

Louise Gibbons BA Hons MRTPI
Planning Inspectorate

c/o Helen Wilson
Programme Officer
Leeds SAP Remittal

City Development
Policy and Plans Group
Merrion House, 9th Floor East,
110 Merrion Centre,
Leeds,
LS2 8BB

Contact: Martin Elliot
Tel: 0113 37 87634
Email: martin.elliott@leeds.gov.uk

Date: 22 July 2022

Dear Ms. Gibbons

POST SPECIAL HEARING ADVICE – INTEGRATED RAIL PLAN AND PROPOSED ALLOCATION EG2-37

Thank you for your draft letter and your invitation to identify any factual errors within it. The Council considers there to be a factual error at para 10. The beginning of para 10 states:

“Windfall losses of employment land remain a possibility, but so do windfall gains and the Council’s employment land supply figure against the requirement could increase further if other sites gain planning permission within the plan period contributing to the supply...” (Our emphasis)

The Council considers that no evidence is before the Inspector to suggest that there is a *possibility* of windfall being able to address a shortfall in employment land. Consequently, the Council view this statement as inaccurate and therefore in error.

Whilst we acknowledge that the Inspector has not asked for representations at this stage, the following points explain more fully why the Council considers para 10 is inaccurate.

Firstly, there is no provision in the Council’s up to date Core Strategy for windfall to meet general employment needs.

- Unlike in relation to housing windfall - where the Council’s Core Strategy sets out that Leeds has a long and well recorded history of windfall housing being delivered as a source of land for housing development and a windfall allowance is built into Spatial Policy 6 ‘The Housing Requirement and Allocation of Housing Land’, which effectively lowers the amount of land needing to be allocated when measured against the overall requirement - there is no comparable provision for general employment
- Further, in Core Strategy Policy EC1 ‘General Development Land’ the policy expressly notes that *“general employment land will be identified, in the first instance, to meet the identified need for land to accommodate research and development, industry, warehousing and waste uses over the plan period (as identified in Spatial Policy 9) including a margin of choice for the market...”*. The policy does not include an allowance for unidentified or windfall sites.



INVESTOR IN PEOPLE

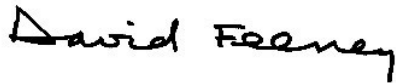
- In addition, given that the Core Strategy, the Aire Valley Leeds Area Action Plan and the Adopted part of the SAP remain up to date, any speculative employment development would in principle be contrary to the Adopted Development Plan and could only be granted permission if material considerations indicated otherwise.

It is for these reasons that the Council did not submit evidence to the SAP (nor SAP Remittal) about the likelihood of windfall arisings, as not only is there no Development Plan basis for this, but the Council cannot justify a consistent or reliable windfall supply (as distinct from the monitoring in support of windfall housing) and considers such justification to be unsound. There is therefore no evidence before the Inspector to suggest that there is a possibility of windfall being able to address a shortfall in employment land. The Council's approach through the Core Strategy and Site Allocations Plan has instead been to identify and allocate land for general employment where necessary, in order for the plan to be positively prepared.

Thirdly, the Council has not submitted any evidence at the examination to justify that any windfall for general employment land would realistically have some of the qualitative characteristics regarding the scale and location that apply to the employment sites affected by the Safeguarding Directions.

To that end, the Council considers the reference to windfall gains remaining a possibility is inaccurate and for the reasons outlined above, is significantly concerned about any reliance on them.

Yours sincerely,

A handwritten signature in black ink that reads "David Feeney". The signature is written in a cursive, slightly slanted style.

David Feeney
Chief Planning Officer
Leeds City Council