

Joint Plans Panel

Thursday, 14th November, 2019

PRESENT: Councillor K Ritchie in the Chair

Councillors B Anderson, D Blackburn,
K Brooks, C Campbell, P Carlill, D Cohen,
R Grahame, C Gruen, P Gruen,
S Hamilton, J Heselwood, J McKenna,
M Midgley, D Ragan, N Sharpe, T Smith,
P Wadsworth, N Walshaw and P Wray

Councillor

11 Election of the Chair

Councillor Ritchie was elected to the Chair for the duration of the meeting.

12 Exempt Information - Possible Exclusion of the Press and Public

There were no exempt items.

13 Late Items

There were no late items.

14 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests made.

15 Apologies for Absence

Apologies for absence were received from Councillors Andrew Carter, Sharon Hamilton, Paul Wadsworth, David Jenkins, Elizabeth Nash, Robert Finnigan, Salma Arif, Lisa Mulherin and Dawn Collins.

16 Minutes - 11th July 2019

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

17 Matters arising

During matters arising Members discussed the following points:

- The need for a brief discussion on demolition of buildings to be brought to the attention of Ward Councillors. It was agreed that this would be addressed as Any other business at the end of the substantive agenda items;
- The need for a discussion around Design Champions. It was noted as being an item which could be discussed by Joint Plans Panel at a future meeting;
- That two meetings of Joint Plans Panel per year was not sufficient to discuss all the strategic issues raised at the other Plans Panels;
- Discussion required at Joint Plans Panel in relation to S215 Notices;
- Agreed that Planning Chairs would assist in agenda forming before future Joint plans meetings.

Minute 7 – Public Speaking Protocol and Guide to Pre Application Presentations: It was highlighted that this protocol was to improve accessibility to the process of speaking at plans panel. Members had requested that the protocol should use plain English and that a glossary should be included as part of the protocol. – Joint Plans Panel were advised that that a glossary had been included as part of the protocol and would be circulated to Members.

Minute 8 Update on the Site Allocations Plans and Core Strategy Selective Review. Members were advised that the SAP and the Core Strategy had been adopted. The SAP is however still open to legal challenge as it is still going through the legal process. The Core Strategy however has been adopted and full weight should be applied.

Officers will look a land in ownership of Highways England known as 'ransom strips' and report findings back to Members.

18 Planning Services performance report- quarters 1 and 2, 2019-20

The report of the Chief Planning Officer covered planning performance and activity for the period 1st April to 30th September 2019.

This report was presented by the Head of Development Management and was split into three sections with Members invited to comment after each section. Members were informed of the following key points:

- There had been a decrease in application numbers compared to the same period last year. This seemed to be an issue nationally although Leeds have received more applications than other core cities in relation to major developments;
- Income and fees had increased and was just over the expected target of £56,000;
- S106 monies received was just over £2.3 million in this reporting period with 26 new agreements received;
- £6.5 million of Community Infrastructure Levy (CIL) had been invoiced in this reporting period;
- 2,191 decisions were made in this reporting period this is 11% lower than the same period last year with 85.6% of majors being dealt with within timescales. This compared nationally with 88%, but is still well above the national target to avoid designation;
- Plans Panels had made 54 decisions. The workload of the Panel also included a number of pre-applications and position statements;
- 92 new appeals had been received compared to 85 new appeals for the same period last year. The Planning Inspectorate made 97 appeal decisions; 82.5% of the appeals were dismissed in the same period last year, 77.4% of appeals in Leeds were dismissed, compared at a national average of around 67%. In the same period last year, 77.4% of appeals in Leeds were dismissed;
- The number of enforcement cases received in the first two quarters of 2019/20 has been high, with 746 cases received. The number of cases on hand has been reduced to approximately 900 maintaining a long standing service objective to keep cases under 1000. As such the workload of the service remains substantial;
- 86 enforcement and other notices had been served this year so far which is an increase on the last reporting period. Leeds continues to take more formal action than other core cities which reflects the importance that Members in Leeds put on the service;

- 84 formal complaints had been received under the Council's Complaints Procedure. Members' attention was drawn to the table at point 3.7.1 which showed that there had been a decrease in the numbers received in comparison with the same reporting period last year. This was seen as a positive sign;
- Staffing within the service seems to be relatively stable at present. However, there is still some instability within the Compliance and Enforcement Service which will require replacement recruitment to enable the ongoing high workload. The service had been awarded £506,000 which had been as a result of a bidding process to supplement staffing within the enforcement service to tackle issues within the Green Belt;
- Tree Preservation Orders (TPO) can now be viewed via an online map hosted by Leeds City Council website. It is hoped that in future to digitalise and make available other data sets to make information for customers and stakeholders more easily accessible;
- Members were advised that the service was currently drawing up a job description to address climate emergency issues in relation to planning. However, the release of this post was on hold due to budgetary constraints;
- Members were advised that planning fees were set nationally.

Members' discussions and officer responses to their questions included the following:

- The performance of the service in relation to decision making. It was noted that returns are sent to Government and are published on a national website;
- The city is still receiving applications on allocated sites and other major schemes which is maintaining the growth contribution to the city's economy;
- Members were pleased to see that CIL monies are now being received by Community Committees and Parish Councils. However, they were of the view that information in relation to how the money was being spent should be included within the annual performance report to full Council and to the Joint Plans Panel. Members had concerns on the delays of receiving CIL money, it was a view that penalties and surcharges should be served where CIL payments were delayed.
- It was noted that appeals were challenged where relevant, however, Members thought that the process needed to be more robust. It was a view that reports should be presented to Plans Panels on the outcomes of appeals so that lessons could be learnt;
- Members raised the issue on the quality of presentations and suggested that presentations should include more details, materials and in some cases models to assist Members with their decision making. It was noted that the current use of CGI's was useful. It was also noted that there is also a plan to make a computerised 3D model of the city so that models of proposed developments could be slotted into the model;
- Members were assured that where developments were causing serious harm and the service could demonstrate that they had been reasonable, the service would pursue formal action and in fact served more notices than other core cities in the country. Members were advised of the process and informed that some cases took a considerable period of time to resolve, particularly where

formal action was involved due to the potential for appeal to the planning inspectorate and then court proceedings. Also cases were left open and sites monitored until the service was satisfied that there would be no further action required;

- Members were informed that staff wellbeing sessions were being utilised to help address the pressures on staff. Issues were also being addressed through staff appraisals, some external run sessions had taken place to address issues around mental health and wellbeing with more sessions planned;
- It was noted that the use of S215 notices was low; the Chair requested that some benchmarking should take place with other authorities and also seek good practice in the use of S215 notices. It was suggested that this could be linked to climate emergency with the tidying up of areas, planting of trees and pollenating flowers. The Chair requested that a report be brought to a future Joint Plans Panel;
- Members were encouraged by the increase in digitalisation and approved of the online TPO map.
- It was noted that it was important to maintain performance on decision making, to avoid appeals against non-determination leading to poorer design, and that the budget should be maintained accordingly.

RESOLVED – To note the content of the report and to receive a further performance report in six months' time.

Cllr. Cohen arrived at the meeting at 14:30 during this item.

Cllrs. J Heselwood and A Khan vacated the meeting at 15:00 during this item.

Cllr J McKenna left the meeting at 15:25 during this item.

Cllr S Hamilton left the meeting at 15:45 at the end of this item

19 Buildings at risk

The report of the Chief Planning Officer informed the Joint Plans Panel that there was 113 Buildings at Risk in the city and the efforts being made to address this issue. Members were advised that the list has decreased by 7 since last years' report.

Members' attention was drawn to 3.2 which outlined the priorities which included the 'big three' two of which are currently being refurbished and due to be completed next year. Members heard that the owner of Temple Mills is going to do remedial works to the building and that the owner is going out to tender for a repair strategy. Members noted that Cookridge Hall had been added to the since the last report.

Monitoring and surveys are undertaken, however this is a small team looking after a number of listed buildings and conservation areas.

RESOLVED – To note the content of the report and the work that is progressing towards reducing the number of Buildings at Risk in the city.

Cllrs C and P Gruen left the meeting at 16:00 during this item.

20 Any other business

The Chair invited Members to raise any other business for consideration at the conclusion of the formal agenda items.

The Panel heard that at a recent South and West Plans Panel it had come to light that a Ward Member had not been aware that a building in their ward had been demolished. Members were of the view that they should be kept up to date on planning matters within their wards including demolitions.

Members were advised that a 'notice of intention to demolish' was posted and it was the view of the officers that the system used for this process could be used to email Members so that they are aware of future demolitions. It was also suggested that the guidance and process for demolitions should be provided to Members.

Concerns were raised in relation to accessible design for buildings. It had been noted that wheelchair access was usually located at the rear of buildings.

Members were of the opinion that everyone should be able to access a building using the front of the building. Members were advised that the new Accessibility Policy set out in the Core Strategy will deal with this issue in future developments.

21 Date and Time of Next Meeting

The date of the next meeting will be decided at the meeting of Annual Council in May 2020.