

Potential Main Modifications

The views we have expressed in the Hearing sessions and in this note on potential Main Modifications (MMs) and related policies map changes are based on the evidence before us, including the discussion that took place at the hearing sessions. However, our final conclusions on soundness and legal compliance of the submitted plan will be provided in the report which we will produce after consultation on the potential MMs has been completed. In reaching our conclusions, we will take into account any representations made in response to the consultation. Consequently, the views we expressed during the hearing sessions and in this document about soundness and the potential MMs which may be necessary to achieve a sound plan could alter following the consultation process of MMs to the submitted plan.

Where a MM, such as the deletion of a site, results in consequential changes to text and / or tables elsewhere it is not necessary to refer to each as an individual MM. Instead the consequential changes necessary should simply be listed as part of one single MM.

The Inspectors consider Main Modifications (MM) will be required in the following areas to make the SAP (CD1/1) sound:

1. Confirm that the Site Allocations Plan will identify sufficient land to meet the housing requirement for years 1 – 11 as necessary throughout the SAP together with an explanation for this.
2. Confirm commitment to Review of SAP in relation to Housing Provision following adoption of the CSSR.
3. Ensure the Housing requirement to 2023 is set out in the SAP and that Table 1 includes expected delivery to 2023 having regard to both non-Green Belt and Green Belt sites.
4. Delete all references to Phasing throughout the SAP – this can be a single MM listing consequential changes elsewhere in the SAP.
5. Confirm commitment to monitoring and if necessary, partial review of SAP should a deficit of gypsy and traveller pitches remain beyond 2024 when measured against the CS targets for private and public provision.
6. Amend Policy HG1 to reflect the Inspectors' Further Post Hearing Note to the Council (see suggested wording attached in Annex 1) – a single MM can refer to Policy HG1 contained in each HMCA; A number of consequential changes will be required to text throughout the SAP including the deletion of HG1 sites from the Policies Map;
7. Delete from Policy HG1 the list of sites with planning permission and those with expired planning permissions in each HMCA section. If the Council wishes to maintain a list of these sites, relevant at the time of the submission of the plan, then these should be included in an Annex. Sites should be deleted from this list that are located in the Green Belt and where planning permission has expired, or having been subject to SA, are no longer deemed appropriate for housing delivery or the land owner has said the sites are no longer available for housing.
8. Repeat the above for MX1, EO1 and EG1 sites;
9. Confirm that all planning applications should have regard to the Infrastructure Delivery Plan.
10. Ensure clear sign-posting to UDP policies for those sites allocated in UDP;
11. Delete Policy EG3 – Leeds Bradford International airport (LIBA) Employment Hub & add to EG2 sites in Aireborough.
12. Delete requirement for LBIA Supplementary Planning Document to cover the Airport Operational Land Boundary;
13. In addition to those HG2/ MX2 sites in the Green Belt identified by the Council to be deleted from the SAP, delete the following allocated sites:
 - HG2-124 (Land at Stourton Grange)
 - MX2-39 (Parlington Estate, Aberford)
14. Delete HG3 Safeguarded Land no longer required, as identified by the Council;
15. Delete Green Space that no longer meets the size threshold;
16. Delete the proposed designation of Rural Land to Green Belt;
17. Include the MMs suggested in Appendix 4 (p.68) of the Council's response to the Inspectors Note on the Habitats Regulation Assessment (HRA); [Post Examination Hearing Note on HRA

Matter: Response to Inspectors' Questions]. An additional MM in the SAP is required to be incorporated into 'Technical Considerations and Infrastructure' section that addresses the need for consultation with Yorkshire Water on waste water treatment capacity and water quality impacts on the Humber Estuary SAC;

18. Amend site requirements as discussed at the Hearings and contained in the Inspectors' List of Actions and agreed in Statements of Common Ground;
19. Update paragraph 2.58 (page 27)
20. Amend site requirements that require the comprehensive development of an allocated site with an identified site to express this as a preference – an allocated site should be justified and deliverable in its own right.

Before a Schedule of MMs is finalised could the Council please confirm:

1. Does the Working Draft Environmental Statement which was published by HS2 Ltd in October raise any further matters of consequence for the potential delivery of HG2 allocated sites, including HG2-180 and text contained in 3.2 (City Centre)? (It is noted that HG2-179 is no longer considered to be deliverable due to its potential conflict).
2. In light of MM point 20 below, are HG2-234 (North) and HG2-181 (Outer South) justified? Consider deletion or appropriate re-wording of the site requirements.

Please note there is missing text at section 3.2.9 (City Centre) which will need correcting through Additional Modifications to reflect other HMCA chapters.

The Council should prepare a Draft Schedule of Main Modifications, incorporating the above points, for the consideration of the Inspectors.

The Council will also need to satisfy itself that it has met the requirements for sustainability appraisal by producing an addendum to the Sustainability Appraisal of the submitted plan in relation to the potential MMs once finalised, as appropriate. We will need to see a draft of the addendum and may have comments on it. The addendum should be published as part of the public consultation. The Council should also consider whether the potential main modifications necessitate any further Habitat Regulations Assessment.

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Inspectors appointed to examine the Leeds Site Allocations Plan

Annex 1

Policy HG1 – IDENTIFIED HOUSING SITES

THE SITE ALLOCATIONS PLAN IDENTIFIES ~~THAT~~ THE FOLLOWING ~~CATEGORY OF~~ SITES ~~CONTRIBUTE TO OVERALL SUPPLY~~ ~~WHICH~~:

- 1) SITES THAT HAVE EXISTING ~~PLANNING PERMISSION ; AND~~
- 2) ~~OR RECENTLY EXPIRED PLANNING PERMISSIONS FOR HOUSING OR MIXED USE INCLUDING HOUSING THAT ARE STILL DEEMED TO BE APPROPRIATE FOR HOUSING DELIVERY, OR AND~~
- 3) ~~WHERE PREVIOUSLY~~ ARE ALLOCATED FOR HOUSING IN THE UNITARY DEVELOPMENT PLAN, ~~AS IDENTIFIED HOUSING SITES.~~
- 4) ~~ALL IDENTIFIED HOUSING SITES ARE IN PHASE 1 FOR RELEASE, IN ACCORDANCE WITH CORE STRATEGY POLICY H1.~~
- 5) ~~THESE CATEGORIES OF~~ IDENTIFIED HOUSING SITES CONTRIBUTE TO THE TARGETS FOR THE ELEVEN HOUSING MARKET CHARACTERISTIC AREAS SET OUT IN CORE STRATEGY POLICY SP7.

~~THESE THE UDP SITES ARE SHOWN ON THE POLICIES MAP AND DETAILED WITHIN SECTION 3 FOR EACH HOUSING MARKET CHARACTERISTIC AREA.~~

~~A LIST OF SITES WITH PLANNING PERMISSION / EXPIRED PLANNING PERMISSION CURRENTLY INCLUDED IN THIS CATEGORY ARE LISTED IN ANNEX X.~~