
Report of Chief Planning Officer

Report to Joint Plans Panel

Date: 11th July 2019

Subject: Site Allocation Plan (SAP) & Core Strategy Selective Review (CSSR) - Update

Are specific electoral wards affected? If yes, name(s) of ward(s): All	☒ Yes ☐ No
Has consultation been carried out?	☒ Yes ☐ No
Are there implications for equality and diversity and cohesion and integration?	☒ Yes ☐ No
Will the decision be open 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

- The City Council has a statutory duty to prepare a Local Plan and review it so that Policies are relevant and up to date. In Leeds, the Local Plan includes the Site Allocations Plan (SAP) and the Core Strategy Selective Review (CSSR) These Plans are set within the context of the Leeds Core Strategy (CS) which was adopted in November 2014 and forms the key strategic and spatial planning framework for Leeds.
- Both the SAP and the CSSR are now at a very advanced stage, following periods of extensive public consultation and public examination by independent Inspectors. At the time of drafting this report, following consideration by Executive Board on 26th June, the SAP is due to be considered at Council on 10th July for adoption. In relation to the CSSR, following the close of public consultation on Main Modifications (MMs) on 28th June, the Inspectors report is currently pending. Subject to receipt of this within governance timescales it is proposed to present the Inspectors Report to Executive Board on 26th July, with a recommendation for Council to adopt the Plan in September.

1. Main issues

The preparation and adoption of an up to date Local Plan is an essential requirement to plan the overall scale and distribution of the homes, jobs and green spaces across the District and provides a focus to guide investment decisions and to plan infrastructure decisions. Once adopted, the Plans can be afforded full weight in the determination of planning applications.

2. Best Council Plan Implications (click [here](#) for the latest version of the Best Council Plan)

The SAP and the CSSR takes forward Best Council Plan priorities for regeneration, inclusive growth, high quality housing, health and wellbeing, sustainable infrastructure, and environmental enhancement; having a key role to play in shaping the future form, location and overall pattern of development across the entire Metropolitan District (MD). The preparation of the Local Plan is also one of the main ways that local authorities can use their planning powers to tackle climate change. The Council has a statutory duty to prepare a Local Plan, which contains strategic policies and land allocations, taking into account the need to mitigate and adapt to the consequences of climate change.

3. Resource Implications

The preparation of the SAP and CSSR has been a complex and resource intensive process. This has been met from within existing resources but has entailed extensive cross service and Directorate working across the City Council and with external partners. The preparation of an up to date and adopted Plan, is significant also in providing certainty as a basis to guide investment decisions and in infrastructure planning.

Recommendations:

i) to note the contents of this report

1. Purpose of this report

- 1.1 The purpose of this report is to provide an update regarding the preparation of the SAP and the CSSR, as part of the Leeds Local Plan.

2. Background information

- 2.1 As outlined above, the SAP and CSSR form part of the Leeds Local Plan. The SAP provides the future planning framework to guide the development of housing (including for Gypsies and Travellers and Travelling Showpeople), employment and retail proposals and to protect and enhance green space. This is a key strategic Plan for Leeds MD and the City Region as a whole, providing for 51,863 homes (identified and new allocations), 830,000 sqm of office space, 245ha of employment land, as well as over 1,600 green spaces and 63 retail designations.
- 2.2 The SAP Inspectors' final Report was received on 7th June 2019. The Inspectors' found the Plan to be legally compliant and "sound" and capable of adoption, subject to a number of MMs being made. The recommended MMs are acceptable in improving the clarity and effectiveness of the Plan and the majority are in line with the Council's suggested modifications discussed at Examination.
- 2.3 In providing a commentary of the soundness of the SAP, the Inspectors Report focusses upon seven key issues. These are:

- i. Whether the SAP meets the legal process and requirements,
- ii. Whether the SAP gives effect to and is consistent with the CS (Core Strategy),
- iii. Is the Council's approach to the Green Belt Review robust and consistent with the CS,
- iv. Whether the Council's approach to Green space protection and designation is sound,
- v. Whether the necessary infrastructure will be in place to support the planned development,
- vi. Are the site allocations justified by a robust process of site selection within the context of the CS, and,
- vii. Whether the generic policies and specific site requirements for allocated sites are sound.

2.4 In relation to these issues, the main conclusions reached by the Inspector are summarised as follows:

- i. The Plan has been assessed under the transitional arrangements of the revised NPPF (2019) which means that the Plan must be compliant with the NPPF (2012).
- ii. Any consideration of whether the housing requirement figure in the CS remains appropriate or what any new requirement should be is beyond the purpose of the SAP and the remit of the Examination (para 7).
- iii. The Plan provides an appropriate basis for the planning of the area of Leeds excluding the Aire Valley (covered by the AVLAAP) provided that a number of recommended MMs are made to it (see Appendix 1 of the Inspectors Report).
- iv. The Inspector has concluded in reference to the Duty to Co-operate that the Council has been proactive and has engaged constructively, actively and on an on-going basis in preparation of the SAP (with relevant adjoining authorities and Agencies, including Bradford, Harrogate, the Highways and the Environment Agencies). This has ensured that the Council complies with the legal duty, soundness test and that there are no unresolved strategic matters.
- v. The Plan provides a delivery mechanism to ensure that the development required to implement the Core Strategy is appropriately located, of the right scale and adequately supported by the required physical and green infrastructure. With regard to infrastructure the Inspectors specifically conclude, *'the process of identifying the infrastructure requirements arising from the proposed allocations set out in the SAP is sound and will ensure that the necessary infrastructure will be in place to support the planned delivery of development'* (para. 93).
- vi. The Plan is consistent with national policy, in particular with aims to boost significantly the supply of housing and support sustainable economic development. Subject to the modifications, the Plan appropriately addresses the spatial implications of economic, social and environmental change and, as demonstrated by the Sustainability Appraisal (which has met the test of adequacy), will achieve net gains

across all three social, economic and environmental dimensions of sustainable development.

vii. Subject to the recommended modifications, the allocations in the Plan are consistent with national planning policy on flood risk.

viii. Viability and delivery issues within the Plan area have been appropriately addressed and in delivering over 51,000 homes and 245 ha of employment land the Plan will provide sufficient flexibility to respond to changes in circumstances over its lifetime.

ix. Mechanisms such as the Strategic Housing Land Availability Assessment, the Employment Land Review and Assessment, and the Sustainability Appraisal have enabled a thorough testing of the proposed allocations against reasonable alternatives, with clear methodologies used for the comparative and cumulative analysis of potential allocations. With regard to site selection, the Inspectors have specifically concluded that, *'the site selection process, including Green Belt releases, is clear and based on a sound process of SA and testing of reasonable alternatives...The overall process represents a sound approach to identifying those sites considered to represent the best and most sustainable choice for development in each HMCA to contribute to the target requirement'* (para.109).

x. The scale and mix of housing proposed by the Plan is justified and there is a reasonable prospect for its effective delivery over the plan period, which will positively address the identified needs of different groups in the community.

xi. The allocation of Green Belt sites for housing to meet needs to 2023, ensures that the majority of sites in the Green Belt that had been proposed for housing in the Submission Draft Plan are deleted via the MMs. (32 sites initially proposed for housing are deleted). The Inspectors are satisfied that there are no reasonable alternatives to the allocations proposed and the housing requirement provides the exceptional circumstance necessary to support the release of a reduced number of Green Belt sites, subject to the necessary infrastructure and site requirements being applied.

xii. With regard to the selection and allocation of employment sites, the inspectors conclude that, the site selection process is sound ensuring that the allocated employment and office sites are the most reasonable having regard to the alternatives assessed (para. 121).

xiii. *'Subject to the MMs the Council's approach to Green space to ensuring that sites are protected and the manner in which sites have been designated is sound'* (para. 86).

xiv. The approach to designating boundaries for the retail centres identified within the CS, including primary (and where appropriate secondary frontages), is sound (para. 120).

xv. *'The Council's efforts to engage the Gypsy and Traveller community in the process provide an exemplary example'* (para. 123).

xvi. In relation to the generic and specific site requirements relating to individual sites, the Inspectors conclude that subject to the MMs, they are 'justified and effective',

'clearly expressed so they can be applied in day to day decision-making and consistent with national policy' and that, *'the evidence demonstrates that the delivery and viability of the allocated sites is not prejudiced by the site requirements'* (para. 223)

xvii. The Plan appropriately recognises and reflects the significance of designated and non-designated heritage assets and takes into account the contribution they make to their environment.

xviii. *'The CS (Core Strategy) includes policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change. This is further supported through individual site requirements in the SAP such as those relating to flood risk, ecology, and public transport measures'* (para. 229).

xix. The detailed wording of MM19 (Section 2 Housing Overview – Gypsy and Traveller needs throughout the plan period) has been amended by the Inspector. The focus of this is to clarify overall pitch requirements throughout the plan period and for these requirements in turn to be subject to monitoring and review, subject to any deficit.

xx. The Plan complies with the relevant legal requirements including: the Planning Act (and Regulations), Local Development Scheme, Statement of Community involvement, Duty to Cooperate, Sustainability Appraisal, Habitats Regulations and the aims of the Equality Act (2010)

- 2.5 Upon Adoption the sites allocated in the SAP will also provide the City Council with a housing land supply position in excess of 5 years. This is necessary to ensure that full weight can be applied to all Development Plan policies and cease the run of planning appeals relating to unallocated or protected sites, which has involved the allowance by the Secretary of State and Planning Inspectors of 11 sites for housing development (for 1,500 homes). Although it is noted that 3 appeals were dismissed (for 1,400 homes).
- 2.6 The Leeds Core Strategy, which sets the overall strategic planning framework for Leeds, was adopted in November 2014 and this included a housing requirement of 70,000 (net) new homes between 2012 and 2028, of which 66,000 homes were to be identified as allocations through the SAP and the Aire Valley Leeds Area Action Plan (AVLAAP).
- 2.7 Concurrently, alongside the SAP and taking account of up to date evidence on housing needs and the need to update policies on housing standards, the Council has progressed a Core Strategy Selective Review (CSSR). This was submitted to the Secretary of State in July 2018. This flexible approach to preparing and updating plans (in response to changing circumstances) is reflected in national guidance and planning regulations. However, for the purpose of examining the SAP, the Council and Inspectors have made clear from the start of the process that it must be compliant with the Adopted Core Strategy and not any plans in draft form. That said, the SAP is complementary to the draft CSSR and its lower housing requirement.
- 2.8 In relation to housing needs (Policy SP6), the Council considered a range of revised requirements for the MD sourced from a Strategic Housing Market Assessment carried out by independent housing and demography consultants. The Council used

the accepted national methodology for this work (supplemented by a local housing survey) and had regard to the Government's new standard methodology, which provides local authorities with a starting point that may be increased e.g. to reflect economic growth and local characteristics. This work identified a revised housing requirement of 51,952 homes between 2017 and 2033 at a lower rate of 3,247 homes p.a. It is noted that completions for the year 2018/19 rest are 3,430 homes with reasons to be optimistic about short term delivery based on record levels of planning permissions and starts on site, including the continued contribution of the Council House Build Programme, City Council partnerships and regeneration programmes

- 2.9 In addition, as part of the targeted scope of the CSSR (agreed at Executive Board in February 2017), Policies in relation to affordable housing, green space, sustainable construction (Policies EN1 and EN2 to reflect national advice) have been updated, together with new policies on housing standards (size and accessibility) and electric vehicle charging.
- 2.10 In relation to affordable housing (Policy H5) the CSSR proposes increases in targets for the city centre and inner areas from 5% to 7%, clarified how the Council's definitions of affordable housing sit in relation to new definitions in the national guidance and clarified arrangements for build-to-rent dwellings in line with national guidance.
- 2.11 In relation to Housing Standards (Policy P9) the CSSR adopts the Nationally Described Space Standards (NDSS) in local policy to provide for larger rooms and dwellings to meet needs in line with Best Council Plan.
- 2.12 In relation to Accessible Housing (Policy H10) the CSSR sets out policies to provide for 30% of all new dwellings to be adaptable for wheelchair users and for 2% to be fully wheelchair accessible.
- 2.13 In relation to Green Space (Policy G4, G5 and G6) the CSSR sets out a revised approach to delivering high quality on-site greenspace and seeking improvements to local spaces as appropriate.
- 2.14 In relation to Electric Vehicle Charging Infrastructure (Policy EN8) the CSSR seeks to ensure that development, including new homes, provides on-site charging facilities for electric vehicles.
- 2.15 Following the hearing sessions of the CSSR in February 2019 the Inspector issued a series of Main Modifications (MMs), considered necessary to make the Plan sound and legally compliant. On 16 May 2019 Executive Board approved Main Modifications (MMs), recommended by the Inspectors as necessary to make the Plan sound, be subject to public consultation. This took place between May and June 2019. At the time of preparing this report the Inspectors Report was pending (members will be updated at the meeting).

Next Steps

- 2.16 At the time of preparing this report, following consideration by Executive Board on 26th June the SAP was pending adoption at Council on 10th July. In relation to the CSSR, subject to the receipt of the Inspectors Report, this was due for consideration at Executive Board on 26th July, with a view to the CSSR being adopted at the

September Council meeting. As outlined above, once adopted these Plans can be afforded full weight in the determination of planning applications.

3. Corporate considerations

3.1 Consultation and engagement

- 3.1.1 The preparation of the SAP & CSSR have been subject to several stages of engagement and public consultation, this is document in the Reports of Consultation for both documents. At the time of writing this report the consultation and engagement activity in relation to the SAP, has been found to be sound and legally compliant by the independent Inspectors. In relation to the CSSR, at the time of writing the Inspectors Report was pending.

3.2 Equality and diversity / cohesion and integration

- 3.2.1 Due regard has been given to Equality, Diversity, Cohesion and Integration issues. This has included the completion of EDCI Screening. As the recommendations are to review and update in the context of existing principles and the Council's role in plan-making and planning policy implementation, it is assessed that at this stage there are no EDCI implications but this will be kept under review through the next stages of work. A key focus of the declaration of the Climate Change Emergency and the principles of sustainable development is to ensure that there is intergeneration equity in terms of environmental conditions and quality of life.

3.3 Council policies and the Best Council Plan

- 3.3.1 The Best Council Plan (2019/20 – 2020/21) is relevant to the CSSR in terms of its priorities for Housing, Inclusive Growth, Health & Wellbeing, Sustainable Infrastructure, Child-friendly Leeds, Age-friendly Leeds, and Safe & Strong Communities.
- 3.3.2 The quantity of homes that Leeds plans for will have ramifications for inclusive economic growth by ensuring that Leeds is supported by the right number of new homes of the right type to meet the needs of a growing population. The SAP and CSSR will also provide the ability to improve the range and quality of dwellings delivered to ensure the needs of particular groups such as the elderly are met, and that health and wellbeing of residents is improved. Proposed Policy H10 (Accessible Housing Standards) should be of particular benefit to households with mobility issues including the elderly and support self-care, choice and control. In terms of public health and wellbeing, there are important linkages between the CSSR policies. Improved Space and Access Standards, the provision of Affordable Housing (in meeting housing needs), together with the protection and provision of green space make an important contribution to local amenity and quality of life across the District.

Climate Emergency

- 3.3.3 A Climate Change Emergency was declared by the City Council on 27th March 2019. It is therefore critical that the statutory plan-making process and the implementation of those plans contributes to the sustainable development of the District and the ability to mitigate and adapt to the consequences of climate change (including the need for carbon reduction to meet agreed targets).

- 3.3.4 Taken as a whole, the Leeds Local Plan (and Supplementary Planning and Design Documents and Guidance), including the adopted Natural Resources and Waste Plan, Core Strategy, Aire Valley Leeds Area Action Plan,, and the Core Strategy Selective Review and the Site Allocations Plan (both at an advanced stage), have a positive impact on reducing carbon emissions and protecting and enhancing biodiversity which all has health and well-being benefits. A consequence of not having these plans in place and ensuring they are delivered is poorly planned, un-co-ordinated and adhoc development proposals, being determined on their merits outside an integrated planning framework.
- 3.3.5 A fundamental purpose of a plan-led approach, is to plan the spatial and inclusive growth of the District, with regard to the longer term strategic imperatives of Sustainable and Healthy Development and Climate Change. Consequently, the integration of land use allocations and transport planning, the provision of renewable energy and sustainable infrastructure for new development, the protection and enhancement of green infrastructure and the management of waste flows and the consumption of natural resources, are integral to the policy framework for influencing investment decisions and the determination of planning applications.

3.4 Resources, procurement and value for money

- 3.4.1 The cost of preparation of the SAP and CSSR has been met from existing provision. A key strategic benefit of having such adopted plans in place is to provide certainty for investor decisions and infrastructure provision.

3.5 Legal implications, access to information, and call-in

- 3.5.1 No legal implications at the present time. Any review of policy will be in accordance and compliance with the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Plans) Regulations 2012 (as amended).

3.6 Risk management

- 3.6.1 The Risk to the Council of not having up to date Plans in place, exposes the District to speculative, potentially unsustainable development and a lack of certainty for investors. This is detrimental to communities and to the provision of co-ordinated and well planned infrastructure. In addition, with the Local Plan in place, the Council is better able to establish and defend a five year housing land supply position and to take a plan led approach to growth and investment, consistent with the requirements of national planning guidance.

4. Conclusions

- 4.1 The adoption of the SAP and the CSSR will be a significant step in supporting our ambition to strengthen the economy in a compassionate way as set out in the Best Council Plan through inclusive economic growth, improving housing growth and standards, the provision of green spaces for health and well-being and mitigating of and adaptation to the consequences of climate change.

5. Recommendations:

5.1.1 i) To note the contents of this report

6. Background documents

None