

Remitted Part of the Leeds Site Allocations Plan (SAP)

Matters & Issues for Examination (MM1-38)

The following Matters, Issues and questions will provide the focus for the hearings due to commence on Tuesday 14 September 2021.

The Programme Officer for the examination is Helen Wilson who can be contacted as follows:

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The Council is invited to respond on all issues and questions listed, referring to information in the Remittal Submission Documents & Supporting Evidence. Please Note: There is an Appendix to the Matters and Issues with a set of questions for the Council only.

Other representors should only respond on the Matters and Issues relevant to points made in their original representation(s), without raising new issues, in statements of no more than 3000 words per matter. Participants may refer to information in earlier representations. It is not a requirement to submit a Statement; participants can rely on their original representation. Statements should be received by the Programme Officer no later than Monday 23 August (5pm).

Agendas for the hearing sessions will be issued shortly before they commence, based on the Matters & Issues for Examination and the responses received. It is unlikely that I will introduce new issues or questions that do not arise from the Matters and Issues identified.

Please note only those listed on the Programme can participate in the relevant hearing session. I intend to give the opportunity to be heard at the hearings to those who made representations on the Council's proposed Main Modifications and indicated they wish to participate in the examination. In this instance, this will include those who are opposing the changes advanced by the Council, and those who made representations supporting these changes (who are therefore arguing against the allocation of these sites in the adopted plan). Participants should let the Programme Officer know by 26 July 2021 whether they wish to attend a hearing session.

The Examination will focus on the requirements of soundness set out in the National Planning Policy Framework (2012) and the accompanying Planning Practice Guidance. This was the basis for the original SAP examination. As well as complying with legal requirements, to be sound, the plan has to be positively prepared, justified, effective and consistent with national policy.

Please see the Inspector's Guidance Note for further advice on the Examination, which is available on the Council's examination webpage.

Matters and Issues

Matter 1 Legal and Procedural Requirements

Issue 1: have the relevant procedural and legal requirements been met?

Q1. In respect of the Duty to Co-operate, what are the key outcomes from the co-operation with neighbouring authorities?

Q2. Is the Sustainability Appraisal (SA) of the Council's proposed Main Modifications (MMs) suitably comprehensive including the SA objectives?

Q2a. Has the SA sufficiently assessed the reasonable alternatives?

Q2b. What are the reasons for selecting the preferred option and rejecting other approaches, and is this clearly set out in the Council's evidence base?

Q3. Has the Remitted Part of the Site Allocations Plan (SAP) been prepared to comply with the Statement of Community Involvement, and meeting the minimum consultation requirements set out in the Regulations?

Matter 2 – the Remitted Sites

Issue 2: is the proposed deletion of the 37 green belt site allocations for housing and mixed use justified and consistent with national policy?

Housing Requirement

Q4. Is the Council's use of the housing requirement set out within the Core Strategy Selective Review appropriate and consistent with national policy?

Q4a. Has appropriate regard been had to the latest national planning guidance which indicates a 35% uplift in requirement for Leeds resulting in 3,763 homes per annum? What would the implications be of needing to meet this requirement?

Q4b. To what extent would the removal of the sites for housing and mixed use affect the Council's economic ambitions in the City and individual Housing Market Characteristic Areas (HMCAs)? Is there any evidence relating to the consideration of economic growth and the proposed MMs?

Housing Supply

Q5. Is the Council's approach to estimating supply in the Strategic Housing Land Availability Assessment (SHLAA) consistent with national guidance on deliverability and developability of sites?

Q5a. Is there sufficient evidence to indicate that sites that are in the SHLAA will contribute to the housing land supply at the time envisaged? Do other forms of housing such as the private rental sector and student accommodation have the potential to reduce the supply?

Q5b. Is the continued reliance on large windfall sites justified and based on robust evidence?

Q5c. Is the build out rates of sites of over 50 dwellings in the SHLAA justified and robust and based on clear evidence?

Q5d. Will the housing land supply be sufficiently flexible to respond to changing circumstances up to 2028? Is the reliance on a small number of sites for the supply of homes between 2025 and 2028 justified?

Q5e. Is the evidence relating to the 5-year housing land supply robust and in line with national policy and guidance?

Q5f. Are the assessments of shortfall or oversupply of housing in each HMCA correctly identified? Are the figures provided by the Council in the SAP Remittal Background Paper (CDREM1/3 paragraph 6.3) the most-up to date?

Plan policies and the spatial distribution of homes within Leeds

Q6. Are the proposals to delete the 37 Green Belt site allocations for housing and mixed use consistent with the requirements of Policies SP1 and SP6 of the Core Strategy?

Q6a. Is the effect of the proposed MMs on the spatial distribution of homes as set out in Policy SP7 justified and would it be in accordance with national policy and guidance in respect of the location of new homes?

Q6b. To what extent would a change in distribution in the Housing Market Character Areas affect settlement sustainability?

Q6c. What evidence is there that the Climate Change emergency justifies the need to provide homes in the City and Inner HMCAs in preference to other HMCAs?

Q6d. Are the proposed MMs consistent with the aims, objectives and policies in the adopted SAP?

Q6e. On what basis was the decision made to extend the plan period to 2028, and does it fulfil the requirements of Policy HGR1 of the SAP? Does this have any implications for the rest of the adopted SAP?

Q6f. What evidence is there that the Covid19 pandemic could have an impact on the choices of housing in the future for residents of Leeds?

Affordable Housing and Housing Mix

Q7a. Has the impact of a shortfall of affordable homes in some HMCAs been adequately assessed when considering the proposed MMs?

Q7b. Is there evidence to indicate that problems associated with the lack of affordable homes has a 'time limited effect' as suggested by the Council?

Q7c. What evidence is there that affordable housing would be provided through exceptions sites, section106 agreements or brought forward in Neighbourhood Plans?

Q7d. What other sources of affordable homes have been considered and how would they be delivered in the HMCAs outside of the Inner and City HMCAs?

Q7e. How do the proposed MMs affect the type of housing mix available up to 2028 in the HMCAs and has this been adequately assessed?

Infrastructure and other implications

Q8. What evidence is there that the Green Belt allocations of schools are no longer needed, and that existing school capacity and expansion plans are sufficient?

Q8a. How does the proposed deletion of the Green Belt allocations for housing and mixed use affect the delivery of other types of infrastructure in the area, including in adjoining authorities?

Green Belt

Q9. Is the approach towards looking at the 37 Green Belt sites as a whole justified, and what is the evidence for this? Were individual site circumstances taken into account at any stage? Was an assessment of the sites in relation to the five purposes of the Green Belt undertaken?

Q9a. Is there consistency in approach to Green Belt considerations between the deletion of site allocations in MMs1-38 and the proposed addition of a new site allocation MM39?

Q9b. Some of the remitted site allocations contain brownfield land. Was consideration given to including these areas as site allocations and if so, what assumptions were made?

Q9c. Did the Council consider whether to designate the 37 Green Belt sites as safeguarded land and if so, what is the evidence for this?

Q9d. How would deleting the site allocations ensure the permanence of the Green Belt in the years from 2028?

Q9e. Would exceptional circumstances exist to release the sites from the Green Belt to allocate for housing or mixed use or as safeguarded land?

Louise Gibbons

Inspector appointed by the Secretary of State to examine the Remitted Part of the Leeds Site Allocation Plan

APPENDIX 1

Questions and comments for the Council only. A response to these would be appreciated by Wednesday 30 June 2021.

Dealing with Changes to the Remitted parts of the Leeds Site Allocations Plan

In considering any proposed modifications, I will need to take a view whether any are required for soundness/legal compliance reasons. As you will be aware, in order for me to make such 'main modifications', you would need to formally notify me as to whether you wish to request modifications under section 20(7C) of the Planning and Compulsory Purchase Act 2004 (as amended).

1. The Council have prepared and consulted upon proposed Main Modifications which relate to changes to the Policies Map. The Council may wish to consider whether there would be a need for other suggested Main Modifications in relation to their proposed changes. This would relate to all aspects of all policies and text that give reasons for and effect to the relevant allocations (as referred to in CDREM1/7a).

Minor changes that do not go to the question of soundness or legal compliance are made solely by the Council on adoption and not by the Inspector.

Evidence

2. Is it the Council's intention to have any further discussions with representors? If so, could the Council please provide details and confirm when any Statements of Common / uncommon Ground are likely to be completed?
3. Are there any substantial work/reports (including on school places, housing mix, affordable housing and employment land supply) likely to be undertaken for the examination, and what is the timetable for such work?
4. Are there any planned updates to the Strategic Housing Land Availability Assessment? If so, when would this be available?
5. Has an assessment of the effects of the Council's proposed Main Modifications on the Infrastructure Delivery Plan been undertaken? If so, is this evidence available?

Duty to Co-operate

Paragraph 12.1 of the SAP Remittal Background Paper (RPB) (CDREM1/3) indicates that at the Council's Duty to Co-operate meeting 8th December 2020 the group agreed to provide a formal response.

6. Has this been received, and could a copy be provided? If not, when is it expected?

SAP Review and Local Plan Updates

7. Could the Council please provide the latest timetable for the SAP review (or if no timetable is agreed, confirm what their position is on a Review).
8. What is the most up to date position on the timetable for the proposed Local Plan update?

Housing Delivery and Affordable Homes

9. Paragraph 7.7 of the RBP refers to recent Secretary of State decisions, could the Council please provide a list of these and indicate why they are relevant in terms of deliverability?
10. Paragraph 10.4 of the RBP refers to a range of strategies and programmes to unlock land and support the delivery of new homes, could the Council please confirm what these are?
11. Could the Council please confirm whether any of the sites included within the SHLAA that have been granted planning permission have been for student accommodation and if so for how many units?
12. Paragraph 6.6 of the RBP refers to the Leeds South Bank in respect of city centre growth. What is this and will it contribute to the housing stock in the area, and if so by how much and when?
13. 'Custom and practice' is referred to in paragraph 19.4 of the RBP, could the Council please provide an explanation of what is meant by this?

In terms of affordable housing paragraphs 11.10 and 11.11 of the RBP refer to homes being built under the Affordable Homes Programme, new Council houses and Housing Growth Programme.

14. Could the Council please provide details on the numbers and where would these be built if this is known?

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