

Leeds City Council
Remitted Part of the Site Allocations Plan
Examination

**Leeds City Council's Response to Inspector's
Letter Published on 5th July 2021**

**Question 1 of Appendix 1 of the Matters,
Issues and Questions for MM1-39 (EXR2)**

Leeds Local Plan



The Council provides the following response to the Inspector's letter.

The Council have prepared and consulted upon proposed Main Modifications which seem to only relate to the Policies Map and proposes no other changes

The Council prepared, consulted upon and submitted Main Modifications to policies HG2 and EG2 of the Site Allocations Plan (not the Policies Map). The Inspector may recall the format of the SAP is such, so that Policy HG2 is set out both in Chapter 2 of the SAP (the Housing chapter) and repeated in each of the 11 Housing Market Characteristic Area chapters (HMCA).

It is in the HMCA chapters that Policy HG2 lists the relevant sites to be allocated. It is therefore these policies to which the Main Modifications pertain. As an example, MM1 relates to HG2-1 New Birks Farm, Ings Lane, Guiseley. This MM would result in a deletion of that site from the Aireborough HG2 policy an extract is included below. The extract shows the resulting deletions to Policy HG2 (Aireborough) arising from proposed MMs 1-4.

POLICY HG2: HOUSING ALLOCATIONS				
1) THE SITE ALLOCATIONS PLAN ALLOCATES SITES FOR HOUSING AND MIXED USE INCLUDING HOUSING, IN ACCORDANCE WITH CORE STRATEGY POLICY SP7.				
2) ANY SPECIFIC SITE REQUIREMENTS ARE DETAILED UNDER THE ALLOCATION CONCERNED				
IN AIREBOROUGH THE SITES ALLOCATED FOR HOUSING ARE:				
Plan Ref	Address	Area ha	Capacity	Green/Brown
HG2-1	New Birks Farm, Ings Lane, Guiseley	10.8	160	Greenfield
HG2-2	Wills Gill, Guiseley	5.1	133	Greenfield
HG2-4	Hollins Hill and Hawkstone Avenue, Guiseley	3	88	Greenfield
HG2-6	Silverdale Avenue (land at), Guiseley	2	32	Greenfield
HG2-7	Swaine Hill Terrace - former Brookfield Nursing Home, Yeadon	0.4	7	Mix 20:80
HG2-8	Kirkland House, Queensway, Yeadon	0.5	17	Mix 20:80
HG2-9	Land at Victoria Avenue, Leeds	3.9	102	Greenfield
HG2-11	Larkfield Drive (off) - Ivy House (adjacent), Rawdon	0.5	6	Mix 80:20
HG2-229	The Old Mill, Miry Lane, Yeadon	0.4	15	Mix 40:60
Housing Allocation Total			552	

This approach would be carried out for the remaining HG2 policies in 9 HMCAs in total.

The purpose of the plans, included as part of the submission of the proposed MMs, is illustrative (as the policies themselves do not fully detail the spatial extent of the allocations) and as the Inspector may recall form inset plans for the individual area chapters of the SAP in support of the policies themselves.

It is therefore not the Council's intention to provide any further proposed MMs in relation or in addition to MM1-38 as it considers that the MMs as submitted are adequate to achieve a sound Plan.

Policy EG2 is dealt with in a similar way and proposed MM39 relates to Policy EG2 within the East Chapter of the SAP as follows:

POLICY EG2: GENERAL EMPLOYMENT ALLOCATIONS, OR MIXED USE ALLOCATIONS WHICH INCLUDE GENERAL EMPLOYMENT USE			
1) THE SITE ALLOCATIONS PLAN ALLOCATES SITES FOR GENERAL EMPLOYMENT OR MIXED USE INCLUDING GENERAL EMPLOYMENT IN ACCORDANCE WITH CORE STRATEGY POLICY SP9.			
2) ANY SPECIFIC SITE REQUIREMENTS ARE DETAILED UNDER THE ALLOCATION CONCERNED IN SECTION 3.			
THESE ALLOCATIONS ARE SHOWN ON THE POLICIES MAP. IN EAST THESE ALLOCATIONS ARE:			
Plan Ref	Address	Area ha	Capacity (ha)
MX2-38	Barrowby Lane, Manston LS15	21.2	10
EG2-27	Manston Road, Leeds, LS15 8SX	3.4	3.43
Allocated for general employment total (ha):			13.43

Proposed MM39 would therefore change the plan ref (MX2-38) and capacity (10) of Policy EG2 within the East Chapter of the SAP to plan ref (EG2-37) and capacity (21.2ha).

... the wording contained within CDREM1/7a ('the High Court Remedy') refers to the remittal including all aspects of all policies and text that give reasons for and effect to the relevant allocations. The remedy goes on to refer to 'all the parts of the SAP referred to in paragraph 1 be treated as not having been adopted or approved'

The Council is mindful of the above and in its view is rightly distinguishing between Main Modifications (MM) that go to the soundness of the SAP and Additional Modifications (AM) that arise as a consequence of those MMs. The Council considers that it is the policies (HG2 and EG2) and text within them (site requirements) which, within the scope of the remittal, give reasons for and effect to the relevant allocations and has through proposed MMs therefore included all such policies and text.

The Council acknowledges that there will in due course, following the Examination and prior to adoption, be text within parts of the SAP – **outside of the scope of the Remittal** - which will require consequential amendment in response to the outcome of the Remitted part of the SAP and the updated evidence, which the Council has reflected in response to the High Court Order. This will form AMs. The Council considers this approach to be fully in line with the "*Procedure Guide for Local Plan Examinations (18 March 2021)*" and the distinction it makes between Main and

Additional (Minor) modifications in paragraph 1.4. It is not the Council's view that the High Court Remedy, as it sets the scope of the SAP Remittal, would warrant a change from that procedure.

This approach is made clear on the 2nd page of the Proposed MMs as follows: *"Additional modifications to the Plan (changes which do not affect the soundness of the Plan, including consequential numbering and referencing) and amendments to supporting documents are not included"*. This is also the rationale behind the Council's response to Appendix 1 of the Inspector's initial questions (24 June 2021) which stated that *"Additional modifications which do not affect the soundness of the Plan including consequential numbering and referencing will be made by the Council following the examination and prior to adoption."*

Notwithstanding the Council's approach it is acknowledged that for the purposes of clarity at the Examination and when considering the MMs, it may be helpful to understand any wider Plan consequential changes through AMs.

To that end, and in line with the Inspector's request, the Council has begun preparation on *"a list of all of elements of the SAP that relate to the proposed changes for all their proposed MMs"* but as set out above, it considers that *"all aspects of all policies and text that give reasons for and effect to the relevant allocations in the adopted SAP"* are contained within the proposed MMs submitted

The list *"of all of elements of the SAP that relate to the proposed changes for all their proposed MMs"* will be presented as a schedule; subject to the Inspector's agreement by 23rd August. In effect this will clarify the distinction between proposed MMs which go to the soundness of the SAP and proposed AMs which do not. For example the schedule will include the references to Green Belt and overall housing numbers, which the Inspector has already recognised.

Notwithstanding the above, the Council acknowledges that the Inspector can recommend additional MMs if she is of the opinion they are needed to make the Plan sound.

In respect of proposed site allocation EG2-37 (MM39) the Council have not suggested any other changes to the adopted SAP but having regard to CDREM1/7a other changes to the SAP may be needed. This would potentially be in the form of a site allocation and site requirements in common with the other allocations made under Policy EG2 of the adopted SAP with supporting text and consequential amendments.

The Council confirms that site requirements for site EG2-37 were omitted in error from the MM schedule which was submitted to the Inspector. The site requirements were however included as part of the consultation material in respect of the consultation carried out on proposed MM39, which was held after the date of submission. To that end, the Council requests that the Inspector accepts an updated submission of MM39 which includes the proposed site requirements. The updated MM39 is attached as **Appendix 1** to this response.

Leeds Site Allocations Plan

Leeds Local Plan

SAP Remittal – Council's Proposed Modification MM39 (EG2-37 Barrowby Lane, Manston) to the Remitted part of the Plan, Consultation Draft

Development Plan Document
May 2021

FURTHER PROPOSED MAIN MODIFICATION MM39 (EG2-37 BARROWBY LANE, MANSTON) RELATING TO THE REMITTED PART OF THE SITE ALLOCATIONS PLAN

Following public consultation on the Council's Proposed Main Modifications between January - February 2021, a further Main Modification (MM39) is proposed in relation to EG2-37 Barrowby Lane, Manston (formerly referenced MX2-38).

Additional modifications to the Plan (changes which do not affect the soundness of the Plan, including consequential numbering and referencing) and amendments to supporting documents are not included.

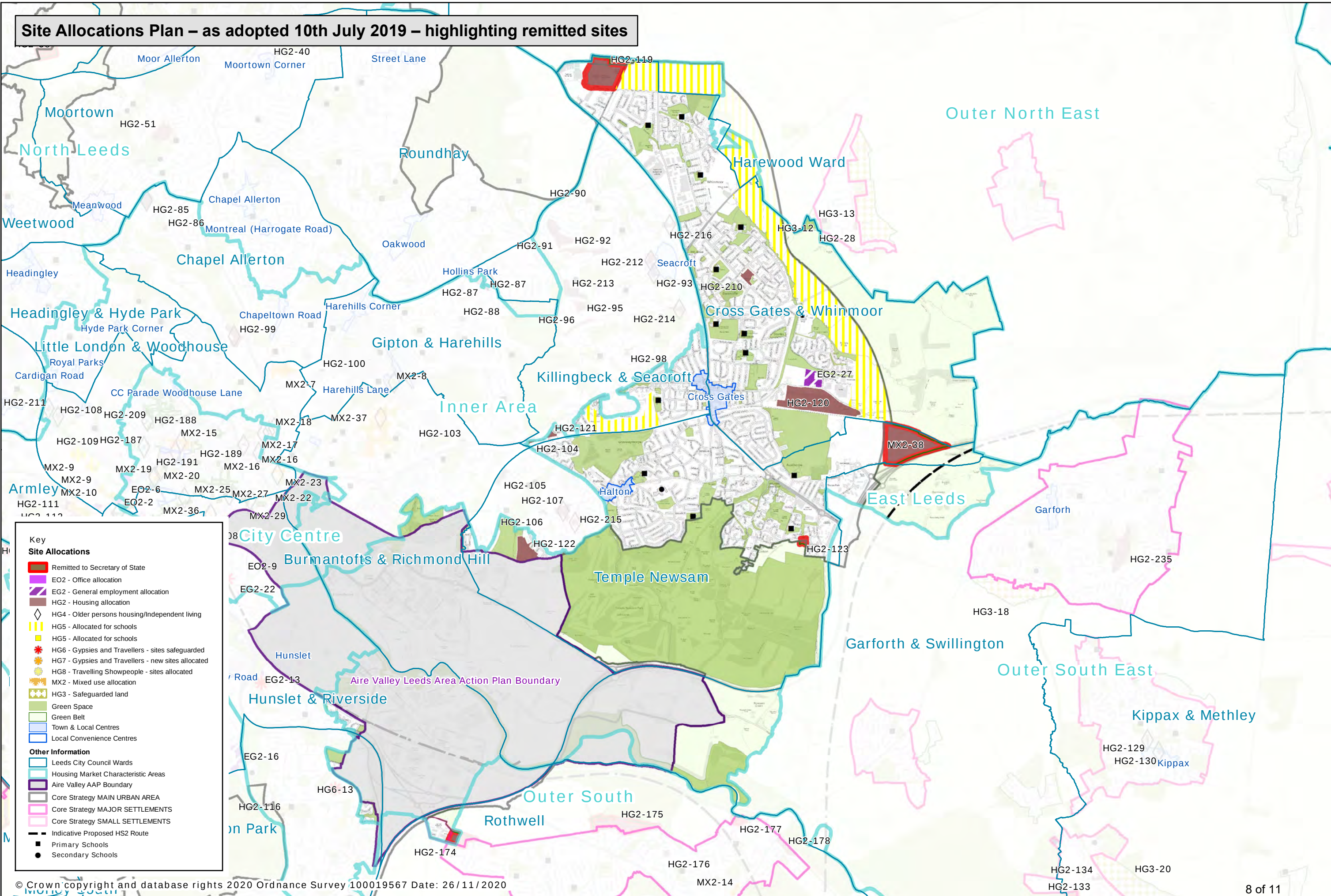
This schedule only relates to the consultation on proposed Main Modification 39.

The full schedule of the Councils main modifications ('mod') proposed to the Remitted part of the Plan **CD1/1** (Submission Draft Plan, May 2017) are as detailed in document referenced **CDREM1/1**.

Mod No.	Remittal Proposed Modification	Reason
EAST LEEDS		
Insert the following site and accompanying site requirements into Policy EG2: GENERAL EMPLOYMENT ALLOCATIONS, OR MIXED USE ALLOCATIONS WHICH INCLUDE GENERAL EMPLOYMENT USE		
EAST LEEDS		
39	EG2-37 Barrowby Lane, Manston LS15 Site Requirements - EG2-37 - Barrowby Lane, Manston LS15 • Highway Access to Site: A suitable vehicular access is required from the Manston Lane Link Road and safe pedestrian/cycle infrastructure will be required to connect the site with the wider network and Thorpe Park. • Local Highway Network: This site should not be brought forward until completion of Manston Lane Link Road (MLLR). The site will have a direct impact upon MLLR and M1 Jn 46 and mitigating measures will be required. This may take the form of a contribution towards the cost of future works on MLLR, in line with the proposals for East Leeds Orbital Road, together with a contribution to works at Jn 46 in line with the requirements of Highways England. • Listed Buildings: The site is in the setting of a Listed Building. Any development should preserve the special architectural or historic interest of Listed Buildings and their setting. • Scheduled Ancient Monuments (I & II): This area lies close to the site of the former World War I National Filling Factory at Barnbow. This is a Scheduled Monument. Any development should safeguard those elements which contribute to the significance of this area.	Following consideration of representations and the most up to date evidence of employment land supply, the Council has concluded that exceptional circumstances do exist for the allocation of the site formerly referenced as MX2-38 for general employment (under new reference EG2-37), as a result of the current supply of general employment land being below the plan requirement. The previous site requirements for MX2-38 are retained for the employment allocation.

Note: For clarity Site Requirements for site EG2-37, have been incorporated within the Proposed Modification table.

Site Allocations Plan – as adopted 10th July 2019 – highlighting remitted sites

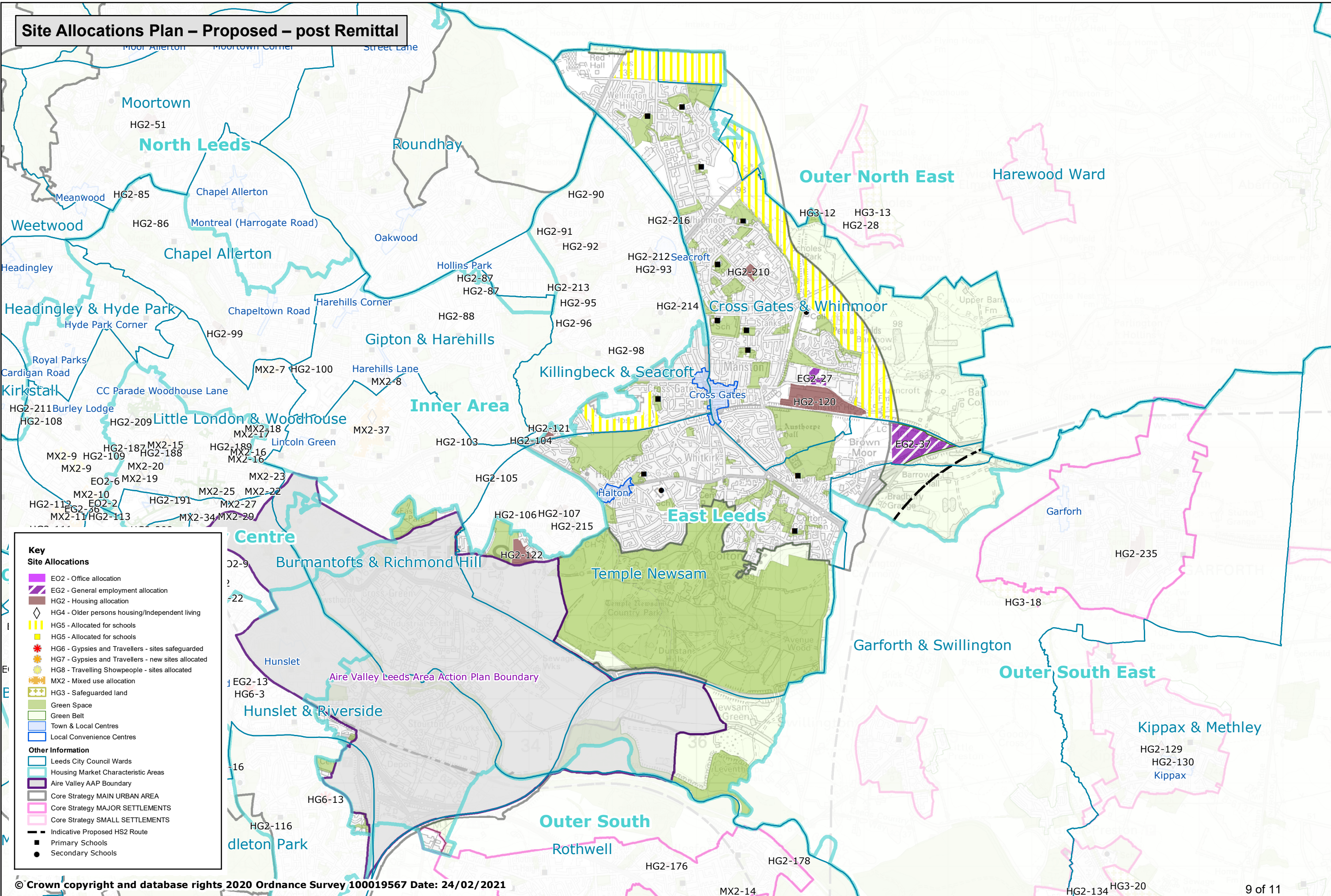


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HMCA AREA
East Leeds

Site Allocations Plan – Proposed – post Remittal



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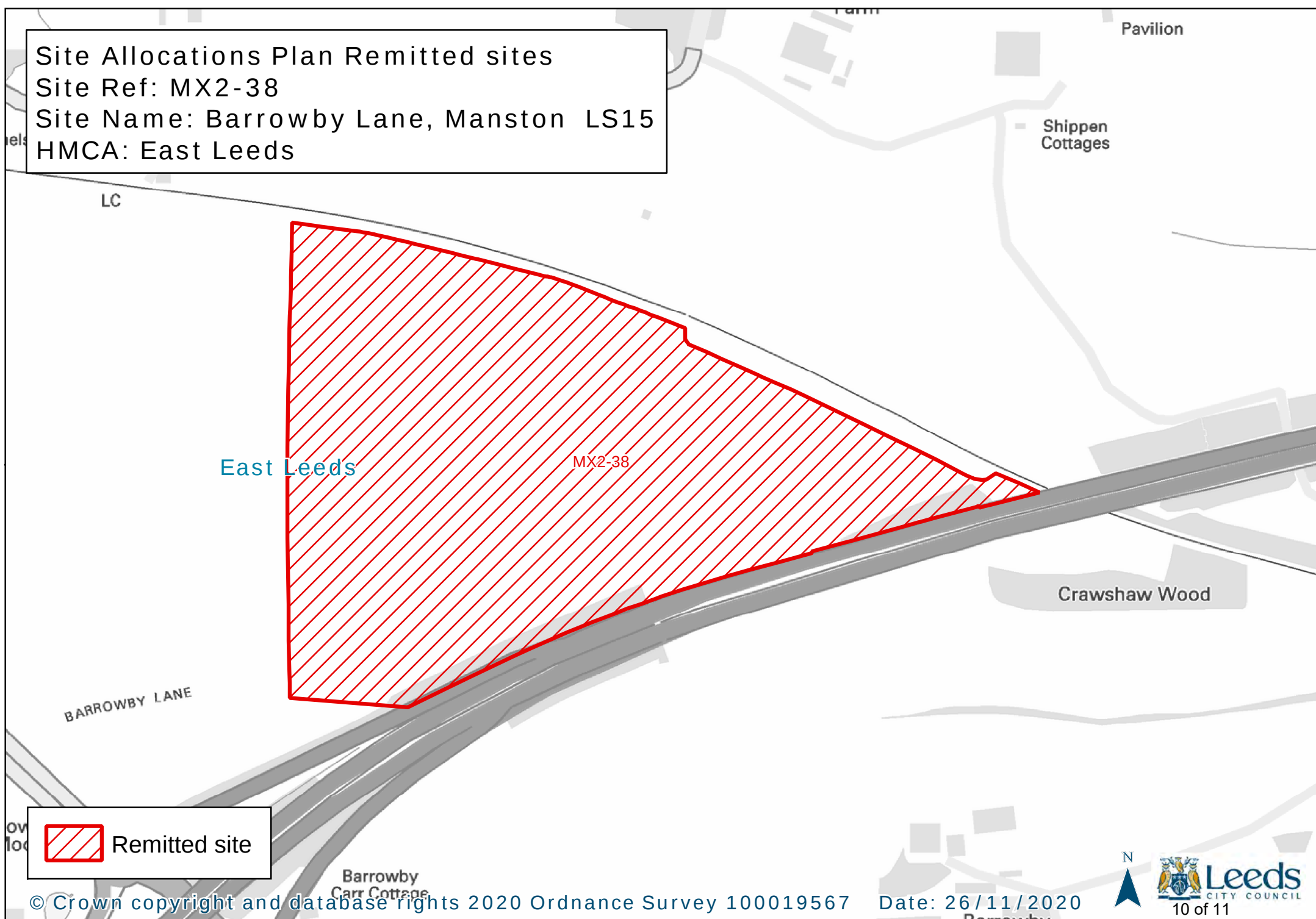
HMCA AREA
East Leeds

Site Allocations Plan Remitted sites

Site Ref: MX2-38

Site Name: Barrowby Lane, Manston LS15

HMCA: East Leeds



Site Allocations Plan Remitted sites

Site Ref: EG2-37

Site Name: Barrowby Lane, Manston LS15

HMCA: East Leeds

East Leeds

EG2-37



Remitted site

