

Joint Plans Panel

Thursday, 30th November, 2017

PRESENT: Councillor C Gruen in the Chair

Councillors B Anderson, S Arif, J Bentley,
D Blackburn, C Campbell, A Garthwaite,
R Grahame, P Gruen, S Hamilton, A Khan,
G Latty, T Leadley, R Lewis, C Macniven,
J McKenna, K Ritchie, B Selby, F Venner,
N Walshaw and G Wilkinson

14 Election of the Chair

RESOLVED – That Cllr. Caroline Gruen was elected Chair for the duration of the meeting.

15 Exempt Information - Possible Exclusion of the Press and Public

There was no exempt information.

16 Late Items

There were no formal late items. However, supplementary information in relation to Agenda Item 10 - The Grenfell Tower Tragedy and the Leeds City Council Response had been provided to Members.

17 Declarations of Disclosable Pecuniary Interests

Councillor R Grahame and Councillor S Arif declared a disclosable pecuniary interest as a Members of the West Yorkshire Fire and Rescue Authority.

18 Apologies for Absence

Apologies for absence were received from Councillors Congreve, Wood, Towler, Coulson, Smart, Nash, S McKenna, R Procter, J Procter and Finnigan and Chief Planning Officer, Tim Hill.

19 Minutes

RESOLVED - Minutes of the meeting held on 22nd June 2017 were approved as a correct record.

20 Matters arising

Draft minutes to be approved at the meeting
to be held on 26th July 2018

Apologies – Apologies to be recorded for Cllr. G Latty.

Minute 8 - Matters Arising Member Training 2017-18

- A prospective site list to be circulated to Members with proposed dates

Minute 9 – Planning Services end of year 2016-17, performance report

- Size of signs on lampposts – currently no information on change of size to A3

Minute 11 – Buildings at risk

- Cllr. R Lewis informed the Panel that the Council was taking an active interest in the Temple Works site as it goes for auction. Members asked to be kept informed.
- It was that verbal updates would be provided at the next City Plans Panel on Majestic building and Stanks Hall Barn
- It was noted that work had started on the old York Road Library.

21 Planning Services performance report- quarters 1 and 2, 2017-18

Steve Butler the Head of Development Management presented the report of the Chief Planning Officer which provided Members with Planning Services performance for quarters 1 and 2 of 2017/18.

Members were informed of the following points:-

- Small increase in applications with 2,584 applications submitted this was the fifth successive year that numbers had risen although it was only a 1% increase compared with the same period last year.
- An anticipated reduction in numbers of household applications due to permitted development changes had not occurred in Leeds with 1,359 applications submitted.
- Planning fees were £457k up against the predicted figure to September. This was £185k above the budget
- 66 decisions had been made by the 3 Plans Panels with three decisions contrary to officer recommendations.
- The service had received 130 new appeals, same as quarters 1 and 2 of 2016-17.
- A breakdown of CIL monies paid had been provided at point 3.5.3 of the submitted report. The table showed that in the first two quarters of 2016-17, £881k had been paid, taking the total CIL paid to almost £3.6m
- 625 enforcement cases had been received in the first two quarters of 2017/18
- 64 formal complaints had been received since April 2017
- Members were provided with a breakdown of staffing and resource issues and how the service planned to resolve some of the issues
- The on-line payment system implemented in August 2017 was now the preferred method of payment with 50% of planning fees paid on-line
- Feedback from Members and the Chamber of Commerce on a session held to discuss ways to make planning work more efficiently in the city was seen to be a positive step in an evolving partnership

In response to Members questions the Panel were advised as follows:-

- Information could be provided to Ward Members in relation to active enforcement cases within their wards
- At commencement of work on site developers should start paying CIL. It was noted in some cases payments are staggered.
- Figures to be provided to the Panel on the 'draw-down' of CIL monies to include where, and what used for.
- DCLG had implemented new targets in relation to appeals. It was noted that Leeds were not near those figures.
- It was noted that the figure for enforcement cases were static. The process was an ongoing process with cases both in and out and that 668 cases resolved was correct figure.

RESOLVED - To note the report and comment as they feel appropriate and to receive a further performance report in six months' time.

22 Update to Leeds Site Allocations Plan

The report of the Director of City Development was presented by Martin Elliot, Group Manager (Policy & Plans). The report provided an update to Leeds Site Allocations Plans which was submitted to the Secretary of State for independent examination in May 2017. Members were advised of recent changes to national guidance, which indicates a lower trajectory of housing need. It was noted that the Council's Development Plans Panel and Executive Board were considering changes to the SAP which would be made available for public consultation in the New Year.

Members were advised of main changes:-

1. Consultation from DCLG on assessing housing needs which was published in September 2017 which contained a figure of 42,000 homes for Leeds on a 16 year plan period;
2. Overall changes to national guidance by the Housing White Paper;
3. Continuing advancement of the Core Strategy selective review looking at a new plan period of 2017 – 2033.

Members heard that when the SAP was submitted for examination Executive Board had been made aware of a lower contextual housing figure in the short term. Executive Board were satisfied that land being released through SAP would last into the new plan period.

Members were advised that officers were to look at amendments to the SAP examination that can deal with a longer term trajectory of lower housing growth. It was noted that the Inspector was happy to maintain the plan at examination.

The examination was to be split into two hearing sessions:

- Stage 1 Issues related to employment, retail, green space and provision for sites for gypsies and travellers, these have been heard in front of the Inspector
- Stage 2 will look at housing.

Both sessions will be brought together prior to the Inspector releasing her report.

Members noted that greenbelt land had been released near the airport and Capitol Park and also for sites for gypsies and travellers.

Members were informed that staged two hearing on housing would be heard in July 2018. However there would be a need for further public consultation on changes to the plan. Members were advised on the approach to the plan given the changes which were set out at 3.5 of the submitted report. Appendix 1 of the submitted report listed sites affected by the proposed changes.

Members were advised of the next steps as follows:-

- Report to Executive Board – 13 December 2017
- Public consultation 22 January – 2 March 2018
- Approve changes for submission subject to public consultation and necessary amendments to full Council - 10 January 2018
- Revised Plan to Inspector – March 2018
- Hearings July 2018

RESOLVED – To not the report.

23 The Grenfell tower tragedy and Leeds City Councils Response

The report of the Chief Planning Officer provided Members with an update on the outcome of Grenfell Tower tragedy, the new Building Regulations and the Leeds response.

David Pickles, Head of Building Control was at the meeting and spoke to the presentation which had been submitted as supplementary information to the report. The presentation had been published to the Council's web pages and circulated to the Panel.

The presentation focused on the following points:-

- Background information on Grenfell Tower;
- Brief outline of Leeds City Council's Building Control;
- Investigations including:
 - The Police Investigation
 - The Coroners Report
 - The Public Inquiry
- The Independent review of the Building Regulations and fire safety (The Hackett Review);
- Leeds City Council Building Controls involvement in the Hackett Review;
- The Building Regulation Part B and the guidance on external cladding;
- The Building Regulation B4;
- DCLG clarification on 2006 Part B;
- Leeds City Council Reporting;

- Data on tower blocks in Leeds including those that had ACM and had failed the BRE testing;
- The role of Planning;
- The London Plan;
- Leeds City Council's Building Control continued role.

Members were advised that Building Control were still waiting answers nationally. A procedural hearing in relation to the Hackett Report was to take place on 11th and 12th December 2017 with the review expected to be completed by Spring 2018.

Members were concerned that they had been told that no tower blocks in Leeds had ACM. The Head of Building Control said that no towers blocks owned by the Council had ACM. However, there were 10 blocks in Leeds with ACM which were privately owned, 8 of which were residential.

Members requested that they were provided with a list of the blocks with ACM.

Members discussed the following points:-

- The work of Building Control in Leeds and with other authorities.
- Cross service teams working to address works to be undertaken. It was noted where owners of buildings do not complete work required enforcement action would be taken.
- There were concerns in relation to some Members not being aware of tower blocks in private ownership being unsafe. Although it was noted that there had been an Executive Board report in July.
- Concerns were also raised that there could be smaller blocks with ACM cladding which fall out of the DCLG guidance of 18 metres.

It was noted that nothing specific had been provided in relation to toxicity testing. David Pickles said that he would take Members concerns on this matter to the Hackett Review.

The Chair suggested a working group on this paper.

RESOLVED – To note the report and the presentation

24 Vacant Building Credit

The report of the Director of City Development provided Members with an update on the Vacant Building Credit (VBC) and set out issues in relation to its implementation for Leeds.

The report considered whether VBC should be applied in Leeds, given that Leeds has an adopted Core Strategy which sets out its affordable housing requirement and makes recommendations as to how it should be applied.

Members were informed that the aim of the VBC was to promote development of brownfield sites to unlock genuine brownfield sites by providing an affordable housing credit. It allows the floorspace of existing buildings that are to be

redeveloped to be offset against the calculations for section 106 affordable housing requirements whether by financial contributions or provision.

Members were advised that the VBC was not in the National Planning and Policy Framework but was part of the on-line planning practice guidance.

The Panel was informed that Leeds had a good track record of using brownfield sites and of bringing vacant buildings back into use. However, there was pressure from developers not to deliver the required amounts of affordable housing set out in the adopted Core Strategy and they were using VBC to do this.

Members heard that officers had considered whether the VBC needed to be elevated, the decision set out in the submitted report was that whilst it remained a material consideration the Core Strategy policy on seeking affordable housing on all properties should be a first consideration. All issues around unviability of vacant units should be dealt with at the planning application stage.

It was noted that old floorspace was exempt from CIL

RESOLVED – To note the report.

25 Update on Housing Mix

The report of the Director of City Development updated the Panel on the achievement of housing mix policies in the adopted Core Strategy.

An addendum was tabled at the meeting in relation to the monitoring of Policy H4.

Members were informed of a joint scrutiny enquiry of Housing and City Development held in March last year where a range of recommendations were made. These related to overall Core Strategy housing targets which had been advanced and also in terms of Core Strategy policy H4 which seeks appropriate mix of dwelling types particularly bedroom types.

Members heard that at the time of the enquiry for the first three years of the Core Strategy a significant number of 3 and 4 bed houses had been approved against 1 and 2 bed properties.

Members' attention was drawn to the tabled document which set out Policy H4 targets.

Concerns had been raised at the enquiry that developers were putting in a model that they wanted rather than a model that Leeds needed. The scrutiny enquiry came up with a number of recommendations one being that this issue be brought to Joint Plans Panel to update Members of the changes and what was being done.

The addendum also provided Members with monitoring which showed that 4 bed properties had fallen and that 1 and 2 bed properties had increased. This reflected a greater number of apartments being built in and around the city centre.

Members were advised that Scrutiny wanted to ensure that policy H4 targets were maintained across the city and on individual sites.

One of the recommendations included a consistent heading in Panel reports so that housing mix was flagged up and Members understood discussions that had taken place with developers on housing mix.

The tabled document provided Members with a number of housing market assessments of need in specific areas of Leeds. It was noted that there was a need to summarise outcomes of assessments in Panel reports where developments did not meet the specific mix required, to provide reasons for this and what the desired mix would be appropriate for that local area.

Members were advised that the Strategic Housing Market Assessment was a recent piece of work commissioned by ARC4 in the Summer of 2017. It was noted that there was also local area work on market characteristics basis that was now feeding through which provided more evidence on specific bedroom sizes and specific needs for mix in local areas. This information was also to be included in Panel reports.

Cllr. R Grahame raised an issue on housing and schools specific to the Aire Valley development. The Head of Development Management to address this and report back to Cllr. Grahame.

Members discussed the following points:-

- The need to pay regard to Council's planning policies;
- Leeds Living – where at currently;
- Need to know what percentage variation is in local areas; and
- More information to be provided on how the housing mix of a site is calculated.

Members were informed that more work was required to look at what the SHMA was indicating in relation to 4 bed properties.

Members were advised that the Leeds Living was a housing market assessment on contract with ARC4. Officers were to provide more information to Members on Leeds Living via email.

RESOLVED – To note the report.

26 Any Other Business

Further to Minute 9 of the meeting held on 22nd June 2017 it had been noted that Enforcement in relation to category 1 cases was not as robust as it could be. Members requested a Members Oversight when officers look at category 1 cases to assist officers in making the decision to proceed.

It was noted the Tim Hill the Chief Planning Officer had suggested further conversation at the Joint Member Officer Working Group to try and accommodate the request made and to bring back suggestions to the Joint Plans Panel.

The suggestion was made that a special meeting of Joint Plans Panel could be arranged to discuss this issue.