	93.1%	89.4%	93%
2015-16	96.6%	90.6%	93.5%
2014-15	88.7	85.1	91.8

¹ Department for Communities and Local Government Statistical release Planning Applications in England: October to December 2016.

2013-14	73.3	70.3	83.3
2012-13	61.3	77.4	88.9

- 3.1.5 The latest national figures for applications determined in time show that Local Planning Authorities decided 86% of major applications within 13 weeks or the agreed time². Therefore, Leeds performance is above the national average determination timescale. However, there has been a reduction in performance in comparison with the previous year, this is due largely to the resource constraints the service has been working within, carrying 6.6 vacancies twinned with the 5.6% increase in application numbers.
- 3.1.6 The resourcing situation is in hand however, with a temporary principal planning officer and temporary enforcement officer joining the service and the recruitment process is underway for the appointment of two permanent planner posts.
- 3.1.7 Members have previously heard about the Planning Guarantee; under this Government initiative, applications over six months old without a decision and where there isn't an extension of time agreement in place, are liable for the planning fee to be returned to the applicant. In the reporting period, £775 has been refunded, relating to three schemes. Officers will try to negotiate extension of time agreements with applicants to ensure the application remains in time and to mitigate the risk of returning any fees.
- 3.1.8 The pie chart below shows the application workload for the service in 2016-17. The category "others" (which includes household applications) accounts for the largest proportion of the work, with 3,280 applications received during the reporting period. The changes to the permitted development rules, including larger house extensions and where prior approval is required, such as office to residential, does not seem to have had an impact on reducing the number of applications which need to come before the Local Planning Authority. In the reporting period, there were 213 majors submitted to the planning service, accounting for 4% of the overall workload.

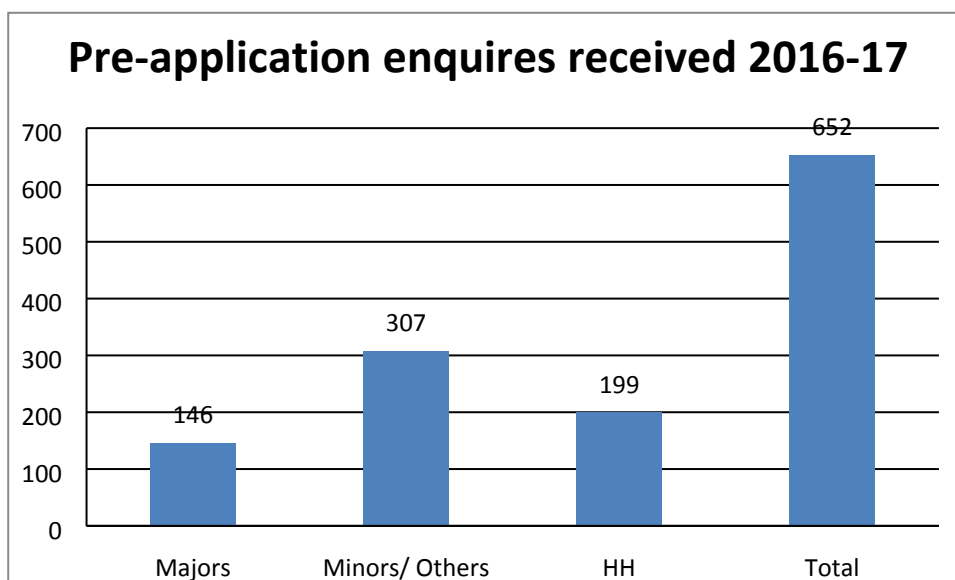
² Department for Communities and Local Government Statistical release Planning Applications in England: October to December 2016.



3.2 Pre-application

3.2.1 In the reporting period the service received 652 pre-application enquiries; of those 146 were for major schemes. £203,070 was generated in pre-application enquiry fees, £113,170 from enquiries on major schemes. The number of pre-application enquires received in the final quarter of 2016-17 were double the number of those received the same period the previous year. Clearly, the pre-application enquiry service continues to be used very well and the service is mindful of the resource impact in terms of officer capacity to deal with the enquiries in a timely way.

3.2.2 The table below shows the breakdown by type of enquiry.



3.2.3 An in service review of pre-application fees has now been undertaken and a 20% increase has been agreed. This is in line with the Government's increase in national planning fees. Assuming current activity levels, this will provide an additional £40,000 of pre-application income per annum.

3.3 Panel decision making

3.3.1 In 2016-17, the three Plans Panels decided 105 applications.

3.3.2 There is some inevitability that different decisions are reached to that recommended by the officer, especially where decisions are finely balanced, or where different weight is attached to the potential planning considerations and the table below shows the position over the last few years. Eleven were contrary to the officer recommendation, 8 at North and East and 3 at South and West Panel. Of these decisions, three have led to appeals, one is in progress, one appeal was allowed and another dismissed.

Year	Decisions	Decisions contrary to officer rec (as a % of the total no of Panel decisions)	Appeals Against Refusal	Dismissed	Allowed	Costs awarded
2016-17	105	11 (10.4%)	3	1	1	0
2015-16	127	4 (3%)	2	0	1	0
2014-15	191	14 (7%)	9	4	5	0
2013-14	136	7 (5%)	0	0	0	0
2012-13	127	8 (6%)	3	0	3	2
2011-12	171	11 (6%)	5	1	4	0

3.4 Major schemes

3.4.1 There have been some significant application submissions, particularly residential schemes in recent months, which include:

- Victoria Reservoir and Land, Bruntcliffe Road, Morley Residential development of 210 dwellings
- Land At Whitehall Road New Farnley, Outline Planning Application (all matters reserved except for means of access to, but not within, the site) for up to 130 Dwellings to include the demolition of 632 and 634 Whitehall Road
- The Radius, Springwell Road, Holbeck, LS12 1AW Demolition of existing buildings and erect multi level development comprising 224 apartments and commercial units
- Land To The East Of Otley Road Adel LS16, Outline Application for residential development (Use Class C3) for up to 100 dwellings and land reserved for primary school with construction of vehicular access from Otley Road, to the north west and Ash Road to the south, areas of open space, landscaping
- Kentmere Approach/Former Asket Primary School, Residential development of 250 dwellings, new public open space and associated works

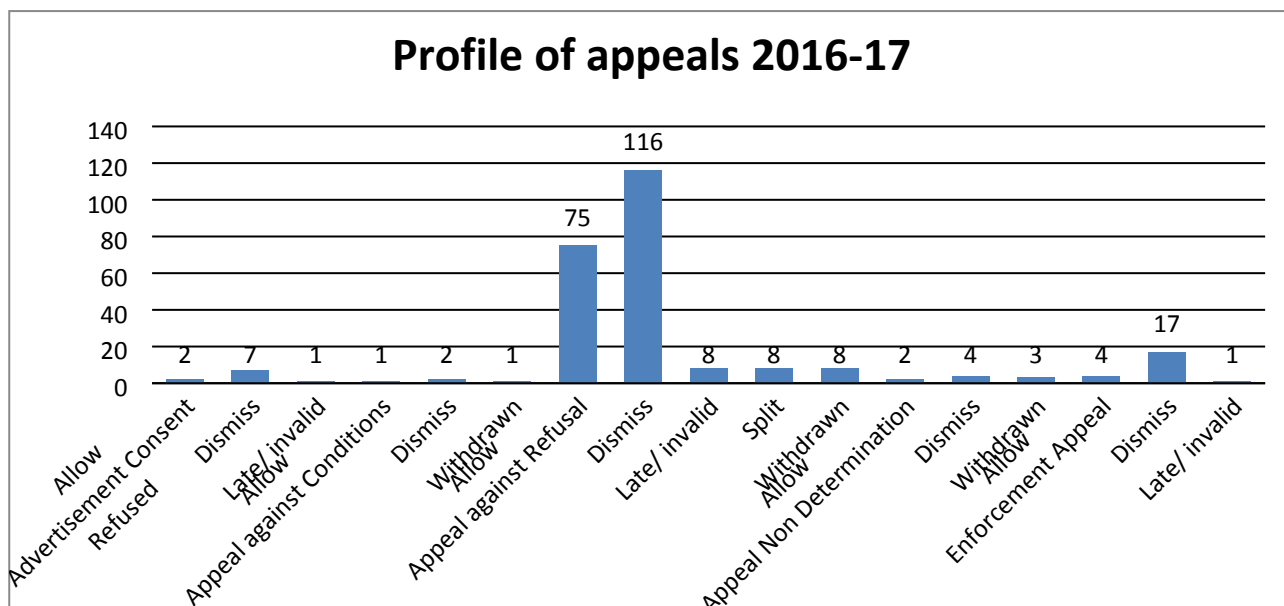
- Brooklands Avenue, Brooklands Drive And Parkway Close, Seacroft, Residential development of 272 dwellings, public open space, road link between South Parkway and Brooklands Drive
- Seacroft Crescent, Seacroft, Residential development of 50 dwellings, new public open space, associated highway improvements
- Former York Road Depot, Seacroft, 33 dwellings, creation of new public space and associated highway improvements
- Wykebeck Mount/Avenue Residential development of 102 dwellings; new public open space and associated highway improvements
- Kendal Drive/Rathmell Road, Halton, Residential development for 109 dwellings

3.5 Appeals

- 3.5.1 The service uses several indicators to determine the quality of decision making one is number of lost appeals. In 2016-17 there were 233 new appeals made and the Planning Inspectorate made 260 decisions on appeals. The figures are different because of the six month window allowed for appeals to be made.
- 3.5.2 The table below shows the outcome of the appeals for 2016-17. Performance on appeals dismissed has reduced from that in 2015-16 where 74.1% of appeals were dismissed compared with 63% dismissed in this reporting period.

Year	Appealed Decisions	Dismissed	Costs awarded Council	Costs awarded to Council
2016-17	260	63%	0	0
2015-16	231	74.1%	3 partial, 1 full	1 partial, 1 full
2014-15	237	66%	5	0
2013-14	251	71%	4	0
2012-13	187	67%	3	0
2011-12	254	69%	7	2

- 3.5.3 The chart below shows that most of the appeals made in 2016-17 were in relation to appealing against refusal of planning consent. Of the total appeals in 2016-17, 93 decisions related to householder appeals where 42% of them were allowed; since the relaxation of the permitted development (PD) on larger house extensions, it appears from analysis of the Planning Inspectorate's decisions that more household extensions are being allowed which are "marginal", given the PD fall-back position. The service is committed to further analysing these appeals and making changes as appropriate.



3.5.4 There have been some significant appeal decisions during the reporting period, notably the Protected Areas of Serach (PAS) sites:

- Grove Road, Boston Spa for up to 104 new homes, appeal was allowed in a decision by the Secretary of State in May 2016. (Reserved Matters application for 88 houses was deferred at North and East Panel in 13 April for further information)
- Sandgate Drive, Kippax. The Council withdrew from this appeal in August 2016 on the basis that it was in the midst of challenging the Grove Road decision. The appeal was allowed.
- Breary Lane, Bramhope, Bradford Road, East Ardsley and Leeds Road, Collingham. The appeals were conjoined and heard by inspector Ken Barton in February 2016. These three appeals have subsequently been allowed.

3.5.5 We are anticipating the Bagley Lane, Farsley decision in June 2017.

3.6 Community Infrastructure Levy

- 3.6.1 Executive Board, in February 2015, made key decisions around spending of the future Community Infrastructure Levy (CIL) income, directing it into two main funding streams; a strategic fund and a neighbourhood fund, plus up to 5% for administrative costs. Executive Board agreed that the Strategic CIL Fund will be 70-80% of the total CIL received, and that priorities for its spending will be decided on an annual basis as part of the Council's budget setting process, in line with the Regulation 123 List, and taking into account the impact of specific and cumulative infrastructure needs arising from new developments. The balance of the Strategic Fund is almost £1.6 million.
- 3.6.2 In relation to the Neighbourhood CIL Fund, Executive Board agreed that this is to be 15% in an area without a Neighbourhood Plan, and 25% in an area with an adopted Neighbourhood Plan. In town and parish council areas the CIL neighbourhood fund is to be passed directly to those local councils, as required by national CIL regulations. In non-parished areas the decisions about spending are

delegated to the relevant Community Committee (as the lowest democratic representative), and the CIL neighbourhood fund ring-fenced by the City Council for that purpose.

3.6.3 A report went to the Strategic Investment Board in February 2017 outlining the CIL funds available in the Strategic Fund. A report will go to the Executive Board in July 2017 to assist in the prioritising for spending of the CIL monies, in accordance with the Executive Board decision.

3.6.4 The table below shows the breakdown of the CIL monies paid and received by the Council, in comparison with year 2015-16:

	Total CIL paid to date	Total admin fee paid to date	Total neighbourhood fund paid to date	Total strategic fund paid to date
2015/2016	£126,878.21	£6,343.90	£19,031.73	£101,502.58
2016/2017	£1,865,696.08	£93,284.80	£279,854.41	£1,492,556.86
Total	£1,992,574.29	£99,628.70	£298,886.14	£1,594,059.44

3.7 Compliance activity

3.7.1 The number of enforcement cases received in 2016/17 has remained at a consistently high level with 1275 cases received. As such the workload through the service remains substantial with a significant number of complex cases being investigated. However, the number of cases on hand has been maintained at approximately 1000 which has been a long standing service objective. This is a key step in improving the overall handling of cases as it will ultimately assist in reducing officer caseloads as staffing issues are addressed.

	Q1	Q2	Q3	Q4	Total
No of cases received	370	299	311	295	1275
No of cases resolved	333	402	317	259	1311
Initial site visits					
Category 1: Site visit same day/within 1 day. Target 100%	100%(1)	100%(2)	100%(0)	100%(5)	100%(8)
Category 2: Site visit within 2 working days. Target 95%	80%(10)	100%(8)	100%(2)	100%(6)	95%(26)
Category 3: Site visit within 10 working days Target 90%	83% 298/360	88% 263/297	91% 283/309	91% 259/284	86.5% 1103/1275

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

3.7.3 Performance in undertaking initial site visits has been maintained and indeed slightly improved in the last two quarters. The target visiting times are in the process of being amended to reflect the priorities in the enforcement plan and this will be reflected in the next performance report.

3.7.4 In relation to the Category 1 and 2 cases the figures relate to a relatively small number of cases. For example there were 26 category 2 cases during the reporting period and only 2 of those cases missed the 2 day target and this is reflected in the figures. It should be noted that a bulge of category 3 cases were received in quarter 1 and this resulted in a dip in performance in undertaking in-time visits due to the subsequent pressure on staff in the service by this increase.

3.7.5 The overall number of open cases on hand has generally been maintained and currently stands at 1018.

3.7.6 Outcomes of case resolved

3.7.7 The number of complaints investigated that that are found to either involve no breach of planning control or are minor infringements and not expedient over the period sits at 47%. This has gradually reduced from a figure of 60% in 2010/11.

3.7.8 This can possibly be accounted for by the increased rigour in examining cases as they come into the service. 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 53% of cases which have been closed involve significant breaches which have been resolved to the satisfaction of the Council through negotiations, granting planning permission or formal enforcement action. Ward Member meetings have continued during 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.

	Total
No Breach*	36%
Resolved by negotiation	34%
Breach but de-minimis/ not expedient	11%
Planning permission/ CLU granted/ appeal allowed	15%
Enforcement /other notices complied with	4%

3.7.9 Enforcement and other Notices

3.7.10 A total of 80 enforcement and other notices have been served during the year so far. A greater number of PCNs and S330 notices have been served. These are formal requests for information and used to gain information to establish the nature of the breach or ownership information. This is a continuation of activity levels of previous years. There have been five temporary stop notices served during the period in relation to both unauthorised building works that were

continuing on site and not considered acceptable or likely to gain planning permission and to prevent increased occupation of unauthorised travellers sites. We continue to take more formal action than all the other core cities by some distance reflecting the importance Members place in Leeds on the service

*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.

	Total
Planning Contravention Notices / Section 330 notices	87
Breach of Condition Notice	8
Enforcement Notice	60
S215 Untidy Land Notice	3
Temporary Stop Notice	5
Stop Notice	2
	167

- 3.7.11 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 some risk, the resource savings in doing this are significant. It does however place increased pressure on case officers in progressing cases within the service and requires additional on-going training.

3.7.12 **Prosecution Outcomes and outstanding cases**

- 3.7.13 A small number of cases have been brought or are being brought before the courts for non-compliance with enforcement and other notices. These have been in relation to continuing long standing breaches. Monitoring of the letting board area has recommenced with a number of successful prosecutions for the continued display of boards in breach of the code. A number of cases have been sent letters before action and this threat of court action can be effective in securing compliance with notices and remedying the breach in advance of preparing formal papers for the courts. A small number of cases have been prosecuted but the breach remains unresolved, despite fines being imposed by the courts. These cases are subject to review to look at actions to remedy the breach but are difficult without a works in default budget.

3.8 **Staffing and Resourcing**

- 3.8.1 It has been a difficult year regards resourcing with for most of the year 6.6 FTEs vacant and in addition two colleagues on long term sick leave during which time the application workload has grown by 5.6% and decisions by 9.3%. Compliance services in particular has soldiered on despite significant staffing difficulties for a number of years now, which we are trying to address.
- 3.8.2 There has been some significant difficulty advertising externally for the two Planner posts. This process started on December 12th 2016 following approval of a business case by City Development Directorate and only recently have we got to a position where the posts have been advertised. There has been a tremendous response which reflects well on Leeds as a city and how it is viewed

as an employer, with 48 applications to short list. Interviews have been timetabled commencing the 28th June for three days. To release some pressure a temporary Principal Planner and Compliance Officer have been appointed and further temporary Planner is being sought until the permanent appointments can be made.

- 3.8.3 In addition the Council /Service have taken the opportunity to utilise the offer of a 20% increase fees from the Government providing this is spent on the Planning Service; this equates to approximately £550k. It is acknowledged that staffing levels currently reflect workloads established during the economic collapse. It is intended therefore to increase staffing at a senior development management officer level to deal with the increase in major applications and to further develop the Planning Performance Agreement service which ultimately should enhance income. Combined with this would be a dedicated Senior Highways Officer. A further additional Planner on a career grade is proposed to help with the increase in activity in the householder and other application categories and an additional Compliance Officer.
- 3.8.4 To implement one of the recommendations in the Community Infrastructure Levy Audit it is also intended to appoint a dedicated CIL officer. And because the member of the Customer Service Team whom previously dealt with complaints has recently retired, it is intended to introduce a Complaints Officer post.

3.9 **Service quality**

3.9.1 **Complaints**

- 3.9.2 From April 2016 to March 2017 there have been 148 stage 1 and stage 2 complaints received by the LPA. This is a 15% increase in the number of complaints received when compared to the previous year.
- 3.9.3 The main theme of upheld complaints focus on the way planning applications have been advertised and that comments received from neighbours have not been taken in to account by officers. Action has been taken to ensure the appropriate number of site notices are erected by printing additional notices for the planning case officer to erect on site. Additionally, when any representations made by separate emails or letters are uploaded to Public Access, an auto generated email is sent to the planning officer informing them that new comments are available to take into consideration.
- 3.9.4 The other main area of complaint was the lack of communication throughout the process. With the recent introduction of Enterprise Voice applicants and agents now have the option to leave a voicemail or email the officer direct, and feedback is being given to team leaders where complaints are upheld.
- 3.9.5 The Local Government Ombudsman (LGO) reported 25 cases to the Planning Service during this period of which 17 were received closed with no further action being taken by the LGO. This compares with 14 new cases with 10 requiring no further action in 2015-16. Eight cases received in 2016-17 required investigation, and two cases identified fault. Two cases are awaiting a decision (Daisy Hill

where the officer report was incorrect and Fish Farm Thorner where the complaint centred around how the application was considered).

4 Service improvements

4.1 RTPI Awards

4.1.6 Planning services has been shortlisted for two planning excellence awards by the industry ruling body, the RTPI. The RTPI Awards are the most established and respected awards in the UK planning industry. Running for 40 years, they celebrate exceptional examples of planning and the contribution planners make to society.

4.1.7 This year saw a nearly 40% increase in entrants and the judges have shortlisted 90 finalists across 14 categories. The service will now go through to the next round of judging where the overall category winner will be announced on 15 June 2017. The two nominated categories are:

- Local Authority Planning Team of the Year
- Excellence in Planning to Create Economically Successful Places for the Victoria Gate Development (Phase 1)

4.2 Customer Services Excellence reaccreditation

4.2.1 In March 2017, the service was successful in being reaccredited with Customer Services Excellence (CSE). This is a national government standard awarded to organisations which demonstrate that they are a customer focused organisation. The assessors report was particularly complementary about the planned improvements to the website, committee rooms 6 and 7 and the way members of the public were treated at the Plans Panel meetings.

4.3 Customer satisfaction survey

4.3.1 As part of our commitment to continuous improvement, a customer satisfaction survey is carried out on a two-yearly basis. In January 2017, an online survey was sent out to over 5,000 participants who had used the planning service. The response rate was 4%; whilst this is not a high return, it is possible to identify common issues arising particularly from the comments respondents made. A number of themes emerged from the survey including:

- Officers and lack of communication throughout the planning application process, lack of access to officers
- Validation criteria inconsistencies, overly complex and barrier to expeditious determination
- Delays in determination and lengthy process for what appeared to be less complex applications
- Poor website and lack of usability of the content

- 4.3.2 Work will be undertaken to try to address some of these issues, however, it is noted that the resourcing issue and increased workloads has had an impact on service delivery and the appointment of both temporary and permanent staff will hopefully assist in alleviating some of the issues.
- 4.3.3 On a more positive note, when asked for general comments, 17% of the comments made were constructive about Planning Services. Compliments were calculated as 16% of the general comments received and ranged from officers being very helpful, being fast and efficient and access to submitting planning applications online.

4.4 Internal Audit

- 4.4.1 In the reporting period two audits were carried out by Internal Audit. The first carried out in November 2016 into planning enforcement received good assurance in both the control environment and compliance. The report was positive, but there were a number of highlighted areas to address, which largely boil down to the need for consistency in providing a robust audit trail. The service is working its way through the recommendations and implementing appropriate changes.
- 4.4.2 The second carried out in the last quarter of 2016-17 was an audit of the Community Infrastructure Levy. The scope of the audit was to gain assurance over the arrangements in place to ensure income is identified and collected and that the monies are used in line with the intended purpose. After discussions with key staff, it was agreed to undertake the audit in two stages due to the volumes and values currently involved; the first stage of the audit carried out in February 2017 involved the testing of a sample of schemes liable for CIL to ensure that all CIL income had been fully and accurately accounted for on FMS. The second stage of the audit will be undertaken during either 2017/18 or 2018/19 depending upon volumes and value of CIL income involved at the time.
- 4.4.3 A draft report has now been produced which highlights several areas which need addressing ranging from increased record keeping and more transparent audit trail, to staffing and resourcing arrangements to provide a more streamlined and robust service. The service is working its way through the report, but has already identified key changes and has committed to the creation of a dedicated post from the 5% administration top slice, which under the regulations, the LPA is allowed to retain. This in particular will make a significant difference in ensuring better consistency, transparency and assurance.
- 4.4.4 Audit will revisit the service in six to nine month time to ensure the appropriate changes have been made.

5 Challenges Ahead

5.1 Balancing workloads with resources

- 5.1.1 The Government published its Housing White Paper in February 2017 which contained a three pronged approach to boosting planning capacity. One such measure was an increase in planning fees by 20% from July 2017, to increase

planning resources. Under the move, local authorities must commit the additional fee income to their planning departments. Leeds City Council has signed up to this.

- 5.1.2 The government also said it is “minded” to allow an increase of a further 20% for those authorities delivering “the homes their communities need” and said it will consult further. It has also promised to keep the resourcing of planning departments and fees under review.
- 5.1.3 In another measure, the government will make available £25 million of new funding to help “ambitious authorities in areas of high housing need to plan for new homes and infrastructure”. This will be channelled into engaging communities on the design and mix of new homes.
- 5.1.4 In the third move, the government will crack down on unnecessary appeals to the Planning Inspectorate which it said “can be a source of delay and waste taxpayers” money. It will consult on introducing a fee for making a planning appeal but is keen that this will not discourage smaller builders from making legitimate claims. One option under consideration is for the fee to be capped at £2,000 for the most expensive route leading to a public inquiry. Fees would be refunded if an appeal succeeds, with a suggestion of lower charges for less complex cases.
- 5.1.5 Whilst the white paper’s intention to release extra resources is to be welcomed, RTPI data suggests a 29% drop in development management staff between 2010-15 and the measures may not be enough to mitigate under investment in the planning service over recent years. Additionally, resources may also need to be made available to cope with the demands of new government policies outlined elsewhere in the white paper such as maintenance of a brownfield land register.

6 Corporate Considerations

6.1 Consultation and Engagement

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

6.2 Equality and Diversity / Cohesion and Integration

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

6.3 Council policies and City Priorities

- 6.3.1 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.

6.4 Resources and value for money

- 6.4.1 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.

6.5 Legal Implications, Access to Information and Call In

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

6.6 Risk Management

- 6.6.1 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.

7 Conclusions

- 7.1 The upward trend in workload has continued for the last five years and this reporting period is no different, with numbers of applications up by 5.6% in comparison with the previous year. Performance on determining applications in the statutory timescales or within an agreed time has slipped a little, although still significantly higher than the national average. Measures will be put in place to ensure that performance is maintained and improved if possible going forward. Leeds continues to receive a significant number of major applications so considering the complexity and size of some of the schemes in Leeds, maintaining such a high performance level is an achievement. Emphasis will continue to be placed on the efficient and expeditious determination of applications through the promotion of the pre-application service and use of extensions of time agreements when it is clear that applications cannot be determined in the statutory timeframe.
- 7.2 A close watch will be kept to ensure that there are sufficient resources to maintain the quality and speed of service necessary. This situation will be aided by the increase in planning fees from July 2017 and the resulting increase in staffing.
- 7.3 The service anticipates a further challenging time ahead, 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 within the resources available to deliver the service.

8 Recommendations

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

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Report of Director of City Development

Report to Joint Plans Panel

Date: 22nd June 2017

Subject: Planning and Schools Provision

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. Officers from Children's Services and the Planning Service (City Development) continue to work together to facilitate the delivery of new school places. This is in response to a number of factors including population growth (which impacts upon basic need) and in planning for future housing growth via the development plan (Site Allocations Plan) and planning applications. This results in the need to plan for new infrastructure, including the provision of new school places.
2. Notwithstanding the City Council's continued efforts, the delivery of new school places is complex both in terms of national legislation and guidance in the provision of new schools and the intricacies of the planning and the education funding regimes.

Recommendations

1. Joint Plans Panel is invited to note and comment on the contents of this report.

1 Purpose of this report

- 1.1 The purpose of this report is to provide an overview and to update Members of the ongoing working being undertaken by the Planning Service (City Development) and officers from Children's Services in the delivery of new school place provision.

2 Background information

- 2.2 The provision of new school places arises from two principal considerations, the continued increase in the birth rate in Leeds (from a low of 7,500 in 2000/1 to an average of just over 10,000 for the last 5 years); and increasing demand arising from the new housing requirements identified in the Adopted Leeds Core Strategy (and subsequently the identified requirements of the Site Allocations Plan and the Aire Valley Leeds Area Action Plan).
- 2.3 These combined requirements have necessitated a close and continued working relationship between the Planning Service and Children's Services (supported by other services) to enable the delivery of school places in a timely and coordinated manner. However, whilst good progress is being made, the operating context for this joint working is complex and dynamic as a result of a range of issues including: national education policy and requirements, the role of new school providers (such as Free Schools), the nature of available funding mechanisms through the planning system, role of the Education Funding Authority (EFA) and uncertainties around delivery.

3 Main issues

Existing Need for School Places (Basic Need)

- 3.1 The demand for new places is determined by Capacity and Sufficiency in Children's Services, using the latest demographic projection model and this establishes need. The projection model uses data obtained from the NHS of births and tracks children through their health registration over time. This allows data on the number of children in Leeds and where they are living at key entry points to schools (Reception classes in Primary Schools and Year 7 in Secondary Schools).
- 3.2 This data is analysed geographically and is compared to the approved admission limits in local schools. The analysis is performed for 42 primary planning areas (based on the policy imperative for children to be offered a school place within 2 miles of where they live) and 9 secondary areas. The analysis creates a profile of need over time for each planning area. Need is rounded into forms of entry, with half a form or 15 children being the lowest denomination.
- 3.3 Since 2009, over 1,600 reception class (primary school) places have been created as part of the Basic Need programme. This equates to a total capacity across the primary estate of over 10,000 additional places.
- 3.4 Between 2017 and 2020, up to a total of 32 forms of entry (960 reception class places) is likely to be required to meet projected demand across the city. This will be met through a mixture of permanent expansions of existing schools, new Free Schools and bulge cohorts. Plans are well under way to meet this need with 11

forms of entry already approved by executive board as permanent expansions and will be delivered for September 2017 (7FE) and September 2018 (4FE) respectively. Consultations are ongoing or due to start for additional permanent expansion to be delivered for September 2019 and 2020, leaving approx. 3FE of permanent solutions to be identified by 2020.

- 3.5 As with recent years, a level of bulge or temporary solutions will need to be sought and secured between 2017 and 2020. For September 2017 5FE has been agreed and secured with schools, with a further 5FE estimated between 2018 and 2020. Free Schools will also help to meet the projected demand over the 3 years to 2020 with 8FE planned via applications now approved via the Education Funding Agency.
- 3.6 As the increase in children progress through primary school, this will inevitably impact on secondary school places. The strategy for creating secondary school places is somewhat different to primary school place planning. Several secondary schools have been able to increase their PAN (Published Admission Number), without the need for additional accommodation, with some of these being permanent changes and others over admitting to deal with a temporary localised increase.
- 3.7 Since 2014, nearly 800 additional year 7 places have been created through local authority led permanent expansions, schools increasing their PAN temporary or permanently and the creation of secondary free schools. Planning ahead, it is projected that another 1000 year 7 places will need to be created by 2021, based on the number of places available for academic year 2017/18. This will be met through options stated above but will also include local authority led free school presumptions.
- 3.8 A team comprising of representatives from Children's Services and City Development (Asset Management, Regeneration and Planning and Highway services - known as the Planning, Highways and Land Programme Team) meet to identify suitable sites to meet the basic needs school places requirements across Leeds. The team have been progressing site search work for the past several years to provide a joined up approach to school place planning to provide solutions for new sites and school expansions. This process has and continues to consider highways, traffic, environmental and general planning issues alongside the need for school places in certain locations and the best use of Council assets.
- 3.9 Decisions on sites are often required as a matter of urgency, both in order to progress the provision of school places to the required timescales, enabling the council to deliver its statutory responsibility on providing school places, and also to allow sites to be removed from other programmes (i.e. brownfield programme, asset review) for use as schools, or to be discounted and allow the Council to market these sites for other uses, such as housing. This process enables detailed scrutiny to take place at an early stage and before proposals is presented to Executive Board for consideration.
- 3.10 The basic need programme is funded to deliver the Council's statutory duties and responsibilities for providing school places. The programme estimates the resources the council will need to secure sufficient places for the immediate and medium term. This is based on the projection of demand for school places

produced by Children's Services in cooperation with the Intelligence Unit in Strategy and Resources.

Basic Need Funding

3.11 Basic need funding is mainly provided from the following sources:

- Residual government grant funding and borrowing;
- Basic Need government grant funding since 2011/12;
- Targeted basic need funding.

*Basic need programme may be adjusted for Free Schools which open.

Need Arising from Future Housing Growth

i) Planning Applications for New Housing

- 3.12 When a planning application is put forward, the planning of future school places is considered ahead of any decision being made. The calculation used to determine an approximate number of children yielded from the development is 25 primary aged children and 10 secondary aged children per 100 family dwellings. This needs to be aligned with projected numbers of children based on any increases in birth rate or net migration.
- 3.13 There are many uncertainties when planning school places based on new housing developments, such as when/if a development will come forward, the build rates per year and how long this will take to be completed. Although places need to be planned in ahead of the need arising, the timing is essential.
- 3.14 At the point a planning application is submitted, demographics based on NHS data allow for planning up to 4 years in advance based on children currently living in a particular area. Adding in a projected yield from the development will give some idea of the level of need and whether expansion of existing schools or a new school is required.
- 3.15 However, this needs regular reviewing as the demographic landscape is constantly changing and most housing developments take more than 5 years to complete or even start, at which time demographic and school numbers on roll data used at the initial planning stage may become out of date.
- 3.16 At the planning application stage, it is difficult to be certain of the exact number of school places that will be required once a housing development is complete due to the uncertainties mentioned above.
- 3.17 In general terms where an additional need would appear to be a short term requirement, the options to create a bulge cohort would be considered. Where this is likely to be a longer term need, then permanent expansion of existing schools or the requirement for new school(s) is considered. In addition, a knowledge of which schools have potential to expand requires a detailed feasibility study to be carried out, and this would only take place once a proposed solution is being taken

forward. Therefore only a high level summary of the proposed solution can be discussed at the planning application stage.

- 3.18 For new pupil places required because of planning applications for new housing development developer contribution plays a key role and where new housing schemes create a need for more school places, these will generally be accommodated across the existing school network through payments from the Community Infrastructure Levy (CIL) for e.g. school extensions. Major residential applications immediately trigger a consultation with children's services and where schemes are presented to plans panel often colleagues from Children's Services are in attendance to discuss the school place implications.

ii) Strategic Planning

- 3.19 The Policy and Plans Service have been working with Children's Services since the preparation of the Core Strategy up to the present time with the recent submission of the Site Allocations Plan.

- 3.20 For the Core Strategy, services worked together to identify the overall number of school places arising from the housing requirements, broken down into the 11 Housing Market Characteristic Areas (HMCAs). The Core Strategy was subsequently adopted in 2014.

- 3.21 Since the early stages of the preparation of the Site Allocations Plan (SAP) and Aire Valley Leeds Area Action Plan (AVLAAP), Children's Services have advised on the need for school places arising from potential development sites coming forward as housing allocations. This work has evolved as the development plans have become more advanced from the issues and options stages through to the submission and examination of the plans. The AVLAAP was submitted to the Secretary of State on the 23rd September 2016 followed by the hearing sessions in January 2017. Subsequent to the examination hearings officers prepared Proposed Modifications to the plan, which were subject to public consultation until the 8th June. The Inspector's Report is now awaited. The SAP was submitted to the Secretary of State on the 5th May 2017 and the hearing sessions as part of the examination process are anticipated to commence in Autumn 2017.

- 3.22 The process of identifying the level of need for new school places and the means for delivery has broadly followed the following 5 stage methodology:

- i) Quantifying the general need for school places arising based on different site options;
- ii) Identifying local need arising from proposed allocations;
- iii) Establishing the means to deliver new school places, through expansion of existing schools and providing new schools;
- iv) Where new schools are needed, identifying the most appropriate site to accommodate the new school (from the supply of proposed housing allocations):

v) Establishing the mechanism for delivering new schools through three categories of site:

1. Housing and school allocations which identify a need for school provision where a number of sites in the area generating the need. The proposed site is considered to be the most suitable location for a school;

2. Housing and school allocations which identify a need for school provision, where the site generates the school need alone.

3. Sites reserved for school use only which are not allocated for housing.

3.23 The Infrastructure Background Paper supporting the SAP includes the Schools Background Paper which explains the process for identifying school place provision in response to the housing number proposed by both the SAP and AVLAAP. The Schools Background Paper is provided as Appendix 1 to this report. The general findings identify the following:

Primary School Places

3.24 Approximately 80 FE additional primary provision will be needed, which is equivalent to 40 new 2 FE primary schools. The SAP and AVLAAP identify options that would secure land equivalent to 43.5FE provision, with the remaining 36.5FE being met within the existing school estate through permanent expansions.

Secondary School Places

3.25 Approximately 60 FE of additional secondary provision will be needed. The two plans identify options securing land equivalent to 28 FE with the remainder met by the existing school estate through permanent expansions.

Challenges to Delivery

3.26 The process for delivering new school provision is both challenging and complex. As set out in the Schools Background Paper, the means for securing financial contributions through the planning process is through Section 106 Agreements (for the largest housing allocations generating the single need for the school provision), or for the majority of sites through the Community Infrastructure Levy (CIL), which is subject to competing pressures and to date the level of accrued funds is modest in comparison to the overall infrastructure needs of the District. In any event, it was only ever the Government's intention under CIL, that this would provide 'gap' funding for infrastructure projects and would not therefore be available to meet all of the costs.

3.27 In taking forward and in the adoption of CIL, it has been agreed that Executive Board will make key decisions on how and where available 'strategic' CIL contributions will be spent. Through this process and via the Strategic Investment Board, it has been recommended that the sums accrued to date from CIL contributions, should be spent on the Learning Places budget, subject to Executive Board agreement. A report will be presented to Executive Board in July seeking

agreement that the monies in the CIL strategic fund be used to contribute to the learning places deficit for schools.

- 3.28 Funding for school expansions is normally provided from the Learning Places programme through Basic Need allocations. The level of need for additional primary and secondary school places across Leeds, coupled with increasing costs for delivering additional accommodation, now means that going forward the basic need funding may need to be topped up from alternative sources such as council borrowing. Where a new school is required and linked to the SAP, the delivery of this under current legislation will be either through the local authority free school presumption route, and funded through the Basic Need grant, plus additional funds from s106/CIL contributions and where necessary additional council borrowing. Alternatively a free school can be delivered and funded via the EFSA as part of their wave of free school applications. Where this is the case, the local authorities Basic Need grant is adjusted to reflect new provision being established.
- 3.29 As outlined in this report, the delivery of new school places is highly complex and is influenced by a range of interrelated and interdependent factors. In reflecting these concerns and as a basis to deliver the Council's priorities, the Chief Planning Officer has recently written to the DCLG Chief Planner detailing the challenges faced by Leeds and the need for these to be remedied as a matter of urgency. Within this context (and as referenced as part of the Housing White Paper) further reforms to CIL are likely to emerge in the Autumn and the Planning Service has expressed the desire to work closely with DCLG to help shape and influence these reforms.

Planning Applications for New Schools

- 3.30 For applications for proposed new schools and school expansions, in general the processing of most primary and secondary school proposals, is carried out by a dedicated planning officer. The process often involves feasibility studies linked to the above process described in paragraph (3.8) and extensive pre-application discussion involving ward members. Where appropriate, pre-application presentation to plans panels also takes place as well as community engagement to ensure that proposals can be properly integrated into the urban fabric and appropriate mitigation measures are also fully considered.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 As part of consultation on Basic Need proposals, the process is managed in accordance with the relevant legislation and with local good practice.
- 4.1.2 The initial consultation period, which is not statutory, would normally consist of a four weeks of public consultation period, including drop-in sessions for parents/carers, residents, local ward members and other stakeholders that may have an interest.
- 4.1.3 The drop in sessions are information sharing events that provide an opportunity for parents/carers, residents and other stakeholders to ask questions of council

officers, relating to the proposal. Normally 3 drop-in sessions are held (morning, afternoon and evening) to ensure best possible engagement with the local community. Other forms of advertising/engaging during a consultation period include: Letters, leaflets, various social media as well as information added to council and school websites.

- 4.1.4 The SAP and the AVLAAP have both been subject to extensive consultation which has included consultation with the general public, stakeholders and Ward and Development Plan Panel Members. Both plans have a Report of Consultation explaining the consultation processes undertaken and have been submitted for examination.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 An Equality and Diversity/Cohesion and Integration (EDCI) screening form is or would be completed ahead of any proposal to expand or create new school provision. This would happen prior to any public consultation stage.
- 4.2.2 In the preparation of the SAP and AVLAAP, due regard has been given to Equality, Diversity, Cohesion and Integration issues. This has included the completion of a EDCI Screening The purpose of such Appraisal is to assess (and where appropriate strengthen) the document's policies, in relation to a series of social (and health), environmental and economic objectives. As part of this process, issues of Equality, Diversity, Cohesion and Integration, are embedded as part of the Appraisal's objectives. This reflects the approach set out in the Core Strategy, which has also had the same regard to these issues

4.3 Council policies and Best Council Plan priorities.

- 4.3.1 The Core Strategy and the Pre-Submission Publication SAP, play a key strategic role in taking forward the spatial and land use elements of the Vision for Leeds and the aspiration to be the 'the Best City in the UK'. Related to this overarching approach and in addressing a range of social, environmental and economic objectives, these Plans seek to implement key City Council These include the Best Council Plan (2017/18) (in particular priorities relating to 'Good growth' (Growing the economy, creating jobs, improving skills, promoting a vibrant city) and 'Child friendly city' (Keeping children safe, supporting families, raising aspirations and educational attainment) and Breakthrough Projects including 'Housing growth and high standards in all sectors' and 'Strong communities benefiting from a strong city'.
- 4.3.2 Any proposal to create additional school provision as part of the SAP would be taken forward to meet the Council's statutory duty to ensure there are sufficient school for all the children in Leeds. Providing places close to where children live allows improved accessibility to local places helping to support good levels of school attendance. Any proposal to create additional school places will provide tangible support for the city's aspiration to be the Best Council, the best city in which to grow up and a Child Friendly City. The delivery of pupil places through the Learning Places Programme is one of the baseline entitlements of a Child Friendly City and by creating good quality local places that offers strong support towards achievement of the aim to improve educational achievement and the closure of achievement gaps.

- 4.3.3 The delivery of these objectives and commitments for the benefit of generations now and in the future, is dependent in part upon the effective use of interventions and mechanisms which are timely and fit for purpose. As outlined in the report, the Council is working within the framework which has been set by national guidance and has identified a number of operational and financial issues in delivering much needed school places. The City Council is committed to influencing reforms to these existing mechanisms and systems 'upstream' and through the development plan process, whilst working to secure effective provision via the Basic Needs programme and planning application process.

4.4 Resources and value for money

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

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 The SAP and AVLAAP will follow the statutory Development Plan process (Local Development Framework). The report is not eligible for call-in as no decision is being taken.

4.6 Risk Management

- 4.6.1 Ensuring there are sufficient local school places across Leeds is a statutory duty for the local authority. Without developing plans linked to the potential pupil yield from the SAP, the authority's ability to meet its statutory duty for sufficiency of school places within Leeds would be at risk.
- 4.6.2 Without current allocations plans for Leeds City Council in place, aspects of the existing UDP allocations will become out of date and will not reflect or deliver the Core Strategy Policies and proposals (including District wide requirements for Housing and General Employment Land) or the requirements of national planning guidance. Early delivery is therefore essential to enable the Council to demonstrate that sufficient land will be available when needed to meet the Core Strategy targets. Without an up to date plan the 'presumption in favour of sustainable development' by the Government means that any development or Neighbourhood Plan in conformity with national policy will be acceptable, regardless of any previous positions of the authority. The further the Plan progresses, the more material weight can be given to it. In addition, the Government has stated that they will intervene, unless Plans are in place by 2017.

5 Conclusions

- 5.1 The provision of school places is a statutory responsibility of the Council. Children's Services and City Development will continue to work together to facilitate the delivery of future school places in response to population growth and new housing. However, the scale of the work is considerable given the scale of future housing growth and the constraints of the processes for delivery.

6 Recommendations

- 6.1 The Joint Plans Panel is invited to note and comment on the contents of this report

SCHOOLS BACKGROUND PAPER

1. Introduction

- 1.1 This report provides an outline of the implications of the proposed site allocations for school places in Leeds, including reference to sites identified for new schools, in order to inform the final decision on site allocations.

2. Background

- 2.1 The Core Strategy, and Site Allocations Plan (SAP) and Aire Valley Leeds Area Action Plan (AVLAAP) which support its delivery, are essential to the economic growth of the city, and to its aspiration to be the best city in the country. This paper outlines the work done to ensure that the school provision necessary to support it can be delivered.
- 2.2 The context in which this work has been completed is challenging. The city is facing a rising demand for school places due to an increase in the birth rate from a low of 7,500 in 2000/1 to an average of just over 10,000 for the last 5 years. This has necessitated the creation of over 1,500 reception class places and over 10,000 primary school places as a whole, since 2009. This has been met through expansions of existing schools, creation of new schools, and restructuring of existing schools.
- 2.3 As a result the capacity of the existing school estate to respond to significant new housing is limited, particularly in certain hotspots within the city, and new sites will need to be secured initially through the SAP and AVLAAP process and later through detailed planning applications.
- 2.4 As the discussions with ward members and officers regarding site allocations have progressed, Children's Services have given their views on the potential impact in each Housing Market Characteristic Area (HMCA), and suggested sites which would be well placed to create additional school provision. In addition to considering the location relative to existing schools and the impact on them, consideration has been given to the size of particular sites, and priority has been given to locating provision in the larger sites which most directly give rise to the new demand. The recommendations for school sites should therefore be sustainable in the long term.
- 2.5 School Place Planning for Existing Demand
Children's Services have identified that up to an additional 18 forms of entry of primary school provision, the equivalent of up to 540 reception class places will need to be created between 2017 and 2019 to meet the growing demand for primary school places across Leeds. A mixture of permanent expansions to existing schools, bulge classes and the creation of new free schools will help meet this demand. Currently there are several consultations taking place across the city to expand existing schools and should these be approved, would create an additional 300 places between 2017 and 2019. In addition to this there are several free school applications progressing which would create a further 180 places. To meet the projected shortfall between 2017 and 2019, further work will be done to

bring forward additional consultations to expand existing schools, with some of the short term need being met through additional bulge cohorts.

- 2.6 Plans to meet the growing demand for secondary school places are now being put together as the rise in year 7 applications continues to grow. As with primary school places, this need will be addressed through existing school expansions, bulge classes and new free schools. In some cases sites previously identified as school allocation sites, to meet demand generated by the Site Allocations Plan, have had to be brought forward early to meet existing Learning Places demand instead. Where this has occurred alternative plans have been identified to meet new housing generated demand in the future. Paragraph 4.5 distinguishes the need arising from existing demand and the SAP and AVLAAP presented by Primary Planning Area.

3. The Process and Key Considerations

- 3.1 As the site uses and sizes have been refined, the analysis of the impact on school places has been adjusted. This has been a lengthy iterative process balancing housing, employment and green space allocations with other infrastructure needs, including schools. The site allocations commentary reflects the school as an essential requirement of any subsequent planning application for that site, and housing yields have been adjusted to allow for the school site area on housing allocations.
- 3.2 As far as possible, schools have not been proposed on safeguarded land sites. Concern has been raised that to progress a school on safeguarded land ahead of housing progressing may risk premature housing development through challenge of the status. Where a school is proposed on safeguarded land, consideration has been given to whether this arises purely directly from that site, or from a wider need and so be needed sooner. Where it may be needed sooner, consideration has been given to how a phased opening could reduce that risk and by initially opening to meet existing demand and expanding when the housing goes forward.
- 3.3 School attendance patterns do not map well onto the HMCAs, and having largely concluded this iterative process it was then necessary to re-aggregate the data into meaningful school place planning areas to provide a final assessment of the sufficiency of provision. Whilst this represents a position statement at January 2017, any further iteration may impact on the position described.
- 3.4 The report describes the context for these planning areas in terms of current pressures for places, current scope of the existing estate to meet existing demand, and the needs arising from the housing allocations. It highlights the areas of concern where no solutions for school places have been found.
- 3.5 Local authorities are already the providers of last resort for school places, and are dependent on working with partners to commission new provision. In addition, free schools are commissioned independently of the local authority. This can open up opportunities to acquire privately owned land and buildings which may not feature in this plan. Given the long term nature of the housing strategy, and the likelihood of changes to the statutory and educational context of school place planning, as well

as the possibility of further increases or decreases in the birth rate, it is therefore not necessarily an issue to progress with the site allocations without fully sufficient school provision being identified at this stage, however these risks are highlighted so that members can make an informed choice when approving the plans.

- 3.6 Establishment of new school provision is subject to a statutory process, which may or may not support the suggestions made in this report. However failure to secure sites now will almost certainly leave the authority with a significant gap in its ability to respond to the planned housing. Given the context described, it is therefore essential that the site allocations describe the provision of a school site as a requirement, but that the authority is able to confirm or decline that requirement at the time of the detailed planning application being brought forward.
- 3.7 It is generally inappropriate to name a specific scheme to meet the demand as this would need to be tested through the statutory process, and consultation in the SAP and AVLAAP process would not meet the needs of school organisation legislation. In some villages, options are clearly more limited, and consideration is given to the sustainability of more than one school. Relocation to facilitate expansion may be suggested as an obvious option to meet demand. In other cases sites immediately adjacent to existing schools offer obvious expansion options. Naming of a site, and especially a particular scheme, does not presuppose that this will be supported by the consultation and statutory process. The situation at the time the school provision needs to be brought forward will need to be appraised afresh.
- 3.8 There is some uncertainty about the impact of new housing of this scale in terms of pupil yield. For many years now the council has used a pupil yield of 25 primary aged pupils per 100 houses, and 10 secondary aged children. Adjusted by the number of year groups this equates to 3.5 children per year group in primary and 2 in secondary. These figures, particularly for primary, are not dissimilar to those used by other authorities, and have generally served Leeds well in planning school places.
- 3.9 This approach should ensure the authority is not left with a strategic shortfall of provision, but proposals will only be brought forward where the demand is confirmed. This reinforces the need to ensure that the planning conditions insist on the need for a school to be factored in, but not necessarily enacted.
- 3.10 Planning school places also involves liaising with other local authorities (Bradford, North Yorkshire, Kirklees and Wakefield) to share information about cross border pupil movement. Discussions take place several times a year and will also include information relating to planned housing that could have an impact on a bordering authority. This holistic approach has also allowed Leeds to request contributions for education where a development has been outside of the authority boundary but will have some impact on the schools which may be closest to a development. Separate discussions have also taken place with neighbouring authorities specifically in relation to the site allocations process.
- 3.11 Table 1 in Appendix 1 to this background paper summarises the number of houses approved, the pupil yield anticipated, and the sites identified as needing school provision including in the site use allocation by primary planning area. The following

commentary summarises any residual concerns for primary provision by planning area. Details are also provided of proposals to address existing school place demand.

- 3.12 Data is described in terms of forms of entry (FE). Schools are organised and funded around class sizes of 30 children, and a 1FE primary school has 1 class of 30 pupils in each year group, 2FE is 2 classes etc.

4. Primary School Place Impact

- 4.1 In total approximately 80 FE of additional primary provision will be needed as a result of the housing plans set out in the SAP and AVLAAP, which is the equivalent of 40 new 2 FE primary schools. The 2 plans have identified options that would secure land equivalent of 43.5FE city wide, with the remaining 36.5FE being met within the existing school estate through permanent expansions. Adding safeguarded sites into these figures, would increase demand to 89FE and solutions of 53.5FE.
- 4.2 The biggest gap in provision is in the City Centre HMCA, where 10 FE of additional demand could be created, with no sites identified. There is a high degree of uncertainty about the pupil yield from city centre locations, but we do know that increasingly families are moving into flats, and into these locations. A number of sites are coming forward through the Learning Places programme in the peripheral areas in the Inner HMCA, but this will not be sufficient to meet all housing generated demand. Between the two HMCAs - City Centre and Inner - 23.5FE of demand has been identified and only 3 FE of primary provision has been identified through SAP site specific requirements. This is not to say that schools cannot be provided outside of the SAP, as demonstrated by the recent establishment of the Ruth Gorse Academy, a secondary school due which opened in 2016 on Black Bull Street. The local authority will actively seek proposals for free schools and/or expansion of existing schools, in addition to the available SAP options, to address demand generated by city centre sites. However it is to note the high degree of risk attached with this Site Allocations Plan.
- 4.3 The pressure in the Inner HMCA is located mainly around the northern / north eastern part of the city centre, in the Kirkstall / Burley, Hyde Park, Woodhouse areas and through to parts of the Burmantofts, Chapel Allerton and Harehills. These are all areas where school provision is already facing pressure.
- 4.4 The preferred size for new provision is 2FE. This provides a degree of educational and financial breadth and stability, and allows options for downsizing rather than closure in times of declining birth rates. A number of areas do not present sufficient extra demand to warrant a new school but equally there may be problems meeting demand from the existing estate.
- 4.5 An analysis by Primary Planning Area (PPA) follows including a table setting out the identified need and proposed school provision (identified options) arising from Basic Need and the SAP and AVLAAP. Where safeguarded land is proposed within the PPA, that is detailed in the table and the accompanying text. Where schools are proposed on safeguarded land the sites are identified. Proposed schools on

safeguarded sites are not identified in the SAP plan with the yellow hatching as they are not site allocations but identified as potential locations for schools in the event of future housing development beyond the plan period. Table 1 at Appendix 1 provides a more detailed breakdown presented by Primary Planning Area and Housing Market Characteristic Area

Alwoodley PPA (North/ Outer North East HMCAs) – Site HG2-36 (Alwoodley Lane, Alwoodley), was agreed should contain a new 2FE primary school to absorb housing generated demand in this area which is also impacting on the adjacent Roundhay / Wigton Moor planning area. 0.5FE of additional demand would be generated in the Alwoodley PPA within the North HMCA.

PPA		Identified Need (FE)	Identified provision (FE)	Shortfall (FE)
Alwoodley	Basic Need (2016-19)	0	0	0
	SAP Safeguarded land	0.5 0	2FE 0	+1.5 0

Ardley / Tingley PPA (Outer South West HMCA) - The allocated sites generate an additional demand of 2.2FE and would require additional primary provision. Site HG5-8 (Bradford Rd, East Ardsley) may be required if the allocated sites are brought forward. Without the use of site HG5-8 there would be insufficient capacity within the existing network to meet housing generated demand due to ongoing basic need pressures in the area.

HG3-23 (Tingley Station) is identified as a safeguarded site, and if used in any future housing allocation would generate additional primary demand which again is unlikely to be met by existing schools due to ongoing basic need pressures. Therefore, should site HG3-23 come forward for development in the future it would be required to contain a 2FE school to meet the consequent demand generated.

PPA		Identified need	Identified provision	Shortfall
Ardley/ Tingley	Basic Need (2016-19)	0.5	0.5	0
	SAP Safeguarded land	2.2 0.4	2 2	0.2 +1.6

Armley / Wortley PPA (Inner/ Outer West HMCAs) – 2.2 FE of additional demand would be created. There is a high level of movement in this area, creating some uncertainty about the ability for this extra demand to be absorbed within local schools. This area has little spare capacity due to existing pressure and a lack of available options to expand existing schools in the area. A site for a 2 FE school is to be reserved on MX2-9 Kirkstall Road. However, the location of this site within the Armley/Wortley PPA means it is better placed to serve demand generated within the Kirkstall/Burley/Hawthornthwaite PPA.

PPA		Identified need	Identified provision	Shortfall
Armley/ Wortley	Basic Need (2016-19)	0	0	0
	SAP	2.2	2	0.2
	Safeguarded land	0.4	0	0.4

Beeston PPA (Outer South West HMCA) – A scheme to expand Cottingley Primary School by 0.5FE is going ahead from 2017 to meet 0.5FE of existing pressure in this PPA. No new school sites agreed but it is estimated that approximately 0.2FE of additional demand will be generated by new housing. This may create some localised pressure, although current projections indicate that this can be absorbed by existing schools within a reasonable distance of SAP sites.

PPA		Identified need	Identified provision	Shortfall
Beeston	Basic Need (2016-19)	0.5	0.5	0
	SAP	0.2	0	0.2
	Safeguarded land	0	0	0

Belle Isle (Inner/ Outer South West HMCAs) – No sites identified but 0.3FE of additional demand created in Belle Isle. There are limited options within existing estate for expansion and there is current basic need pressure. However, the creation of new free school primary provision at Acre Mount, Middleton should address existing pressures and help accommodate some of the SAP generated demand.

PPA		Identified need	Identified provision	Shortfall
Belle Isle	Basic Need (2016-19)	0.5	0.5	0
	SAP	0.3	0	0.3
	Safeguarded land	0	0	0

Boston Spa (Outer North East HMCA) – No sites agreed for school use. Estimated 0.6FE of demand generated but there are potential options to expand existing schools within the area.

PPA		Identified need	Identified provision	Shortfall
Boston Spa	Basic Need (2016-9)	0.5	0.5	0
	SAP	0.6	0	0.6
	Safeguarded land	0.3	0	0.3

Bramhope / Pool (Outer North West HMCA) – site HG2-17 (Breary Lane East, Bramhope) has been identified for education use as the collection of sites in this area would create an additional demand of 0.5FE primary aged children. There are no other nearby options for school expansion in this area. HG3-5 (Old Pool Bank, Pool-in-Wharfedale) is proposed as a safeguarded site that has been identified for part education use if it comes forward for housing in the future.

PPA		Identified need	Identified provision	Shortfall
Bramhope/Pool	Basic need 2016-19)	0	0	0
	SAP Safeguarded land	0.5 0.6	1 0	+0.5 0.6

Bramley (Outer West HMCA) – No sites agreed for school use. Estimated 0.9FE of additional demand created. Expansions planned within the existing school estate should provide sufficient capacity to absorb all housing generated and basic need demand.

PPA		Identified need	Identified provision	Shortfall
Bramley	Basic Need (2016-19)	0.7	0.7	0
	SAP Safeguarded land	0.9 0	0 0	0.9 0

Burmantofts (Inner/ City Centre HMCAs) – An estimated 2.5FE of demand generated by housing. No sites proposed for allocation. Plans are underway to expand and re-locate the existing Shakespeare Primary School onto a new site from September 2018. This relocation will allow for The Co-operative Academy of Leeds to expand their secondary provision from 2019 into the space vacated by Shakespeare Primary. However, these expansions are to meet existing demand for additional places and options are limited to accommodate further housing generated demand in the area.

PPA		Identified need	Identified provision	Shortfall
Burmantofts	Basic Need (2016-9)	2	2	0
	SAP Safeguarded land	2.5	0	2.5

Calverley PPA (Outer West HMCA) – Current projections indicate that local schools will be oversubscribed for the foreseeable future. No sites for school use agreed, and an estimated 0.2FE of additional demand generated by housing.

PPA		Identified need	Identified provision	Shortfall
Calverley	Basic Need (2016-19)	0	0	0
	SAP Safeguarded land	0.2 0	0 0	0.2 0

Chapel Allerton PPA (North & Inner HMCAs) – No sites proposed for school use, however a site within this PPA is proposed for a 2FE free school (subject to agreement). A free school provider is currently in discussions with the Education Funding Agency (EFA) with the aim of establishing new primary and secondary provision from September 2017. Although it is estimated that only 0.4FE of additional demand would be generated directly in this area, the free school proposal at Roundhay Road is wholly required to meet existing pressure for school places in Chapel Allerton and surrounding areas and will not provide a solution for this additional demand. There is a lack of available options for school expansion in the Chapel Allerton area and additional housing generated demand could result in demand outstripping supply of places.

PPA		Identified need	Identified provision	Shortfall
Chapel Allerton	Basic Need (2016-19)	0.5	0.5	0
	SAP Safeguarded land	0.4 0	0 0	0.4 0

Cookridge / Adel (North/Outer North West HMCAs) – Site HG2-18 (Church Lane, Adel) is agreed for a 2FE school. In total, housing across the area may generate 1.9FE of additional demand. Current projections indicate increasing pressure on primary school places in the area. Potential options for expansion in the existing estate may be sufficient to resolve basic need pressure but are unlikely to offer any scope for addressing additional demand caused by sites allocated for housing.

PPA		Identified need	Identified provision	Shortfall
Cookridge/ Adel	Basic Need (2016-9)	0.5	0.5	0
	SAP Safeguarded land	1.9 0	2 0	+0.1 0

EPOS (East Partnership of Schools) Villages South (Outer North East/Outer South East HMCAs) – In total, the sites would be expected to generate 3.6FE of additional primary school place demand within this area. Isolated village locations of schools in this PPA may result in localised pressure on existing schools due to additional demand generated by housing. Site MX2-39 (Parlington) is agreed for a 2FE school to meet demand generated by the site itself during the plan period (Phase 1). Additional primary school provision would need to be provided on-site for any additional development beyond that planned in Phase 1 as part of the comprehensive development brief for the wider settlement. The total number of forms of entry required would be dependent on the final agreed capacity of the proposed development. HG3-13 (East of Scholes) is a safeguarded site. Should this site come forward for development it would be required to contain a 2FE school to meet the consequent demand generated.

PPA		Identified need	Identified provision	Shortfall
EPOS South	Basic Need (2016-19)	0.5	0.5	0
	SAP Safeguarded land	3.6 1.1	2 2	1.6 +0.9

EPOS (East Partnership of Schools) Villages West (Outer North East HMCA) – No school sites agreed and 0.2FE of demand identified. Isolated village locations of schools in this PPA may result in localised pressure on existing schools due to additional demand generated by housing.

PPA		Identified need	Identified provision	Shortfall
EPOS West	Basic Need (2016-19)	0	0	0
	SAP Safeguarded land	0.2 0.1	0 0	0.2 0.1

Farnley (Outer South West/Outer West HMCAs) – No sites identified and 0.5FE of additional demand. Options believed to exist in the existing estate to accommodate this.

PPA		Identified need	Identified provision	Shortfall
Farnley	Basic Need (2016-9)	0	0	0
	SAP Safeguarded land	0.5 0	0 0	0.5 0

Farsley (Outer west HMCA) – The Site Allocation Plan is estimated to generate 0.3FE of demand in an area with limited/no options for expansion within the existing school estate. There is a lack of expansion options to meet this additional demand.

HG3-15 (1114) Kirklees Knowl is a safeguarded site and if the site comes forward in the future it would be required to contain a 2FE primary school.

PPA		Identified need	Identified provision	Shortfall
Farsley	Basic Need (2016-9)	0	0	0
	SAP Safeguarded land	0.3 0.5	0 2	0.3 +1.5

Garforth (Outer South East/ East HMCAs) – Site HG2-124 (Stourton Grange Farm, Selby Road - Ridge Road, Garforth) was agreed to contain a 2FE primary and a 2FE primary and 4FE secondary through school in order to meet the anticipated demand of 3.7FE from allocated new housing in the Garforth area and to partly address the demand from allocated housing in nearby Micklefield. It is not known if schools in this area could also be expanded.

PPA		Identified need	Identified provision	Shortfall
Garforth	Basic Need (2016-19)	0	0	0
	SAP Safeguarded land	3.7 0.6	4 0	+0.3 0.6

Gildersome / Drighlington (Outer South West HMCA) – agreed site HG2-145 (Bradford Rd/Wakefield Rd, Gildersome) adjacent to Gildersome Birchfield Primary School could provide for expansion possibilities of 1FE to fully meet 1FE of additional demand.

PPA		Identified need	Identified provision	Shortfall
Gildersome/ Drighlington	Basic Need (2016-19)	0	0	0
	SAP Safeguarded land	1 0	1 0	0 0

Guiselley / Yeadon / Rawdon (North and Aireborough HMCAs) – 3.2FE of demand created. 2FE school located within sites HG2-5 (Coach Road/Park Road, Guiseley) agreed in principle. Site HG2-41 (Land off A65 Rawdon & Horsforth) has been agreed should contain a through school

with 2FE primary and 4FE secondary, although this will be better placed to meet Horsforth PPA housing generated demand. The locations of the allocated sites within this PPA mean that not all housing generated demand could be accommodated by the reserved school sites and there are no other expansion options available locally.

PPA		Identified need	Identified provision	Shortfall
Guiseley/ Yeadon/ Rawdon	Basic Need (2016-19)	0	0	0
	SAP Safeguarded land	3.2 0.4	3* 0	0.2 0.4

*1FE from HG2-41

Harehills (Inner HMCA) – No sites agreed with an additional 0.3FE of demand. Whilst in part this could be addressed by the proposed free school at Roundhay Road, there are no other known options in the existing estate at this time should this free school proposal not go ahead.

PPA		Identified need	Identified provision	Shortfall
Harehills	Basic Need (2016-19)	2	2	0
	SAP Safeguarded land	0.3	0	0.3

Holbeck (City Centre and Inner HMCAs) – No sites have been identified as part of the Site Allocation Plan. However, there is a free school proposal to build a new 2FE primary school in the Holbeck area to meet demand from new city centre developments. It is anticipated that 13.6FE of demand may be generated by the SAP in total but it should be noted that the level of actual demand is uncertain due to the close proximity of much of the proposed housing to the city centre. There is some potential for expansion of existing schools in the area with a scheme underway to expand Hunslet Moor Primary school to meet basic need pressure. The uncertainty surrounding the actual level of demand that may be generated in Holbeck increases the level of risk. Without options for new school provision there will be insufficient capacity within the system to address all demand generated.

PPA		Identified need	Identified provision	Shortfall
Holbeck	Basic Need (2016-19)	1	1	0
	SAP Safeguarded land	13.6	0	13.6

Horsforth (North HMCA) 1.2FE of demand generated by the SAP and there is already non-housing related pressure for places within this area. Site HG2-41 (Land off A65 Rawdon & Horsforth) has been agreed should contain a through school with 2FE primary and 4FE secondary which should meet the need generated by the site itself and provide some additional capacity for surrounding sites in Horsforth. Part of site HG5-1 (Land off Victoria Avenue, Horsforth) adjacent to Newlaithes Primary School is also needed as there are no options for further expansion within the existing estate unless new free school provision comes forward separately.

PPA		Identified need	Identified provision	Shortfall
Horsforth	Basic Need (2016-19)	0	0	0
	SAP Safeguarded land	1.2 0	2* 0	+0.8 0

*(1FE from HG2-41)

Hunslet (City Centre and Inner HMCAs) – No sites identified, but 0.1FE of demand generated. Planned expansions of existing schools in the Hunslet area will help to ease existing pressure and reduce any pressure driven by housing development. There are also options for further expansions locally should this be required.

PPA		Identified need	Identified provision	Shortfall
Hunslet	Basic Need (2016-19)	0.8	0.8	0
	SAP Safeguarded land	0.1 0	0 0	0.1 0

Hyde Park / Headingley (Inner/North HMCAs) – No sites identified and 2.4FE of demand generated from allocated housing sites. This area is of concern as any remaining options to expand existing schools would be required to address existing demand.

PPA		Identified need	Identified provision	Shortfall
Hyde Park/Headingley	Basic Need (2016-19)	1.2	0.7	0.5
	SAP Safeguarded land	2.4	0	2.4

Kippax (Outer South East) – No sites identified, but 0.2FE of demand generated. Not of concern, as there is scope in the existing estate to accommodate the extra demand generated.

PPA		Identified need	Identified provision	Shortfall
Kippax	Basic Need (2016-19)	0	0	0
	SAP Safeguarded land	0.2 0.2	0 0	0.2 0

Kirkstall / Burley / Hawksworth Wood (North/Inner HMCAs) – A total of 2.8FE of demand would be created in the PPA by the SAP. There are concerns for this area due to similar pressures in adjacent Horsforth, Woodhouse and Hyde Park / Headingley planning areas. Site MX1-3 Abbey Road, Kirkstall Forge is to include a school with an admission limit of up to 2FE. Discussions have already taken place between the developer and an education provider to deliver a school on this site.

PPA		Identified need	Identified provision	Shortfall
Kirkstall / Burley / Hawksworth Wood	Basic Need (2016-19)	1.5	1.5	0
	SAP Safeguarded land	2.8 0	1.5 0	1.3 0

Lower Aire Valley (Outer South East and Outer South HMCAs) –The SAP is estimated to produce 1.1FE of demand which could cause localised pressure for school places in areas with no known expansion options within the existing estate. Safeguarded Site HG3-20 (1149A) Park Lane Farm (including Owland Farm, Doctors Lane), Allerton Bywater, would need to include a 2FE primary school if came forward for housing in the future.

PPA		Identified need	Identified provision	Shortfall
Lower Aire Valley	Basic Need (2016-19)	0	0	0
	SAP	1.1	0	1.1
	Safeguarded land	1.4	2	+0.6

Manston, (and Swarcliffe / Whinmoor) (East HMCA) – No dedicated site requirements for school provision within this PPA and an estimated 1.5 FE of demand generated (Manston PPA only) by housing. However, site HG1-288 (East Leeds Extension) is agreed to include provision for three 2FE primary schools which should be sufficient to meet local demand from allocated housing sites.

PPA		Identified need	Identified provision	Shortfall
Manston	Basic Need (2016-19)	0	0	0
	SAP	1.5	0	1.5
	Safeguarded land	0	0	0

Meanwood - No sites identified but 0.5FE of additional demand created. Limited options in existing estate to meet current basic need pressure.

PPA		Identified need	Identified provision	Shortfall
Meanwood	Basic Need (2016-19)	1	1	0
	SAP	0.5	0	0.5
	Safeguarded land			

Middleton - (Outer South West and Inner HMCAs) - No sites identified but 1.2FE of additional demand created across Middleton PPA. There are limited options in the existing estate for expansion and current basic need pressures. An option to create new primary provision at Acre Mount should address existing pressure and help accommodate some of the Site Allocation Plan generated demand.

PPA		Identified need	Identified provision	Shortfall
Middleton	Basic Need (2016-19)	1	1	0
	SAP	1.2	0.0	1.2
	Safeguarded land	1.3	0	1.3

Morley (Outer South West HMCA) – site HG2-150 (East of Churwell) identified for 2FE school to partly meet 3.1FE of demand needed. Options for expansion are largely exhausted in areas where pressure may be created by new housing.

PPA		Identified need	Identified provision	Shortfall
Morley	Basic Need (2016-19)	0	0	0
	SAP Safeguarded land	3.1 0.1	2 0	1.1 0.1

Osmondthorpe / Temple Newsam (East and Inner HMCAs) – 4.1FE of additional demand. A free school has already been established on the sites of the former East Leeds Sports Centre and former Whitebridge Primary School as a through school with 2FE primary and 4FE secondary which should address the demand arising from this housing. The AVLAAP proposes to allocate site AV111 Skelton Lake for a similar through school and Site AV38 has also been reserved for a 2FE primary school (This includes the former Copperfields School site). Some demand may not be met by planned new schools creating localised pressure in the area.

PPA		Identified need	Identified provision	Shortfall
Osmondthorpe / Temple Newsam	Basic Need (2016-19)	0	0	0
	SAP & AVLAAP Safeguarded land	4.1 0	4 0	0.1 0

Otley (Outer North West HMCA) – Estimated 1.4FE of demand generated from housing. There is little scope for local schools to absorb additional children and therefore land identified for 2FE school use as part of site MX1-24 (East of Otley) will be needed through the relocation and a 1FE expansion of an existing school. Actual expansion using MX1-24 would only accommodate 1FE of housing generated demand leaving 0.4FE of demand unmet.

PPA		Identified need	Identified provision	Shortfall
Otley	Basic Need (2016-19)	0	0	0
	SAP Safeguarded land	1.4 0	1 0	0.4 0

Pudsey/Swinnow (Outer West HMCA) – Site HG2-72 (land adjacent to Pudsey Tyersal Primary School) has been identified to include a school expansion option of 1FE. This is an area of some concern as planned expansions to existing schools will only address existing pressure and are therefore not likely to provide places to meet the additional demand of 1.9 FE shortfall from allocated housing sites across the planning area. There are no other local expansion options available.

PPA		Identified need	Identified provision	Shortfall
Pudsey/ Swinnow	Basic Need (2016-19)	1	1	0
	SAP Safeguarded land	2.9 0	1 0	1.9 0

Richmond Hill (Inner/City Centre/East HMCAs) – Site HG2-201 (Upper Accommodation Road, Lavender Walk, Pontefract Lane and Berking Avenue South of York Road) has been identified for a potential 1FE expansion of existing provision. The total additional demand from allocated housing sites is estimated at over 5FE and there is existing pressure in the area.

PPA		Identified need	Identified provision	Shortfall
Richmond Hill	Basic Need (2016-19)	1	0	1
	SAP Safeguarded land	5.3 0	1 0	4.3 0

Robin Hood / Rothwell / Woodlesford (Outer South HMCA) The SAP is expected to generate 2.8FE of demand. There are some options available to expand local schools if required, however there is temporary basic need pressure in the area which may limit the ability of these options to meet all housing generated demand. Site HG2-180 (Fleet Lane & Methley Lane, Oulton) has allocated space included for a new 2FE primary provision. Site HG5-7 (Hope Farm, Wakefield Rd, Rothwell) is proposed for a school allocation only.

PPA		Identified need	Identified provision	Shortfall
Rothwell/ Robin Hood/ Woodlesford	Basic Need (2016-19)	0	0	0
	SAP Safeguarded land	2.8 0	4 0	+1.2 9

Roundhay / Wigton (North HMCA) - No sites identified with 0.2FE demand created by the SAP. This is an area of current pressure however a free school application for 2FE is anticipated to meet the basic need demand going forward. This is based on current NHS data relating to births and numbers of children living in the area.

PPA		Identified need	Identified provision	Shortfall
Roundhay/ Wigton	Basic Need (2016-19)	2	2	0
	SAP Safeguarded land	0.2 0	0 0	0.2 0

Seacroft (Inner HMCA) – No sites identified. 1.4FE of demand will be generated. Potential options may be available from within the existing school estate, however this is an area of some uncertainty regarding the housing generated yield due to the proximity of HG1-288 (East Leeds Extension).

PPA		Identified need	Identified provision	Shortfall
Seacroft	Basic Need (2016-19)	0	0	0
	SAP Safeguarded land	1.4 0	0 0	1.4 0

Stanningley (Outer West HMCA) – No sites agreed for school provision with only 0.1FE of additional demand. Available options for expansion exist in surrounding area.

PPA		Identified need	Identified provision	Shortfall
Stanningley	Basic Need (2016-19)	0	0	0
	SAP Safeguarded land	0.1 0.6	0 0	0.1 0.6

Swarcliffe/ Whinmoor (East HMCA) – 5.7 FE estimated demand generated by housing. HG1-288 (East Leeds Extension) will provide sufficient capacity (6FE Primary) to meet the estimated demand generated by allocated housing sites. Current demand is being addressed through the expansion of an existing school and potential options exist for further school expansion in the area, if required.

PPA		Identified need	Identified provision	Shortfall
Swarcliffe/Whinmoor	Basic Need (2016-19)	1	1	0
	SAP Safeguarded land	5.7 0	6 0	+0.3 0

Wetherby (Outer North East HMCA) – Estimated 2.1FE of demand generated from all sites. 2FE primary provision to be included within site HG2-226 (Land east of Wetherby). Options may be available within the existing school estate to make up the shortfall.

PPA		Identified need	Identified provision	Shortfall
Wetherby	Basic Need (2016-19)	0	0	0
	SAP Safeguarded land	2.1 0	2 0	0.1 0

Woodhouse (City Centre/Inner HMCAs) – No sites have been agreed for school use for the SAP and almost 1.8FE of demand is expected. This area is of some concern due to existing estate being exhausted and the adjacency of a number of areas with insufficient solutions identified.

PPA		Identified need	Identified provision	Shortfall
Woodhouse	Basic Need (2016-19)	1	0	1
	SAP Safeguarded land	1.8 0	0 0	1.8 0

5. Secondary School Place Impact

- 5.1 In total approximately 60 FE of additional secondary provision are needed as a result of the housing plans, equivalent to 7-8 new secondary schools of around 8 forms of entry each. The SAP and AVLAAP have identified options that would secure land equivalent of 28FE with the remainder being met within the existing school estate, through permanent expansions. Adding safeguarded sites into these figures, would increase demand to 66 FE, however no additional land to address this was agreed.
- 5.2 There is considerable current uncertainty about the capacity of secondary schools to meet anticipated demand. Changes to sixth form funding means that any sixth form of less than around 250 pupils is not financially sustainable. As sixth forms are established collaboratively and increasingly in off-site provision, there will be additional space available for statutory school age children. Translating the number of places made available by this is not straightforward as the delivery of the

curriculum is not based on simple classes of 30 as in primary, and requires use of specialist facilities. Admission numbers are often therefore not rigid multiples of 30, although the language of FE is still used as an approximation.

- 5.3 A cautious approach has been taken when projecting the pupil yield for secondary school places. This uncertainty around both the projection of demand for secondary places and how it might be met should be borne in mind when considering the implications for planning school provision. Five sites have been identified to provide secondary provision which should address the demand arising from the SAP and AVLAAP for areas where the existing estate would otherwise be insufficient to cope.

HMCA	Site Address	School Provision
East	AV111 Land former opencast workings adjacent to Lawn Farm, Pontefract Lane, Richmond Hill (Skelton Gate)	4 FE
	HG1-288 East Leeds Extension	8 FE
	HG1-296 Seacroft Hospital	6-8 FE
North	HG2-41 South of A65 from Horsforth & Rawdon RA to crematorium	4 FE
Outer South East	HG2-124 Stourton Grange Farm South, Selby road – Ridge Road, Garforth	4 FE

- 5.4 For MX2-39 (Parlington) secondary school provision will need to be provided on-site for any additional development beyond that planned in Phase 1 as part of the comprehensive development brief for the wider settlement. The total number of forms of entry required would be dependent on the final agreed capacity of the proposed development.
- 5.5 There is estimated to be over 16FE of demand arising in the Inner and City Centre HMCAs. The newly opened Ruth Gorse Academy will provide 8FE of provision to meet the current basic need demand. The proposed expansion of Co-operative Academy may also provide some additional capacity to meet housing generated demand from the city centre, although this expansion is primarily linked to existing demand for secondary places. The inner east and inner north east of the city already face considerable pressure for places with demand from housing likely to exacerbate this further.

Stakeholder engagement

- 5.6 Stakeholder engagement events, providing a forum in which to share and agree potential solutions to deliver new school places, are planned to take place across the city. The first city wide 'secondary school place planning day' took place on 4th July 2016. All solutions to meet demand from places arising from new housing will involve either the expansion of an existing school(s) close to the development, the establishment of a new free school (primary, secondary or a through school model) or a combination of both options.
- 5.7 Following the city wide planning day, focused conversations will now begin with individual schools or groups of schools within each individual secondary

planning area to begin to develop firm plans to meet future projected demand for places.

6. School delivery and Expectations on developers for school provision:

Site Allocations Plan

- 6.1 It is important that the plan ensures that there are sufficient school places to meet the needs of an expanded population. Such sites are identified on the site specific plans in section 3 of the Site Allocations Plan (hatched yellow). Where part of a housing allocation is needed to be retained for provision of a new school (or extension to an adjacent school) this is detailed under the site specific requirements in section 3. Section 3 also lists all sites (identified and allocated) where school provision is required. Some sites that are not allocated for housing also need to be reserved for future school use. Policy HG5 applies to these sites (see page 27 of the Publication Draft plan).

Aire Valley Leeds Area Action Plan

- 6.2 Paragraphs 3.4-24-3.4.26 of the AVLAAP outlines the provision for schools in response to the new housing allocations. Policy AVL10 (New Schools) lists the two sites identified for new schools (AV34 Copperfields and AV11 Skelton Gate).

School providers

- 6.3 A change in national education policy is leading to a greater diversity of schools with the development of academies and free schools in addition to a change of role for local government (the local authority) in relation to education matters. The current education system precludes local authorities from delivering new schools, however the Local Authority still has the ability to expand existing schools or, in certain specific circumstances, can create 'all-through schools'.
- 6.4 In view of this, new schools can only be provided by these alternative means:
- The local authority invites applications from potential free school providers through the Free School Presumption process. The Local Authority would provide the site and fund the construction of the school building/facilities, and lease the building to the free school.
 - A free school proposer may approach the local authority to open communication channels with the local authority, but would apply directly to the Education Funding Agency (EFA) through the Free School application. In terms of delivery this would be established through the EFA and not the local authority.

Delivery of schools identified in the Site Allocations Plan – expectations on landowners and school providers

- 6.5 As explained above, school sites are identified on the site specific plans in section 3 of the SAP (hatched yellow) and policy AV10 in the AVLAAP. The allocations

fall into 3 categories and are shown in Table 2 at Appendix 2 and Plan 1 at Appendix 3(NB safeguarded sites are not shown on the plan):

1. Housing allocations which identify a need for school provision, where a number of sites/developments in the area generate the need for school provision, and the most suitable site in terms of school planning criteria has been identified for the location of the school.

There are 10 housing allocations in the SAP (and 3 identified housing allocations) which fall into this category. In the AVLAAP, the former Copperfields site (AV38) is category 1 and Skelton Gate (AV111) is category 1 for secondary element of the schools provision. On these sites/allocations, developers and landowners will be expected to reserve the appropriate land area for school provision and transfer the land at nil consideration to the appropriate body delivering the school.

2. Housing allocations which identify a need for school provision, where the site itself is of such a scale as to generate the need for school provision

There are 4 housing/mixed use allocations in the SAP which fall into this category – (sites at Horsforth (HG2-41), Garforth (HG2-124), Wetherby (HG2-226), Parlington (MX2-39) , plus the identified site at East Leeds extension (HG1-288)). In the AVLAAP, Skelton Gate (AV111) is category 2 for primary provision. For these large scale residential developments, developers and landowners are expected to provide schools as an integral part of the development. In these cases, the school can either be constructed as part of the proposed development site or the site reserved and transferred at nil consideration to the appropriate body delivering the school together with a contribution in cash or kind to the delivery of the school. In the latter case the school provision can be funded and/or delivered through the use of planning obligations.

3. Sites reserved for school use which are not also allocated for housing

There are 3 sites that fall into this category (Victoria Rd, Horsforth (HG5-1), Hope Farm, Wakefield Rd, Rothwell (HG5-7) and Bradford Rd, East Ardsley (HG5-8)). On sites not also allocated for housing it would be up to the education provider to approach the landowner for use of the site for that purpose and fund the development. Some funding may be available through CIL – see Infrastructure Background Paper paras 1.24 to 1.38, notably para 1.29. In addition, the council may consider using Compulsory Purchase Powers to aid delivery.

7. Conclusion

- 7.1 Housing growth is an essential requirement for the economic and social development of the city, and as we strive to be the best city for children, school place planning is a critical part of the infrastructure planning that runs alongside this. There are a number of sites which have been identified as requiring school provision to be included in any future use, and are put forward within the SAP and AVLAAP.

Appendices to the Schools Background Paper

- Appendix 1 Table 1: Assessment of Need for School Places Arising from Proposed Housing Allocations and Safeguarded Sites and Sites Proposed for School Provision
- Appendix 2 Table 2: Proposed Sites Arising From Existing Demand (Basic Need) and Site Allocations Plan & Aire Valley Leeds AAP
- Appendix 3 Plan 1: Delivering New School Places. Existing Demand, Site Allocations Plan and Aire Valley Leeds AAP

HMCA area	Primary Planning area	Current baseline position for primary school places	Allocated Sites					Safeguarded Sites					-Proposed School Site Allocation refs	Comments and outstanding issues.
			Housing Capacity	Number of primary FE demand generated	Number of secondary FE demand generated	Primary school FE sites identified	Secondary school FE sites identified	Housing Capacity	Number of primary FE demand generated	Number of secondary FE demand generated	Primary school FE sites identified	Secondary school FE sites identified		
City Centre			8,640	10.3	7.7	0.00	0.00	0	0.0	0.0	0.0	0.0		no sites identified
Aire Valley (city Centre)			3,269	3.9	2.7	0.00	0.00	0	0.0	0.0	0.0	0.0		no sites identified
Inner			10,992	13.1	8.9	3.00	0.00	0	0.0	0.0	0.0	0.0		MX2-9 (3390/3393/198) Kirkstall Road, HG2-201 (1146), York Road, Richmond Hill
Aire Valley (Inner)			2,050	2.4	1.8	0.00	0.00	0	0.0	0.0	0.0	0.0		
Aireborough			2,014	2.4	2.2	2.00	0.00	360	0.4	0.0	0.0	0.0		HG2-5 (1180A_1311A_2163A) Coach Road, Guiseley
Outer North West			1,755	2.1	1.7	5.00	0.00	540	0.6	0.5	2.0	0.0		HG2-18 (2130) Church Lane Adel, MX1-24 (745) East of Otley, HG2-17 (1080_3367A) Breary Lane East, Bramhope and HG3-5 (1095B_1369) Old
North			5,958	7.1	5.3	6.50	4.00	0	0.0	0.0	0.0	0.0		HG2-36 (2053B) Alwoodley Lane, HG2-41 (4240) Horsforth, HG5-1 (1202) Horsforth, MX1-3 (626) Kirkstall Forge.
Outer North East			5,000	6.0	3.3	4.00	8.00	1,359	1.6	1.2	2.0	0.0		HG3-13 (2134) Scholes (East of) Safeguarded site, MX2-39 Parlington Estate, HG2-226 Land at East Wetherby
East			7,055	8.4	7.1	6.00	16.00	0	0.0	0.0		0.0		HG1-288 (797) East Leeds Extension (ELE), HG2-226 (1233_2158_3125) Land east of Wetherby and HG1-296 (2154) Seacroft hospital
Aire Valley (east)			2,631	3.1	2.4	4.00	4.00	0	0.0	0.0	0.0	0.0		AV111 Skelton Lake and AV38 Copperfields
Outer South East			4,378	5.2	3.7	4.00	4.00	1,616	2.0	1.5	2.0	0.0		HG2-124 (1232b) Stourton Grange Farm
Outer South			2,434	2.9	2.3	4.00	0.00	220	0.3	0.2	0.0	0.0		HG2-180 (4222A_B_C) Fleet Lane, Oulton, HG5-7 (3081A)
Outer South West			6,969	8.3	6.2	4.00	0.00	1,753	2.1	1.7	2.0	0.0		HG2-150 (1220A) East of Churwell, HG2-145 (3000_3064, HG5-8 (1032) East Ardsley Safeguarded site
Outer West			4,672	5.6	4.3	1.00	0.00	915	1.1	0.7	2.0	0.0		HG2-72 (3464) Tyersal Court, Tyersal, HG3-15 (1114) Kirklees Knoll, Farsley (Safeguarded site)
GRAND TOTAL			67,817	80.7	59.7	43.50	36.00	6,763	8.1	5.8	10.0	0.0		
	Alwoodley	Green - OK	423	0.5	0.4	2.00	0.00	0	0.0	0.0	0.0	0.0	HG2-36 (2053B) Alwoodley Lane	
	Ardsley / Tingley	0.2FE Short	1,834	2.2	2.1	2.00	0.00	308	0.4	1.3	2.0	0.0	HG5-8 (1032) East Ardsley	HG3-23 (2127) Tingley Station Safeguarded siteSafeguarded site would require school provision if this site and HG3-25 (2128) New Lane, East Ardsley safeguarded site came forward for development.
	Armley / Wortley	0.2FE Short	1,864	2.2	1.9	2.00	0.00	315	0.4	0.3	0.0	0.0	MX2-9 (3390/3393/198)	
	Beeston	0.2FE Short	175	0.2	0.2	0.00	0.00	0	0.0	0.0	0.0	0.0		
	Belle Isle	0.3FE Short	209	0.3	0.7	0.00	0.00	0	0.0	0.0	0.0	0.0		
	Boston Spa	0.6FE Short	473	0.6	0.4	0.00	0.00	249	0.3	0.2	0.0	0.0		
	Bramhope / Pool	Green - OK	449	0.5	0.4	1.00	0.00	540	0.6	0.5	0.0	0.0	HG2-17 (1080 / 3367A) Breary Lane East,Bramhope	HG3-5 (1095b_1369) Old Pool Bank, Pool safeguarded site would require school provision if brought forward in the future.
	Bramley	0.9FE Short	783	0.9	0.9	0.00	0.00	0	0.0	0.0	0.0	0.0		
	Burmantofts	2.5FE Short	2,061	2.5	1.3	0.00	0.00	0	0.0	0.0	0.0	0.0		
	Calverley	0.2FE Short	143	0.2	0.1	0.00	0.00	0	0.0	0.0	0.0	0.0		
	Chapel Allerton	0.4FE Short	346	0.4	0.3	0.00	0.00	0	0.0	0.0	0.0	0.0		

	Cookridge / Adel	Green - OK	1,614	1.9	3.8	2.00	0.00	0	0.0	0.0	2.0	0.0	HG2-18 (2130) Church Lane, Adel	
	EPOS Villages South	1.6FE Short	2,987	3.6	1.3	2.00	8.00	910	1.1	0.8	2.0	0.0	MX2-39 Parlington	*MX2-39 requires phased provision: Plan period allocation of 1750 units = 2FE primary + secondary contribution; beyond plan period potential at 3000 units = 4FE Primary + 4FE secondary; and at 5000 units = 6FE primary + 8FE secondary. HG3-13 (2134) East of Scholes Safeguarded site would require school provision if brought forward in the future.
	EPOS Villages West	0.2FE Short	156	0.2	0.1	0.00	0.00	200	0.1	0.1	0.0	0.0		
	Farnley	0.5FE short	408	0.5	0.7	0.00	0.00	0	0	0	0.0	0.0		
	Farsley	0.3FE Short	277	0.3	0.4	0.00	0.00	450	0.5	0.4	2.0	0.0		HG3-15 (1114) Kirklees Knoll, Farsley Safeguarded site would require school provision if brought forward in the future.
	Garforth	Green - OK	3,110	3.7	2.6	4.00	4.00	500	0.6	0.5	0.0	0.0	HG2-124 (1232B) Stourton Grange Farm, Garforth	
	Gildersome / Drighlington	Green - OK	879	1.0	1.1	1.00	0.00	0	0.0	0.0	0.0	0.0	HG2-145 (3000_3064)	
	Guiseley / Yeadon / Rawdon	0.2FE Short	2,656	3.2	0.8	3.00	0.00	360	0.4	0.4	0.0	0.0	HG2-5 (1180A / 1311A) Coach Rd, Guiseley	1FE of new 2FE provision at HG2-41 would meet demand generated in this primary planning area
	Harehills	0.3FE Short	271	0.3	0.3	0.00	0.00	0	0.0	0.0	0.0	0.0		Possible Roundhay Rd Free School would provide some capacity to address demand generated by housing
	Holbeck	13.6FE Short	11,516	13.6	10.4	0.00	0.00	0	0.0	0.0	0.0	0.0		Expansion of existing schools may be possible to address some housing demand.
	Horsforth	Green - OK	1,003	1.2	1.0	2.00	4.00	0	0.0	0.0	0.0	0.0	HG2-41 (4240)A65 Horsforth and HG5-1 (1202) Victoria Avenue, Horsforth	1FE of new 2FE provision at HG2-41 would meet demand generated in this primary planning area
	Hunslet	0.1FE Short	121	0.1	1.0	0.00	0.00	0	0.0	0.0	0.0	0.0		Includes 1FE primary from Aire Valley sites. Schools solutions to be progressed outside of this process.
	Hyde Park / Headingley	2.4FE Short	1,982	2.4	1.3	0.00	0.00	0	0.0	0.0	0.0	0.0		
	Kippax	0.2FE Short	177	0.2	0.2	0.00	0.00	166	0.2	0.2	0.0	0.0		
	Kirkstall / Burley / Hawskworth	1.3FE Short	2,340	2.8	1.5	1.50	0.00	0	0.0	0.0	0.0	0.0	MX1-6 (626) Kirkstall Forge	
	Lower Aire Valley	1.1FE Short	948	1.1	0.8	0.00	0.00	1,170	1.4	1.0	2.0	0.0		HG3-20 (1149A) Safeguarded site requires school provision if brought forward in the future
	Manston	1.5FE Short	1,218	1.5	1.0	0.00	8.00	0	0.0	0.0	0.0	0.0	HG1-296 (2154) Seacroft hospital	
	Meanwood	0.5FE short	439	0.5	0.4	0.00	0.00	0	0.0	0.0	0.0	0.0		
	Middleton	1.2FE Short	1,000	1.2	0.7	0.00	0.00	1,130	1.3	1.2	0.0	0.0		

	Morley	1.1FE Short	2,631	3.1	1.9	2.00	0.00	0	0.1	0.1	0.0	0.0	HG2-150 (1220A) East of Churwell	
	Osmondthorpe / Temple Newsam Area	0.1FE Short	3,468	4.1	4.0	4.00	4.00	0	0.0	0.0	0.0	0.0	AV111 Skelton Lake; AV38 Copperfields	Site HG5-6 is now a through school (TLA) providing 2FE Primary and 4FE secondary to meet existing pressure. Includes Aire Valley sites. School solutions progressed outside of this process but include 1295A Skelton Lake for a 2FE Primary/4FE secondary through school. Includes over 2FE primary from Aire Valley sites. Schools solutions progressed outside of this process but include part of site 2080 which contains the former Copperfields site for a 2FE primary.
	Otley	0.4FE Short	1,174	1.4	1.1	1.00	0.00	0	0.0	0.0	0.0	0.0	MX1-24 (745) East of Otley	
	Pudsey	1.9FE Short	2,405	2.9	2.1	1.00	0.00	0	0.0	0.1	0.0	0.0	HG2-72 (3464) Tyersal Court, Tyersal	
	Richmond Hill	4.3FE Short	4,476	5.3	2.6	1.00	0.00	0	0.0	0.0	0.0	0.0	HG2-201 (1146) , York Rd, Richmond Hill	
	Rothwell / Robin Hood / Woodlesford	Green - OK	2,349	2.8	2.2	4.00	0.00	0	0.0	0.0	0.0	0.0	HG2-180 (4222A_B_C) Fleet lane, Oulton, HG5-7 (3081A) Robin Hood West	
	Roundhay / Wigton	0.2FE Short	142	0.2	0.1	0.00	0.00	0	0.0	0.0	0.0	0.0		Possible Free School bid may address need arising from housing.
	Seacroft	1.4FE Short	1,124	1.4	0.9	0.00	0.00	0	0.0	0.0	0.0	0.0		
	Stanningley	0.1FE Short	95	0.1	0.2	0.00	0.00	465	0.6	0.5	0.0	0.0		
	Swarcliffe / Whinmoor	Green - OK	4,764	5.7	4.3	6.00	8.00	0	0.0	0.0	0.0	0.0	HG1-288 (797) ELE	
	Wetherby	0.1FE Short	1,798	2.1	1.2	2.00	0.00	0	0.0	0.0	0.0	0.0	HG2-226	
	Woodhouse	1.8FE Short	1,529	1.8	1.2	0.00	0.00	0	0.0	0.0	0.0	0.0		
GRAND TOTAL			67,817	80.7	59.7	43.50	36.00	6,763	8.1	7.5	10.00	0.00		

Table 2: Proposed Sites Arising From Existing Demand (Basic Need) and Site Allocations Plan & Aire Valley Leeds AAP
Proposed Sites Arising from Existing Demand (Basic Need) and Site Allocations Plan & Aire Valley Leeds AAP

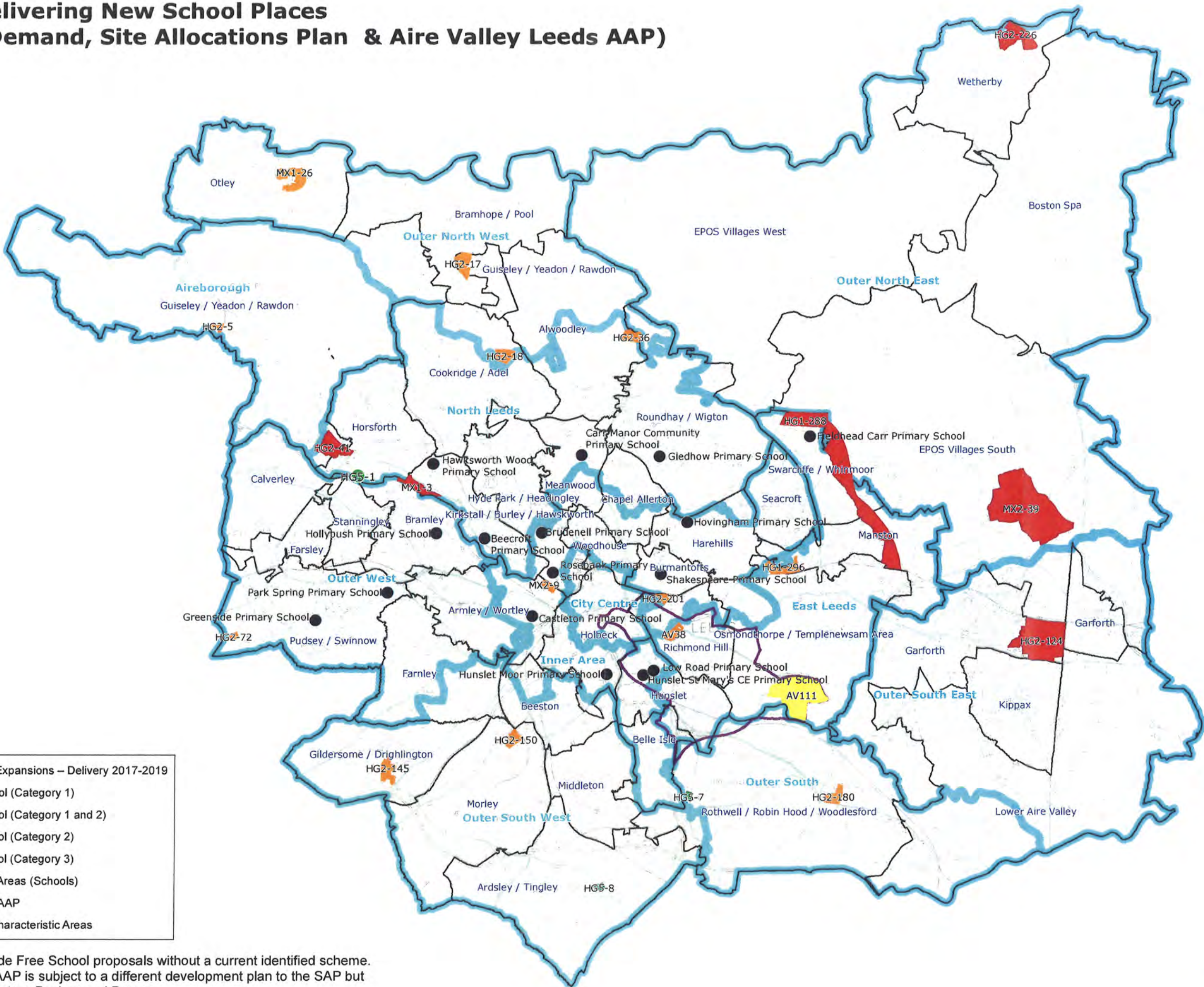
HMCA	Existing Demand (Basic Need)			Site Allocations Plan / Aire Valley Leeds AAP					
	Site Address	Primary	Secondary	Site Ref	Site Address	Primary	Secondary	Type of Allocation	School Site Category
Aireborough				HG2-5 (1311)	Land at Coach Road, Guiseley	2 FE		Housing & School	1
City Centre									
East	Identified basic need pressure –no scheme identified	0.5FE		AV111	Land former Opencast Workings adjacent to Lawn Farm, Pontefract Lane, Richmond Hill (Skelton Gate)	2 FE	4 FE	Housing & School	1 for secondary 2 for primary
	Fieldhead Carr Primary School, Naburn Approach, Leeds, LS14 2EG	1FE (2018)		AV38	Former Copperfields College site	2 FE		Housing & School	1
				HG1-288 (797)	East Leeds Extension	3 x 2 FE	8 FE	Housing & School	2
				HG1-296 (2154)	Seacroft Hospital		6-8 FE	Housing & School	1
Inner	Barrack Road Area Offices, Roundhay Road	2FE (2017)	4FE	MX2-9 (3390_3393)	Kirkstall Road	2 FE		Housing, Employment & School	1
	Brudenell Primary School, Welton Place, Leeds, LS6 1EW	0.67FE (2017)							
	Identified basic need pressure –no scheme identified	1.5 FE							
	Blenheim Primary School, Woodhouse, Leeds LS2 9EX	1FE (2010)							
	Beeston Primary School, Town St, Leeds, Beeston LS11 8PN	1FE (2010)							

	Castleton Primary School, Green Lane, Leeds, LS12 1JZ	1FE (2016)							
	Hovingham Primary School, Hovingham Avenue, Leeds, LS8 3QY	1FE (2017)							
	Hunslet Moor Primary School, Fairford Avenue, Leeds, LS11 5EL	0.5FE (2018)							
	Rosebank Primary School, Burley Road, Leeds, LS3 1JP	5 places (2016)							
	Former Whitebridge Primary School, Cartmell Drive, Halton Moor	2FE(2015)	4FE						
	Former Primrose High School, Lincoln Green (Dolly Lane)	1.5FE (2018)		HG2-201 (1146)	York Road (land south of). East of Pontefract Lane, Richmond Hill	1 FE extension		Housing & School	1
	Hunslet St Mary's Church of England Primary School, Church Street, Leeds, LS10 2QY	0.5FE (2017)							
	Low Road Primary School, Belinda Street, Leeds LS10 2PS	0.33FE (2017)							
North	Allerton C of E Primary School, Alwoodley	1FE (2011)		HG2-36 (2053B)	Alwoodley Lane, Alwoodley	2 FE		Housing & School	1
	Beecroft Primary School, Eden Way, Leeds LS4 2TF	0.5FE (2017)		HG2-41 (4240)	South of A65 from Horsforth & Rawdon RA to crematorium	2 FE	4 FE through school	Housing & School	2
	Carr Manor Community Primary School, Carr Manor Road, Leeds, LS17 5DJ	1FE (2017)							
	Gledhow Primary School,	1FE (2016)							

	Lidgett Lane, Leeds, LS8 1PL								
	Hawksworth Wood Primary School, Cragside Walk, Leeds, LS5 3QE	1FE (2017)							
	Identified basic need pressure –provision identified	2FE		HG5-1 (1202)	Victoria Avenue, Horsforth	1 FE extension		School	3
				MX1-3 (626)	Abbey Road, Kirkstall	2 FE		Housing, Employment & School	1
Outer NE	Identified basic need pressure –provision identified	0.5 FE		HG2-226 (1233_2158_3125)	Land to the east of Wetherby	2 FE		Housing & School	2
				MX2-39 (5320)	Parlington Estate, Aberford	2 FE (up to 1850 units/Phase 1). Beyond Phase 1 – amount of provision to be agreed subject to site capacity (comprehensive development brief)	Beyond Phase 1 – amount of provision to be agreed subject to site capacity (comprehensive development brief)	Housing, Employment & School	2
				HG3-13 (2134)	Land east of Scholes	2 FE		Safeguarded Housing & School	N/A
Outer NW				HG2-18 (2130)	Church Lane, Adel	2 FE		Housing & School	1
				HG2-17 (1080_3367A)	Breary Lane East, Bramhope	1 FE extension & relocation		Housing & School	1
				MX1-24 (745)	East of Otley	1 FE extension & relocation		Housing, Employment & School	1
Outer S				HG2-180 (4222A_B_C)	Land between Fleet Lane & Methley Lane, Oulton	2 FE		Housing & School	1
				HG5-7 (3081A)	Hope Farm,	2 FE		School	3

					Wakefield Road, Rothwell				
Outer SE	Allerton Bywater Primary School, Allerton Bywater, wf10 2dr	1FE (2014)		HG2-124 (1232B)	Stourton Grange Farm, South, Selby Road – Ridge Road, Garforth	2 X 2 FE	4 FE through school	Housing & School	2
	Identified basic need pressure –provision identified	0.5 FE		HG3-20 (1149A)	Park Lane Farm, Allerton Bywater	2FE		Safeguarded Housing & School	N/A
Outer SW	Asquith Primary School, Morley	1FE (2014)		HG2-145 (3000_3064)	Bradford Road / Wakefield Road, Gildersome	1 FE extension		Housing & School	1
	Blackgates Primary School, Smithy Lane, Tingley, Wakefield. WF3 1QQ	0.5 FE (2011)		HG2-150 (1220A)	Land east of Churwell	2 FE		Housing & School	1
	Cottingley Primary Academy, Cottingley, Leeds	0.5FE (2017)							
	Identified basic need pressure – provision identified	0.5 FE		HG5-8 (1032)	Bradford Road, East Ardsley	2 FE		School	3
Outer West				HG2-72 (3464)	Land off Tyersal Court, Tyersal	1 FE extension		Housing & School	1
	Greenside Primary School, Chapeltown, Pudsey, LS28 8NZ	0.5 FE (2017)							
	Hollybush Primary School, Broad Lane, Leeds, LS13 2JJ	1 FE (2016)							
	Park Spring Primary School, Wellstone Avenue, Leeds, LS13 4EH	0.5 FE (2017)							
				HG3-15	Kirklees Knowl	2 FE		Safeguarded Housing & School	N/A

Plan 1 - Delivering New School Places **(Existing Demand, Site Allocations Plan & Aire Valley Leeds AAP)**



NB Plan does not include Free School proposals without a current identified scheme.
 The Aire Valley Leeds AAP is subject to a different development plan to the SAP but
 included in the Infrastructure Background Paper.



Report of Chief Planning Officer

Report to Joint Plans Panel

Date: 22nd June 2017

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 97 known Buildings at Risk which is 4% of the total of listed buildings in the city. One listed building has been removed from the register since the last report in 2016.
4. The City Council owns 17 Buildings at Risk.
5. The City Council is taking active measures to deal with Buildings at Risk which should result in the repair of several listed buildings and the eventual refurbishment and re-use of several more.

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 at appendix 1 shows the listed buildings known to be “at risk” in the city. There are various actions that the Council can take to address disrepair ranging from partnership-working with owners to the use of statutory powers such as urgent works notices, allowing the Council to carry out urgent works in default.

5 Main issues

5.1 Buildings at Risk Survey

- 5.1.1 There is 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 picture of the condition of listed buildings when it is finished by the end of this year.
- 5.1.2 It is intend to publicise the end of the survey and also to start an outreach programme with the owners of listed buildings highlighting the benefits of building maintenance.

5.2 Buildings at Risk Register

- 5.2.1 The Buildings at Risk Register at Appendix 1 shows the 97 listed buildings known to be at risk, accounting for 4% of the total of listed buildings in the city. This is a net increase of eight since last year’s report which is a consequence of improved information from the ongoing Buildings at Risk survey rather than a sudden worsening in the condition of listed buildings in the city.
- 5.2.2 Only one listed building has been removed from the register since 2016 due to the demolition of the ruinous Horsforth Corn Mill rather than repair or refurbishment. However, there are several Buildings at Risk about to start or undergoing refurbishment which will be reflected in next year’s results.
- 5.2.3 The City Council owns 17 Buildings at Risk (marked with a Y in the right hand column of the register). This is a net decrease of one since last year due to the sale of garden alcove in the garden at rear of 6 Boroughgate, Otley, now being repaired.

5.3 Priorities

- 5.3.1 The “Big Five” priorities for 2017-2018 are set out in appendix 2 with a summary of progress so far. These are higher grade listed buildings (grade I and II*) which in some cases have significant regeneration potential for the surrounding areas.
- 5.3.2 Members have shown a keen interest in the First White Cloth Hall, one of Leeds’ most important listed buildings. Since the last report, the acquisition of the FWCH has been completed by Rushbond who are developing a refurbishment scheme with the intention of applying for planning permission this year and starting on site early in the new year. An existing resolution by the Council to start CPO proceedings is likely to remain until the development starts.
- 5.3.3 In addition to the “Big Five” priority cases, significant progress has been made towards the refurbishment and re-use of several other Buildings at Risk.
- York Road Library is likely to be converted gym and fitness centre following submission of a planning application which will restore this important landmark on one of the key roads into the city.
 - 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 already completed. Work is due to start on the main block in 2017.
 - Former Rothwell Junior School, Whitehall Road has been converted to residential use following disposal by the Council
 - Former Chapel Allerton Hospital is being converted to flats following a long engagement with the Council to find a new use.
- 5.3.4 The Council is also intervening in several other vacant Buildings at Risk which are causing blight to the surrounding area or attracting antisocial behaviour:
- St John’s Church, Roundhay remains without a use. Despite several attempts to repair the building, further emergency works are required and an urgent works notice has been served by Council on the trustees specifying those works.
 - Former Cookridge Hospital has been vacant since it closed as a hospital more than a decade ago. The two listed building of the old hospital are part of a bigger development site with their refurbishment tied by a S106 agreement to the completion of the residential development. The developer has been asked to provide a schedule of emergency works, including improved security, while proposals for re-use of the vacant listed buildings are brought forward.
- 5.3.5 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. Buildings at Risk within civic estate such as several listed buildings within Templenewsam Park are 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 the Core Strategy which seeks to secure the retention, continued use and proper maintenance of listed buildings. They are also consistent with the aims of Best Council Plan, particularly the objective to promote sustainable and inclusive growth.

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 ongoing survey of the city's listed buildings (2,443 in total) has shown that the number of listed buildings at risk of neglect has increased since the last report, due mainly to better information resulting from the Building at Risk survey rather than a sudden deterioration in the condition of the city's listed buildings. Resources are being concentrated on five priorities (the "Big Five") but the Council is also intervening in numerous other Buildings at Risk. The number of Council-owned Buildings at Risk is being reduced mostly through disposal.

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 2017

Table 2: Buildings at Risk in Leeds				
Address	Ward	LCC owned	Listing Grade	Listed building number
Ice House at Cookridge Hall	Adel and Wharfedale		II	1375192
Adel Reformatory	Adel and Wharfedale	Y	II	1393509
Barn east of Old Hall Farm, Main Street	Ardsley and Robin Hood		II	1251092
Thorpe Hall, Thorpe Lane	Ardsley and Robin Hood		II*	1135039
Armley Park Plaque approximately 40 metres east of Fountain, Stanningley Road	Armley	Y	II	1256004
Armley Park Plaque Approximately 40 metres west of Fountain, Stanningley Road	Armley	Y	II	1256007
Redcote Canal Bridge (Bridge 224), Redcote Lane	Armley		II	1256165
Weir and Sluice Gates at NGR 2658 3497 Approximately 450 metres North West of Burley Mills, Kirkstall Road	Armley		II	1375057
Weir on River Aire at NGR 2655 3488, Kirkstall Road	Armley		II	1375059
Pair of Lamp Posts Approximately 3 metres to West of Church of St Thomas, Stanningley Road	Bramley and Stanningley		II	1256016
Weir and retaining walls on the River Aire, Pollard Lane, Leeds, LS4	Bramley and Stanningley		II	1375482
Monument to Sarah Kidney, Beckett Street Cemetery	Burmatofts and Richmond Hill		II	1256308
Mount St Mary's Church, Church Road, Richmond Hill	Burmatofts and Richmond Hill		II*	1255558
Presbytery at St Mary's Convent Church, Church Road	Burmatofts and Richmond Hill		II	1255559
York Road Library	Burmatofts and Richmond Hill		II	1255621
Calverley Old Hall, 14-24 Woodhall Road	Calverley and Farsley		I	1265966
Mansion at former Chapel Allerton Hospital	Chapel Allerton		II	1256047
Potternewton Park Mansion	Chapel Allerton		II	1256051
66 and 68, Armley Road	City and Hunslet		II	1256389
Former Majestic Cinema, City Square	City and Hunslet		II	1375048
Hunslet Mill, 23 and 25 Goodman Street	City and Hunslet		II*	1256253
21A Goodman Street	City and Hunslet		II	1256252
Drying House to Victoria Mill, Atkinson Street	City and Hunslet		II	1256355
Victoria Mill, Atkinson Street	City and Hunslet		II	1256342
37 and 39, Hunslet Road and 6 and 8, Sheaf Street	City and Hunslet		II	1255569
41 and attached wall and railings, 41 Hunslet Road and 10 Sheaf Street	City and Hunslet		II	1255571
16 and 18 Crown Point Road, 35 Hunslet Road and 2 and 4 Sheaf Street	City and Hunslet		II	1375260

First White Cloth Hall, 98-101, Kirkgate	City and Hunslet		II*	1375042
Templar House, Lady Lane	City and Hunslet		II	1375065
Temple Mill, Marshall Street, Holbeck	City and Hunslet		I	1375162
Gate lodge at Temple Mill, Holbeck	City and Hunslet		II*	1375166
Dovecote attached to Manston Hall Farm, Manston Lane	Cross Gates& Whinmoor		II	1375155
Pigeon House 150m to NW of Red Hall House, Red Hall Lane	Cross Gates and Whinmoor	Y	II	1256164
Barn approximately 75m west of Farnley Hall, Hall Lane	Farnley&Wortley	Y	II	1256107
Meter House and two cottages south west of Stonebridge Mills, Stonebridge Lane	Farnley&Wortley		II	1255991
The Old Mill, Engine House and Boiler House at Stonebridge Mills, Stonebridge Lane	Farnley&Wortley		II	1255993
Row of workshops to the north of Stonebridge Mills, Stonebridge Lane	Farnley&Wortley		II	1255990
Row of three cottages to the north west of Stonebridge Mills, Stonebridge Lane	Farnley&Wortley		II	1255986
High Royds Hospital, Bradford Road	Guiseley& Rawdon		II	1240191
197 Main Street, Shadwell	Harewood		II	1375132
	Harewood		II	1268450
Milepost at NGR 351409, Bay Horse Lane				
Cottage opposite Gateways School, Harrogate Road	Harewood		II	1226351
	Harewood		II	1226631
Forge House, Home Farm				
	Harewood		II	1265964
The Old Corn Mill, Harrogate Road				
	Headingley		II	1256048
Coachhouse at Arncliffe, 22 Shire Oak Road				
	Headingley		II	1255938
Eleanor Lupton Centre, Headingley Lane				
	Headingley		II	1256046
Summerhouse at Arncliffe, 22 Shire Oak Road				
K6 Telephone Kiosk adjacent to the Old Kings Arms Public House, The Green	Horsforth		II	1240190
The Tower of Woodhouse Grove School, Apperley Lane	Horsforth		II	1240194
Church of St Peter, Town Street, Rawdon	Horsforth		II	1135590
Mawer Memorial approximatley 20 metres south west of tower of Church of St Mark, St Mark's Road	Hyde Park& Woodhouse		II	1256146
Memorial to Queen Victoria, Woodhouse Moor	Hyde Park& Woodhouse	Y	II*	1255642
Fearnville, Dib Lane	Killingbeck&Seacroft		II	1375342
33-37 High Street, Kippax	Kippax&Methley		II	1237465
Ledston Hall	Kippax&Methley		I	1237569
Gate piers on former drive, approx. 150m north of Ledston Hall	Kippax&Methley		II	1237512
Ledston Luck Colliery winding house, Barnsdale Road, Kippax	Kippax&Methley		II	1237513
13 and Abbey Mills, 13 Abbey Road	Kirkstall	Y	II	1256706

Kirkstall Forge buildings with halve hammers, slitting mill machinery, Abbey Road	Kirkstall		II	1256648
Kirkstall Forge former cottages now offices, Abbey Road	Kirkstall		II	1256649
Kirkstall Forge former stables now garages, Abbey Road	Kirkstall		II	1256650
The Rising Sun Public House, 290 Kirkstall Road	Kirkstall		II	1375060
Stank Hall Barn, Dewsbury Road	Middleton Park	Y	II*	1375339
Stank Hall, Dewsbury Road	Middleton Park	Y	II	1375338
New Hall, Dewsbury Road	Middleton Park	Y	II	1375337
Church of St Mary, Town Street	Middleton Park		II	1255815
Meanwood Hall, Parkside Road, Meanwood	Moortown		II	1375476
Coach House to the north of Croft House	Morley South		II	1250517
Croft House, Rods Mill Lane	Morley South		II	1313456
Church of St Mary-on-the- Hill, Troy Road	Morley South		II	1135116
Scatcherd Mausoleum, Church of St Mary-on-the-Hill, Troy Road	Morley South		II	1250654
Pair of K6 Telephone Kiosks, Market Place, Otley	Otley&Yeadon		II	1135231
19, Crow Lane, Otley	Otley&Yeadon		II	1135268
Garden Alcove in the Garden at rear of 6, Boroughgate, Otley	Otley&Yeadon		II	1135288
The Mechanics` Institute, 4-8 [even], Cross Green, Otley	Otley&Yeadon	Y	II	1200204
Pair of Cemetery Chapels at Otley Cemetery, Cross Green, Otley	Otley&Yeadon	Y	II	1250551
Church of St Andrew, Haw Lane	Otley&Yeadon		II	1313171
Clumpcliffe Gazebo, Methley Lane	Rothwell		II*	1135669
Kennels east side, south of gazebo, Methley Lane	Rothwell		II	1184432
Kennels west side, south of gazebo, Methley Lane	Rothwell		II	1135670
Church of St John the Evangelist, Oulton	Rothwell		II*	1135676
Barn to south of Number 7, Oulton Lane	Rothwell		II	1135682
Barn South of Roundhay Grange	Roundhay		II	1255709
Fountain, Templenewsam Park	Templenewsam	Y	II	1255945
Little Temple, Templenewsam Park	Templenewsam	Y	II	1255949
Boundary wall to north, Templenewsam Park	Templenewsam	Y	II	1255951
Bridge over Avenue Ponds, Templenewsam Park	Templenewsam	Y	II	1255912
Barn and outbuildings at Park Farmhouse, Park Farm, Colton	Templenewsam	Y	II	1375408
Ida Convalescent Hospital, Hospital Lane, Ireland Wood	Weetwood		II	1255593
Old block at Cookridge Hospital, Hospital Lane, Ireland Wood	Weetwood		II	1255595

Smithy to rear of number 11 The Green, Thorpe Arch	Wetherby		II	1115676
Font bowl adjacent to north west buttress of tower of Church of All Saints, Church Causeway, Thorpe Arch	Wetherby		II	1116232
Cartshed/granary at Hall Farm approximately 120 metres to south west of farmhouse	Wetherby		II	1135030
62, High Street, Clifford, LS23	Wetherby		II	1313484
Outbuildings approx. 10 metres south east of 62 High Street	Wetherby		II	1135023
Barn on north side of farmyard adjacent to west side of Headley Hall, Spen Common Lane, Bramham Moor	Wetherby		II	1200561
Bramham Biggin	Wetherby		II*	1135632

Appendix 2: “Big Five” Building at Risk Priorities 2016-2017

Building at Risk	Summary of progress
First White Cloth Hall, Kirkgate (Grade II*)	- Grant aid secured from Heritage Lottery Fund and Historic England (approx. £0.75 million). - Several phases of urgent works carried out by previous and current owner at the request of the Council. - Council seeks acquisition but ownership transferred to Rushbond Plc. - New owner in discussion with Council and other stakeholders including Historic England and Leeds Civic Trust to agree a refurbishment to begin next year.
Temple Mill and Temple Lodge, Holbeck (Grade I)	- Temporary support and roof covering installed following partial collapse in 2008. - Burberry show an intent to restore Temple Mill as part of a re-location of manufacturing to Leeds, but these plans have recently been “paused”. - Urgent works carried by owner to make roof weathertight but further works have been requested by the Council as water is still entering the building.
Stank Hall Barn, Beeston (Grade II*) NB: Council-owned	- Temporary roof installed and improved perimeter fencing erected by Council. - Condition survey carried out to identify further emergency works and cost of carrying out full refurbishment and to inform feasibility study. - Project team formed to a sustainable new use. - Prospectus being drawn up for disposal.
Hunslet Mill	- Project team formed to steer project to realise a sustainable new use. - Valuation and condition reports commissioned to assess viability of development for various uses.
Thorpe Hall, Thorpe on the Hill (Grade II*)	- Project group formed with owner's agent to progress a viable development proposal. - Owner is considering a “special circumstances” case for development in the Green Belt to fund the refurbishment of Thorpe Hall.

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Report of Chief Planning Officer

Report to Joint Plans Panel

Date: 22 June 2017

Subject: Neighbourhood Planning Update

Are specific electoral Wards affected? If relevant, name(s) of Ward(s): Wetherby	☒ 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 Localism Act 2011 devolved planning powers to parish and town councils or neighbourhood forums to lead on the preparation of neighbourhood plans. A neighbourhood plan is intended to complement local strategic planning policy and can influence where development can go and how it might look.
2. There are 35 designated neighbourhood areas across Leeds, covering the diversity of the city's neighbourhoods with neighbourhood plans under preparation in villages, market towns and inner city communities. Most groups involved are generally making good progress although some have struggled. The first plan to be 'made' in Leeds is the Clifford Neighbourhood Plan, this plan is considered to be an exemplar and sets a good standard for other areas.
3. Once 'made' a neighbourhood plan will be used by the Council alongside other local planning documents to determine planning applications in a neighbourhood area. Each plan sets out a locally distinctive vision for the neighbourhood area and is a product of collaboration between the parish council and the Council.

Recommendations:-

It is recommended that:

- i) Members note the progress on neighbourhood planning in Leeds and the issues highlighted in this report.

1 Purpose of this report

- 1.1 This report provides an update on neighbourhood planning progress and issues across the city, including good practice.

2 Background information

Neighbourhood Planning

- 2.2 The Localism Act 2011 amended the Planning and Compulsory Purchase Act 2004 to introduce major reforms to the planning system that give local communities the 'right' to prepare a neighbourhood plan. A neighbourhood plan is a statutory planning document which can set out local planning policies for the development and use of land in a neighbourhood and is subject to public consultation, independent examination and a referendum. There are 2,000 + communities across the country involved in neighbourhood planning although geographical spread is mixed. Leeds is regarded nationally as being a neighbourhood planning 'hotspot' with 35 designated neighbourhood areas in a wide variety of different neighbourhoods. Some of the plans being prepared are simple design-led plans and others are more complex plans for larger settlements or inner-city areas.
- 2.3 A neighbourhood plan must meet the statutory 'basic conditions', the key 'conditions' being 'general conformity' with local strategic planning policies and regard to the national planning policies in the National Planning Policy Framework. These set the parameters for the plan and an independent examiner will then assesses whether a plan meets the 'basic conditions' or not.
- 2.4 Since the introduction of neighbourhood planning, the Government has introduced further reforms aimed at streamlining the process and increasing the powers of neighbourhood planning (in the Neighbourhood Planning Act 2017 and the Housing White Paper). These broadly seek to streamline the process, give more power to local communities and widen the opportunities to deliver housing.

Neighbourhood Planning in Leeds

- 2.5 Leeds has the highest level of neighbourhood planning activity for any city in the country, outside of London. There has been a significant level of progress during 2016/17 with a number of plans reaching examination (Linton, Clifford, Collingham, Bardsey, Barwick in Elmet with Scholes) and subsequently being 'made' (Clifford, Collingham). The Linton plan has yet to be 'made' as it has been the subject of legal challenge. Plans in non-parished areas are also coming forward, with Holbeck, Hyde Park and Oulton and Woodlesford all making good progress, to name a few. Appendix 1 shows progress for all areas.
- 2.6 Local Planning Authorities have a 'duty to support' local communities in the preparation of a neighbourhood plan. It is for each local planning authority to determine the appropriate level of support and the level of support varies significantly across the country. Leeds is regarded by the Department of Communities and Local Government and Planning Aid England as one of the leading Councils for support. The level of support provided in Leeds varies dependant on a group's capacity to prepare a plan and the level of funding and support they are receiving from other sources.

Neighbourhood plan content

2.7 There is no requirement for a neighbourhood plan to include any specific issue in a neighbourhood plan or to allocate land for development. Generally speaking, all plans emerging in Leeds cover a comprehensive range of issues and some are also seeking to allocate land for housing. However, the majority will not allocate sites for housing but will include design and other policies to help shape the proposed housing allocations that the Council is advancing in the Site Allocations Plan.

2.8 Issues covered by plans that have reached examination include:

- Allocation of housing to meet local needs
- Designation of Local Green Spaces
- Identification of non-designated heritage assets for conservation and enhancement
- Identification of green corridors
- Key views
- Local design
- Transport/traffic improvements (in particular parking)
- Public Rights of Way, footpaths and cycleways
- Identification of community facilities for enhancement
- Town centre issues, e.g. shop frontages and local character; and
- Housing mix to suit identified local need

5.0 Corporate Considerations

5.1.1 Once a neighbourhood plan is made, it will be part of the Development Plan for Leeds. Some plans also promote a number of projects, some of which will involve the Council if they are to be successfully delivered.

Consultation and Engagement

5.1.2 The neighbourhood planning process involves significant levels of consultation and engagement and details of this must be submitted along with the plan for independent examination ('the consultation statement').

5.1.3 Ward Members are informed of neighbourhood plan progress and many members are actively involved, usually as forum or steering group members.

Equality and Diversity / Cohesion and Integration

5.1.4 The Government has undertaken an Equalities Impact Assessment of the Localism Act in relation to neighbourhood planning (2011). The Council views the neighbourhood planning process as an opportunity to deliver equality, diversity, cohesion and integration objectives. Neighbourhood Plans by their very nature should be inclusive and be shaped by a range of people who live, work and carry out business in an area.

5.1.5 One of the lessons learned from 'taking stock' of neighbourhood planning in Leeds is that plans in all areas would benefit from an equalities impact

assessment. Although this is not a statutory requirement, officers are to encourage groups to undertake these assessments in order to assist in plan preparation where needed.

Council policies and the Best Council Plan

- 5.1.6 Neighbourhood planning links well to all three of the Council's corporate priorities set out in the Vision for Leeds:
- Leeds will be fair, open and welcoming (neighbourhood plans must not breach, and be otherwise compatible with, EU obligations and be compatible with human rights requirements);
 - Leeds' economy will be prosperous and sustainable (the making of the neighbourhood plan must contribute to the achievement of sustainable development);
 - All Leeds' communities will be successful (the making of the neighbourhood plan must be in general conformity with the strategic policies contained in the development plan for Leeds, a significant part of which is planning for growth).
- 5.1.7 The issues outlined also meet the Council's value of 'Working with Communities' and "empowering people to influence decisions where they live" as set out in the Council's Best Council Plan 2015 - 20.

Resources and value for money

- 5.1.8 The expenditure cost of neighbourhood plans to the Council varies, related to local issues and the local capacity to prepare a plan as well as the size of the referendum area. Local Planning authorities are able to claim £20,000 from the Department of Communities and Local Government following the successful examination of a neighbourhood plan. This is on top of £5,000 already claimed for each of the 35 area/forum designations.

Legal Implications, Access to Information and Call In

- 5.1.9 Neighbourhood planning is taking place within a fast-changing national planning background which is focussed on economic growth, localism and sustainability meaning testing times for local decision-making. The Site Allocations Plan has been submitted for examination and along with the Core Strategy and neighbourhood plans will comprise the development plan for Leeds.

Risk Management

- 5.1.10 A neighbourhood plan is required to be in general conformity with the strategic plans for the area (the Core Strategy and the Unitary Development Plan). It should also be joined-up and complementary with the emerging Site Allocations Plan. An examiner will normally make a number of modifications to a plan and this can minimise the risk of challenge and remove potential conflict with the Council's adopted planning policies. An examiner can also help ensure that neighbourhood plan policies are clear for applicants and robust and deliverable for the Council as the Local Planning Authority.
- 5.1.11 Once a neighbourhood plan is 'made' its policies take precedence over existing non-strategic policies in the Local Plan for that neighbourhood if there is conflict. However, with the collaboration between the Council and the parish council throughout the preparation of the Plan, no areas of conflict have been identified.

Conclusions

- 5.1.12 The level of neighbourhood planning activity in Leeds and the good progress being made in many areas is welcomed. The emerging plans cover issues that are familiar to all communities across Leeds but they also cover issues that are locally distinctive. This new ability to include locally distinctive policies for neighbourhoods across the city is a real opportunity for the city and its diverse neighbourhoods. As more neighbourhood plans are 'made' and become part of the development plan for Leeds, the Council will use these (along with local strategic planning policies and national planning policies) to help determine planning applications in a neighbourhood area.

Recommendations:-

It is recommended that:

- i) Members note the progress on neighbourhood planning in Leeds and the issues highlighted in this report.

Background documents¹

Appendix 1 – Neighbourhood Plan Progress in Leeds

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

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Appendix 1

Neighbourhood Planning Progress in Leeds (June 2017)

Neighbourhood Area *	Ward	Progress (June 2017)
Aberford & District (PC)	Harewood	Preparing Pre Submission draft (consultation summer/autumn 2017)
Adel (F)	Adel & Wharfedale	Finalising Submission Draft Plan
Alwoodley (PC)	Alwoodley	Finalising Submission Draft Plan
Aireborough (F)	Guiseley & Rawdon, Otley & Yeadon	Evidence gathering, engagement, considering Policy Intentions
Bardsey-cum-Rigton (PC)	Harewood	Examination (Feb/March '17), Referendum likely autumn 2017
Barwick-in-Elmet and Scholes (PC)	Harewood	Plan submitted for examination (Feb/March '17), examiners report to be published June/July 2017
Beeston (F)	Beeston & Holbeck	Designation, early engagement, profiling
Boston Spa (PC)	Wetherby	Plan submitted for examination (Feb/March/April '17), examiners report to be published June/July 2017
Bramham-cum-Oglethorpe (PC)	Wetherby	Early draft plan prepared
Carlton (F)	Rothwell	Forum formed, some early engagement undertaken
Clifford (PC)	Wetherby	Referendum – Jan '17('Yes' vote), Plan 'made'
Collingham (PC)	Wetherby	Referendum - April '17 ('yes' vote), Plan 'made'
East Keswick (PC)	Harewood	Plan to be submitted for examination summer 2017
Garforth (F)	Garforth & Swillington	Policy Intentions being prepared
Harewood (PC)	Harewood	Neighbourhood Area designated but not progressing with the neighbourhood plan
Headingley (F)	Headingley, Hyde Park & Woodhouse, Kirkstall, Weetwood	Policy Intentions prepared, forum to be 'refreshed' Autumn 2017
Holbeck (F)	Beeston & Holbeck	Finalising submission draft plan (examination summer 2017)
Horsforth (PC)	Horsforth	Finalising Pre Submission Draft (consultation summer 2017)
Hyde Park (F)	Hyde Park & Woodhouse	Policy Intentions being prepared
Kippax (PC)	Kippax & Methley, Garforth & Swillington	Pre Submission Consultation (Feb/March '17), examination summer 2017
Kirkstall (F)	Kirkstall	Early engagement, funding application made
Linton (PC)	Wetherby	Referendum – Dec '15 ('yes' vote). Subject to application for judicial review
Little Woodhouse (F)	Hyde Park & Woodhouse	Scoping of issues, policy intentions prepared
Morley /	Morley North, Morley	Expression of interest but unlikely to progress.

Drighlington (PC) Otley (PC)	South	
	Otley & Yeadon	Preparing Pre Submission Plan (consultation summer 2017)
Oulton and Woodlesford (F) Pool-in-Wharfedale (PC)	Rothwell	Policy Intentions prepared
	Adel & Wharfedale	Early engagement undertaken
Rawdon (PC)	Guiseley & Rawdon, Horsforth	Policy intentions prepared
Rothwell (F)	Rothwell	Progress stalled
Scarcroft (PC)	Harewood	Preparing Pre Submission Plan
Seacroft (F)	Killingbeck & Seacroft	Progress stalled
Shadwell (PC)	Harewood	Engagement undertaken
Thorner (PC)	Harewood	Preparing Pre Submission Plan
Thorp Arch (PC)	Wetherby	Finalising Submission Draft Plan
Walton (PC)	Wetherby	Finalising Pre Submission Draft Plan (consultation summer 2017)
Wetherby (PC)	Wetherby	Finalising Pre Submission Draft Plan (consultation summer 2017)
* PC – Parish / Town Council, F – Neighbourhood Forum		