

Joint Plans Panel

Thursday, 11th July, 2019

PRESENT: Councillor C Gruen in the Chair

Councillors B Anderson, S Arif,
D Blackburn, K Brooks, P Carlill, D Collins,
A Garthwaite, R Grahame, P Gruen,
S Hamilton, J Heselwood, A Khan, G Latty,
J McKenna, M Midgley, L Mulherin,
E Nash, D Ragan, K Ritchie, T Smith,
N Walshaw and P Wray

Councillor

1 Election of the Chair

RESOLVED – That Councillor C Gruen be appointed as Chair for the meeting.

2 Late Items

There were no late items. Revised information in relation to Agenda Item 9, Public Speaking Protocol and Guide to Pre-Application Presentations was distributed prior to the meeting.

3 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests.

4 Apologies for Absence

Apologies for absence were submitted on behalf of Councillors C Campbell, A Carter, D Cohen, D Jenkins, S Seary, P Wadsworth and J Shemilt.

5 Minutes - 29th November 2018

RESOLVED – That the minutes of the meeting held on 11 July 2019 be confirmed as a correct record.

6 End of year performance report

The report of the Chief Planning Officer covered planning performance and activity for the period April 2018 to March 2019.

Issues highlighted included the following:

- There had been a lower number of applications received than in the previous year. There had been approximately just under 4000 planning applications, with around 8,000 formal submissions overall including those to discharge conditions and prior notifications. There had been a higher proportion of major applications in Leeds than the national average.
- The service's Budget requirement had been met for the previous year.

- £12 million had been collected from Section 106 agreements and £2.2 million from the Community Infrastructure Levy. Demands Notices for £5.5 million had already been issued for this financial year.
- There had been a decrease in the number of decisions made within the statutory target in time or within the agreed time, this had been affected by staff vacancies and high sickness levels. However there had been an increase in performance the final quarter of the year.
- Comparison with core cities second highest number of applications and joint second best performance on major applications being dealt with in time.
- Decision making at Plans Panels. There had only been one application determined which was contrary to officer recommendation.
- There had been a significant drop in the number of appeals since the previous year. 73.6% of appeals had been dismissed which was higher than the national average.
- Compliance and enforcement – The number of complaints was reducing. Ombudsman cases had also reduced.
- Plans Panel Review – recommendations were being implemented. There was an ongoing training programme and there would be changes to report writing, presentations and public speaking rights.
- Members congratulated David Feeney on his appointment as Chief Planning Officer.

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

- A request for training with regard to trees – planting, root space and maintenance.
- There had been a recent improvement with sickness levels and filling of vacancies. Enforcement action had also been affected by staff sickness, although the service was still taking more formal action than other core cities.
- The Chief Planning Officer's Delegation Scheme sets out the referral test for applications to be referred to Panel by Ward Members. Where the test is met the item may be referred to Panel, where it isn't met, the Chair, in conjunction with the Chief Planning Officer is able to use their discretion, within the parameters of criteria contained in the CPO delegation agreement, to refer the application to Plans Panel
- Income and fees and cost of the service – there was some benchmarking work ongoing with core cities to demonstrate the value of the service.
- Section 215 notices – there would be further discussion with Enforcement and Compliance but there were time and resource implications. This would be raised at the Joint Member Officer Working Group.
- Plans Panel Review – this has been discussed with the Joint Member Officer Working Group and a summary and the recommendations would be sent to Members.
- Updating Elected Members on enforcement action when complaints had been made.
- Damage and felling of trees that is done illegally during the weekend and whether there was any enforcement action that could be taken outside office hours.

- Mistakes on tree planting with new applications – tree officers did comment at the early stage of applications.

RESOLVED – That the report be noted.

7 Public Speaking Protocol and Guide to Pre Application Presentations

The report of the Chief Planning Officer described suggested changes to the Public Speaking Protocol and Protocol for Pre-Application Presentations at Plans Panel Meetings and part of the Chief Planning Officers consultation with Joint Plans Panel.

Proposed changes would make it clear that speakers would be speaking either in support or objection to the application rather than the officer recommendation. The objector would always address the Panel first.

Concern was raised regarding the terminology used in the protocol and it was requested that a glossary be provided.

Members also discussed the notice periods required for speakers to Panels and also for notification to Ward Members. It was agreed that 12.00 midnight was preferable to 5pm to allow a little extra time.

RESOLVED – That with further amendments to address the terminology of the protocol and time for submission of speaking requests, the report, amendments to the public speaking protocol and the guide to pre application presentations at Plans Panel meetings, and the production of short explanatory notes for the public attending Panel meetings to help them formulate their address be noted.

8 Update on the Site Allocations Plan and Core Strategy Selective Review

The report of the Chief Planning Officer provided an update regarding the preparation of the Site Allocation Plan (SAP) and the Core Strategy Selective Review (CSSR) as part of the Leeds Local Plan.

Issues highlighted included the following:

- Key issues focussed upon in the SAP Inspectors Report and the key conclusions reached by the Inspector.
- The Site Allocation Plan was adopted at Council and now carried full weight in relation to applications. It was reported there was a six week challenge period with regard to legal matters.
- CSSR – the housing requirement figure, policies relating to environment, space standards, quality and affordable housing targets. The planning inspector was still considering modifications and responses and it was hoped to have a report Full Council in September.

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

- Revision of the Site Allocation Plan will commence in the autumn.
- Concern that there were no comments from highways on some of the allocated housing sites – there was a generic set of requirements with regard to large developments which included highways requirements. Further concern was expressed that there wasn't the capacity for highway improvements where there was development. These issues could be picked up at the local plan review stage.
- Concern regarding land that was in the ownership of Highways England - it was reported that the Council worked on a strategic level with Highways England under statutory duties to co-operate. With regard to specific proposals there was consultation. Land ownership could be looked at. It was suggested that Highways England be invited to discuss land ownership issues as there were other issues including mitigation of noise and air pollution.
- Sites for development which were suitable for older people and independent living. Consideration to this was highlighted on sites that were accessible.

RESOLVED – That the report be noted.

9 Planning and Design for Health and Well-Being

The report of the Chief Planning Officer set out the context and background of Planning and Design for Health and Wellbeing (PDHW); the establishment of a cross directorate officer working group involving colleagues in Planning, Design, Highways, Public Health, Active Leeds and Parks and Countryside; the work that this group has undertaken to date and future actions.

The following were in attendance for this item:

- Jenny Fisher, Planning and Sustainable Development
- Kathryn Holloway, Strategic Planning
- Gill Keddy, Active Leeds
- Gillian McLeod, Highways
- Abby Forster, Strategic Planning

Members were made aware of the role of the Design for Health and Wellbeing Group and given a presentation. Issues highlighted included the following:

- Reference to the National Planning Policy Framework and how it refers to the inclusion of health and wellbeing issues in developments.
- Use of exemplar projects and case studies to influence design in Leeds
- Key principles – Active Neighbourhoods; Better Air Quality & Green Space; Cohesive Communities.
- Work with Public Health and other partners.
- Forthcoming schemes in Leeds where the Health and Wellbeing principles can have an influence.
- The climate emergency declaration.

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

- The need to speak to developers and particularly volume developers particular with use of greenspace and planting of trees.
- The need to embed health and wellbeing into planning policy.
- Consideration of the climate emergency with applications.
- It was suggested that meetings be held with developers to discuss issues relating to planning and design for health and wellbeing.
- Encouraging active travel and development to support this.
- Importance of the landscape for air quality, mental health, health and wellbeing.
- Public transport systems for the city.
- The need for internal community/public spaces in vertical developments.
- Developments in the greenbelt and how to work with developers to make use of it.
- Getting inclusive growth, planning for health and wellbeing and climate change issues cutting across policy objectives.
- Sustainable and innovative transport solutions.
- The need to influence services, investors and infrastructure providers.
- The Site Allocation Plan puts the Council in a position to make changes linked to policy requirements.

RESOLVED – That the report and presentation be noted.

10 Date and Time of Next Meeting

Thursday, 14 November 2019 at 1.30 p.m.