Our ref: JD/LJJ

11th November 2015

LDF Publication Draft Consultation
Forward Planning and Implementation
Leeds City Council
The Leonardo Building
2 Rossington Street
Leeds
LS2 8HD

Dear Sirs

REPRESENTATIONS TO LEEDS CITY COUNCIL SITE ALLOCATIONS
PUBLICATION DRAFT SEPTEMBER 2015 – WITH REGARDS TO LAND
AT NEW FARNLEY – REF: HG3-17

On behalf of Redrow Homes and Park Lane Homes please find attached the
Representations to the Site Allocations Publication Draft with specific reference to the land at
New Farnley identified as Safeguarded Land under reference HG3-17.

These Representations seek to comment on the following aspects of the Publication Draft:-

- Section 2 – Housing Overview – Paragraph 2.29, Policy HG1 – Existing Housing
  Commitments and Supply.
- Section 2 – Housing Overview – Paragraphs 2.26-2.33, Table 1, Table 2 and Policies
  HG1 and HG2 – Distribution.
- Section 2 – Housing Overview – Paragraphs 2.29, 2.36, 2.39, HG1 and Table 4 – Phasing.
- Section 2 – Housing Overview – Paragraph 2.60, Table 4 and Policy HG3 – Safeguarded Land.
- Section 3: Area Proposals: 11. Outer West, Paragraphs 3.11 to 3.11.10, Policies
  HG1, HG2 and HG3, HG1 Identified Housing Sites (All Policy Allocations), HG2 – Housing
  Allocations (HG2-63, 65, 67, 68, 69, 71, 72, 76, 80, 81, 56 and 55), HG3
  Allocations – Safeguarded Land HG3-14, HG3-15, HG3-16 and HG3-17.

The Representations comprise the following information:

- Consolidated Representations Submission Document addressing all of the issues
  above and containing appendices.
- Completed Response Form.
- Indicative Masterplan.
- Transport Assessment and Framework Travel Plan.
- Flood Risk Assessment and Drainage Strategy.
- Phase 1 Habitat Survey.
I look forward to receiving acknowledgement of receipt of the Representations at the earliest opportunity and confirmation that they have been duly made.

Yours sincerely,

Jonathan Dunbavin BSc MCD MRTPi
Director

c.c. Matthew Barker – Redrow Homes
    Ben Smith – Park Lane Homes
Representations to Leeds City Council
Site Allocations Plan Publication
Draft September 2015 with Specific
Reference to Land at New Farnley -
Reference HG3-17

On behalf of
Redrow Homes and Park Lane Homes

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APPENDICES

1 - Site Plan
1.0 **Introduction and Site Description**

1.1 Following instructions from Redrow Homes and Park Lane Homes, ID Planning were commissioned to make representations to the Leeds Local Development Framework and the Site Allocations Plan Publication Draft of September 2015.

1.2 These representations are made in the specific context of the development potential of land at New Farnley.

1.3 It should be noted that Redrow Homes and Park Lane Homes have control over the site in question and have made previous representations to both the Core Strategy and earlier versions of the Site Allocations Document.

1.4 The area of land that is being promoted for development is shown on the attached plan at Appendix 1.

1.5 A review of the publication draft has been undertaken in conjunction with a detailed consideration of the Council's assessment of the development potential of the land at New Farnley.

1.6 These representations seek to make comment on the publication draft and to promote the New Farnley site for identification as a proposed housing allocation that will ensure its delivery and development.
2.0 Site Description, Current UDP Allocation and Planning History

2.1 The site comprises agricultural land extending to 5.73 hectares on the north west side of New Farnley and is surrounded by residential development on 3 sides, sporadic trees on the boundary.

2.2 The site is currently identified as a protected area of search under the UDP having being removed from the green belt in 2001.

2.3 The site has not been subject to any planning applications in the past.

2.4 These representations are supported by the following documentation:-

- Indicative Masterplan
- Transport Assessment and Framework Travel Plan
- Flood Risk Assessment and Drainage Strategy
- Phase 1 Habitat Survey
3.0 Representation Structure and the NPPF Tests of Soundness

3.1 These representations have been prepared in relation to the Leeds Site Allocations Plan Publication Draft of September 2015. They address the following matters:

- Response to the Council’s approach to distribution of housing across the Housing Market Characteristic Area in the context of the Core Strategy;
- Response to the proposed phasing of sites;
- Response to the approach to safeguarding land;
- Detailed site assessment of the subject site which reviews the site in terms of guidance within the NPPF, the Council’s assessment criteria and the Local Planning Authority’s sustainability criteria;
- A review of the Council’s assessment of the site and conclusions on its accuracy; and a comparison of the site to other sites put forward as draft allocations in the HMCA
- Representations to the HMCA respective chapter

National Planning Policy

The National Planning Policy Framework (NPPF)

3.2 The National Planning Policy Framework (NPPF) was published on the 27th March 2012. As the Site Allocations Publication Draft was issued in September 2015, the document should wholly reflect the National Planning Policy Guidance set out in the NPPF.

3.3 Paragraphs 150-185 of the NPPF relate to plan making. Paragraph 151 advises that Local Plans must be prepared with the objective of contributing to the achievement of sustainable development and therefore they should be consistent with the principles and policies set out in the framework, including the presumption in favour of sustainable development.

3.4 Paragraph 154 requires plans to be aspirational but realistic. Paragraph 178 advises that public bodies have a duty to cooperate on planning issues that cross boundaries, particularly those which relate to strategic priorities.

NPPF Tests of Soundness/European SEA Directive and Environmental Assessment of Plans and Programmes Regulations 2004

3.5 As the publication draft will subsequently be examined by an independent inspector, the document will be assessed on the basis of whether the plan has been prepared in accordance with the duty to cooperate, legal and procedural requirements and whether it is sound.

3.6 Paragraph 182 of the NPPF advises:

“The local planning authority should submit a plan for examination which it considers is ‘sound’ – namely that it is:”
• **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements for neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;

• **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;

• **Effective** – the plan should be deliverable over its period and based on effective joint working on cross boundary strategic priorities; and

• **Consistent with National Policy** - the plan should enable the delivery of sustainable development in accordance with the policies in the framework.

3.7 In addition, the representations focus on the legal duty to comply with the European SEA Directive – 2001/42/EC and the Environmental Assessment of Plans and Programmes Regulations 2004. The Directive and regulations require the need for:

1. Environmental reports to be of sufficient quality and provide proper information to allow consideration of all the potential effects.
2. Sufficient detail to allow the public to understand why the plan is said to be sound.
3. An accurate and equal assessment of the alternatives to the chosen strategy/policy and explanation as to why they were not considered to be the best option.
4.0 Representations to the Publication Draft – Existing Housing Commitments in Supply

Summary of Publication Draft – Existing Housing Commitments and Supply

4.1 Paragraph 2.29 of the Publication Draft identifies that new allocations are not needed to accommodate the entire 66,000 target for new houses. The paragraph states that the Council already has an existing supply of 33,523 dwellings which comprise previous UDP housing allocations not yet developed since 2001, planning permissions with units still remaining to be built, including on sites that have not commenced and sites with a recently expired planning permission. The suggestion of the Council is that this supply of 33,523 dwellings can be deducted from the 66,000 target completely, leaving a residual requirement of 32,477.

4.2 Policy HG1 identifies that all of these sites are in Phase 1 for release in accordance with Core Strategy Policy H1.

Soundness of the Inclusion of all Existing Commitments

4.3 We object to the Council’s inclusion of all unimplemented planning permissions, expired planning permissions and undeveloped 14-year old UDP allocations without an assessment of their deliverability on a proper and robust basis. The sites have only been assessed through the SHLAA and on a cursory basis.

4.4 The inclusion of all unimplemented and expired planning permissions and old UDP allocations without a detailed assessment of deliverability having taken place and no allowance being made for a proportion of the sites not coming forward is unsound as it fails all four tests of soundness set out within the NPPF.

4.5 The inclusion of all unimplemented and expired planning permissions and undeveloped allocations without any assessment of deliverability is unsound for the following reasons:

1. The inclusion of this source of supply without a detailed assessment of the deliverability (over and above the cursory SHLAA assessment) results in a plan that has not been positively prepared and a strategy that does not seek to meet the objectively assessed need, given the plan relies on all of these sites being deliverable to meet the housing requirement.

2. The inclusion of unimplemented planning permissions, expired planning permissions and old UDP allocations is not justified and relying on this source of supply coming forward is not the most appropriate strategy when assessed against the reasonable alternatives, which would be to allocate a greater number of sites to meet the identified need.

3. A reliance on this source of supply coming forward in totality during the plan period is unrealistic and results in the plan being ineffective.
4. The reliance on this source of supply coming forward in totality results in the plan being inconsistent with National Policy.

Reasoning

1.

The inclusion of all unimplemented permissions, expired permissions and old UDP allocations without a robust assessment of their deliverability results in a plan that has not been positively prepared.

4.7 The NPPF requires that for a plan to be positively prepared, it should be based on a strategy which seeks to meet objectively assessed development and infrastructure requirements. The Council strategy relies on all of the existing unimplemented permissions, expired permissions and old UDP allocations amounting to 33,523 dwellings coming forward in the plan period. These sites include expired permissions, consents that have not been implemented despite being approved some years ago and UDP allocations dating from 2001. The sites have not been assessed through the allocations process but have only been reviewed through the SHLAA process and on a very cursory basis.

4.8 The HBF where part of the SHLAA Panel but were not properly allowed to engage and were not listened to in the SHLAA process of 2014 with comments on deliverability ignored. The background to the SHLAA process is set out below.

4.9 In accordance with the advice of the National Planning Practice Guidance, housebuilder representatives of the HBF were involved in the SHLAA process and reviewed the sites within the SHLAA and provided their views on this.

4.10 A series of meetings followed wherein the HBF raised serious issues with the SHLAA process. On the 12th June 2014, prior to the draft SHLAA being reported to the Development Plans Panel on 17th June 2014, the HBF representative, Paul Butler, wrote to Leeds City Council to express the industry’s concerns in respect of the SHLAA.

4.11 The letter raised four areas of concern with the SHLAA, these being:

- The principle purpose of the SHLAA process;
- HBF comments on the deliverability of the assessed SHLAA sites;
- Ensuring the delivery of the city’s housing targets where proactively planned; and
- Responding to outstanding SHLAA information.

4.12 In respect of the HBF comments on deliverability of the assessed SHLAA sites, the HBF provided detailed comments on the deliverability of the sites within each of the SHLAA working group meetings, within specially arranged meetings with the Council and written responses to the site assessment schedules for stage 1, 2 and 3 SHLAA sites.

4.13 In each of the responses to the Council, the HBF raised a number of concerns in relation to the deliverability of a large number of SHLAA sites and
the HBF wrote to advise that from a review of the Council’s information it was clear that the HBF comments had not been taken fully on board in the Council updated assessment figures.

4.14 The HBF advised that whether the comments related to the housing market for the area in which the site was located, the market attractiveness of certain schemes, the planning prospects of the site, the projected date for the commencement of development, or the annual completion rate for a site, the comments had been overlooked.

4.15 The HBF concluded that ignoring their comments meant the Council’s site assessment conclusions were likely to be overly optimistic and the HBF highlighted that unless the final document reflected the comments made, the SHLAA could not provide a robust evidence base for the production of the Council’s site allocation work, nor could the SHLAA be considered a sound baseline position for the Council’s five-year supply assessment.

4.16 In conclusion, the letter from the HBF SHLAA representative of the 12th June 2014 concludes:

‘Whilst we thank the Council for involving the HBF in the 2014 SHLAA process, we are concerned that if the document is finalised without the above points being taken into account the result of this would be the publication of an evidence base document that cannot be considered to be a robust baseline position for the Council’s forthcoming preparation of the Site Allocations DPD.

For the avoidance of doubt, the HBF do not endorse the Council’s use of the SHLAA to lay claim to a five-year supply as being reported by the Council in the report to the Development Plan Panel on the 17th June 2014. From the work undertaken to date, we consider the actual deliverable supply to be significantly below a five-year requirement as demonstrated in our previous written responses and in the evidence presented by our Members in ongoing Section 78 appeals in the district.

The HBF has always stated that the Council’s 70,000 home requirement for the Plan period is deliverable and we believe that the key to achieving the target is managing the supply of housing land to ensure the release of a sufficient number of sites to deliver the selling outlets that is needed on an annual basis. The SHLAA is an important piece of the Council’s evidence base in this respect.’

4.17 Irrespective of the concerns of the HBF and their conclusions that the SHLAA was not robust and was not endorsed by the development industry, the Council advanced the document to the City Council’s Development Plans Panel on the 17th June 2014. The table below extracted from the Council’s report sets out the difference on delivery rates presented to members.
<table>
<thead>
<tr>
<th></th>
<th>Leeds City Council Overall Totals</th>
<th>HBF – Total for Sites Commented On</th>
<th>Leeds City Council – Totals for Same Sites as HBF</th>
</tr>
</thead>
<tbody>
<tr>
<td>Short Term</td>
<td>23,473</td>
<td>5,994</td>
<td>14,468</td>
</tr>
<tr>
<td>(2014/15 to 2018/19)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Medium Term</td>
<td>22,665</td>
<td>3,139</td>
<td>8,640</td>
</tr>
<tr>
<td>(2019/20 to 2023/24)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Long Term</td>
<td>11,952</td>
<td>7,154</td>
<td>2,920</td>
</tr>
<tr>
<td>(2024/25 +)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>58,090</strong></td>
<td><strong>16,278</strong></td>
<td><strong>26,028</strong></td>
</tr>
</tbody>
</table>

**Green Belt Potential**

|                  | 103,202 ³                          |

³ – This figure reflects the unconstrained potential as submitted through the SHLAA process. The Site Allocations Plan process will determine which Green Belt sites are suitable for release from this large overall pool.

1. The representatives of the Home Builders Federation (HBF) on Leeds’ SHLAA Partnership were invited to comment on all SHLAA sites but only offered dwelling delivery forecasts for a selection of sites.

2. These totals provide LCC’s dwelling delivery estimates for the same selection of sites that the HBF offered forecasts for.

4.18 The main report sets out two different sets of dwelling deliveries, these being Leeds City Council’s and the HBF’s. The summary report concludes at paragraph 3.2 that the main change in the Council approach to the update of the SHLAA was:
'The greater depth and robustness of the evidence to justify conclusions on likely site delivery.'

4.19 However, whilst the Council were claiming a greater depth and robustness of the evidence base the same paragraph then goes on to advise: -

‘In this SHLAA update, Leeds have not simply accepted at face value the comments of the housebuilder representatives that brownfield urban sites will not deliver; the housebuilder representatives have been challenged to provide evidence to support such comments.’

4.20 It follows that the Council did not have evidence of their own, but that they had attempted to put the burden on the HBF to expand upon their position.

4.21 In terms of availability and viability of sites, 3.6 of the report identifies that: -

‘Housebuilders on the SHLAA Partnership were much more cautious about the prospects of economic growth and its effect on the achievability of sites within Leeds, especially those in the city centre and inner area locations.’

4.22 Furthermore at paragraph 3.10 the report identifies that: -

‘The dwelling delivery forecast for the Home Builder Federation representative of the SHLAA Partnership are shown separately.’

4.23 From the minutes of the Development Plans Panel, it is clear that there was Member concern over the contents of the SHLAA, recorded comments included concern over: -

- ‘Development within the Green Belt; the differing totals reached by LCC and the developers; concerns that the impression this could give to local residents and developers and the need for further work on this to present figures in a like for like manner.’

- ‘The nature of some of the sites included in the SHLAA; that a number of the sites which were not available or were unrealistic had still been included, despite members’ requests for these to be filtered out and the implications of including sites which were not available in the SHLAA and the concern which could, unnecessarily be caused.’ (my emphasis)

- ‘That facetious or ridiculous sites put forward should be eliminated if the SHLAA was to be considered a serious process.’

4.24 Notwithstanding the concerns of some members, subject to addressing a number of points, overall members resolved to endorse the publication of the SHLAA Update 2014.

4.25 Further to the Development Plans Panel resolution, the SHLAA was not consulted upon in any public format, and was issued without any clear evidence of the changes that had been made between the version presented to Development Plans Panel on the 17th June and that published by the Council on its website in August 2014. This latter version was different, in particular with a five-year supply figure of almost 2,000 units more.
In the interim period, a response letter from Leeds City Council was sent to the HBF representative on the 2nd July 2014.

Following this further round of correspondence a further letter from the HBF SHLAA representative was sent on the 7th October 2014. This letter sets out further concerns with the SHLAA process but does not alter the HBF’s conclusions that the SHLAA is not a robust document and is not supported by the industry.

The importance of the input of the development industry into generating the SHLAA and subsequent five-year supply is clearly set out in the PAS – Ten Key Principles document, the PAS SHLAA Advice document and the PPG and has also been the subject of debate at appeal post PPG. This advice has not been followed by the Council along with the views of the HBF.

The value of developer input into the SHLAA and five-year supply was set out at The Elwith Hall Farm, Dean Close, Sandbach appeal (2196044). The inspector’s position is clear at paragraph 22 wherein he advises:

‘The proper course of action in circumstances where there is no indication of widespread building industry support for the Council’s new position would have been to take a cautious and conservative approach on build rates. Paragraph 03-0020 of the National Planning Practice Guidance (Guidance says that the advice of developers and local agents will be important in assessing lead in times and build out rates year by year).’

At paragraph 26 of the appeal decision the inspector concludes:

‘The 2012 analysis was prepared in full consultation with the development industry. It appears to have been less involved with the more recent analysis. There was a workshop held for members of the Housing Market Partnership in December 2014 but the minutes suggest it fell far short of approving the Council’s revised approach. Unlike the position in 2012, the Housing Market Partnership does not appear to have endorsed the methodology and conclusions of the updated Strategic Housing Land Availability Assessment and the Five-Year Housing Land Supply Position Statement. This further undermines the confidence that I had in the findings.’

The lack of a detailed assessment of every site with planning permission or old UDP allocations is unacceptable and does not result in a plan that has been positively prepared. The SHLAA should be updated annually but to date no SHLAA 2015 update has been consulted upon or issued. It is understood the 2015 SHLAA review process is now proceeding without any input from the HBF or house builders, apparently because of concerns of the potential for disagreement.

This element of supply has been available at least since the 2012 Core Strategy and so far has failed to deliver at the rates set out in the Core Strategy. This element of supply is by definition not dependant on the new allocations to be brought forward through the Allocations Plan. Through this period there has been persistent undersupply against Core Strategy targets. From April 2012 to April 2017 the housing requirement is 3,660 dwellings per annum and to date the Council have delivered the following: -
In the past three years, despite having a supply the Council contend will come forward, the Council have under delivered against the Core Strategy target by 3,758 units which is more than a year’s supply under delivery. Furthermore, in terms of the delivery in 2015/16, the current quarter 1 and quarter 2 figures show a delivery of 1286. Rolling the delivery forward for the full year, it is likely the Council will undersupply again by circa 1,000 units in the 2015/16 year.

In light of the persistent undersupply against Core Strategy targets, whilst the Council has 33,523 unimplemented or expired planning permissions and undeveloped UDP allocations, the reliance on all this supply has to be questioned.

For the plan to be positively prepared the Council should undertake an assessment of the sites where there is an extant planning permission but no development has started and also where there has been UDP allocations but no application has been brought forward. In terms of expired planning permissions, these should not be included within the supply. At least until the sites in question have been properly assessed and not treated as though they had an extant planning permission, when they have not. Without taking this approach, the Council does not have proper evidence to demonstrate they can meet the objectively assessed need for market and affordable housing.

The Inclusion of All Unimplemented Planning Permissions, Expired Planning Permissions and Old UDP undeveloped allocations is not Justified

The NPPF requires that the plan should be the most appropriate strategy when considered against the reasonable alternatives, based on proportionate evidence. The Council’s inclusion of all unimplemented planning permissions, expired planning permissions and old UDP allocations without a robust assessment of the deliverability is wholly unjustified and is not the most appropriate strategy when assessed against the reasonable alternatives.

When reviewing the supply that the Council have identified from these sources, there are a significant number of sites where planning permission has been granted for some time but the site has not come forward and similarly, there have been UDP allocations for over fourteen years and no application has been made. These categories are where the Council should have undertaken a detailed assessment of deliverability as part of their evidence base to support the inclusion of these sites as commitments. The inclusion of all of these sites on a comprehensive basis is therefore disputed as there has been no assessment of each site’s deliverability.
4.38 The Council is required to identify sufficient sites to meet the objectively assessed need for market and affordable dwellings. The Council’s strategy of relying on a large quantum of existing commitments where they have not undertaken a robust assessment of deliverability of is unsound as it cannot be justified.

4.39 The most appropriate strategy, in the absence of detailed assessment would be to apply a discount of 10% to existing commitments and to identify additional housing allocations to provide certainty that there are sufficient sites to meet the objectively assessed need for market and affordable housing.

3. Relying on all Existing Planning Permissions, Expired Planning Permissions and old UDP Allocations coming forward over the Plan Period will Result in the Plan being Ineffective

4.40 The NPPF requires that the plan should be deliverable over its period. The commitments identified above total just over 50% of the housing requirement. Therefore 50% of the housing requirement has not been subject to a detailed assessment of deliverability which could result in the plan not being deliverable over its period.

4.41 The Council’s reliance on all existing commitments coming forward at the quantum currently indicated, i.e. 100% results in the plan being ineffective as the plan would not be deliverable over its period.

4. The Reliance on all Existing Planning Permissions, Expired Planning Permissions and Old UDP Allocations to Come Forward is Contrary to the National Planning Policy Framework

4.42 The NPPF states that sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years. On this basis alone expired planning permissions should clearly not be included. With regard to the unimplemented planning permissions and old UDP allocations, these should be considered against the tests in Footnote 11 and 12 of paragraph 47 of the NPPF. In the absence of a detailed assessment against these tests, the Council are unrealistically relying on the assumption that all existing commitments will deliver the number of dwellings permitted over the plan period with no evidence to back up this assumption. This is contrary to the advice in the NPPF.

Proposed Change to the Publication Draft to address Soundness Issues Identified in relation to Existing Housing Commitments in Supply

4.43 The Council cannot rely on all existing commitments coming forward without a robust evidence base to demonstrate the deliverability of these commitments particularly where sites have permission but development has not
commenced or the old UDP allocations which have been available for development since 2001 but no application made. To address this either a 10% discount on commitments should be applied to cater for a proportion of the sites not coming forward or the Council should undertake an appropriate assessment of these sites and remove those sites from the supply which are not considered to meet the deliverability tests set out in Footnote 11 and 12 of the NPPF. Under either approach the Council will have to subsequently allocate more land to ensure that the objectively assessed need can be met and that the plan has been positively prepared and is justified, effective and consistent with National Policy.
5.0 Representations to the Publication Draft – Housing Distribution

Summary of Publication Draft – Distribution

5.1 Section 2 ‘Housing Overview’ of the Site Allocations Plan Publication Draft advises of the Core Strategy Policy SP6 requirement for 74,000 (gross) homes between 2012 and 2008. Deducting windfall, the Housing Overview advises that there is a residual gross requirement of 66,000 homes which needs to be allocated in the Site Allocations Plan. Paragraph 2.29 of the Draft Plan advises that new housing allocations are proposed to meet the residual target and that the distribution by HMCA and other characteristics set out in Core Strategy Policy SP7 provide the starting point for the provision of allocations.

5.2 The Draft Plan goes on to identify that in identifying suitable sites other aspects of the Core Strategy must also be taken into account, such as:

- The concentration in main urban areas and major settlements;
- Regeneration priorities;
- The impact on the Green Belt;
- Accessibility and brownfield/greenfield split

5.3 The Plan goes on to advise that in some instances these considerations have made it difficult to translate strategic policy into specific sites, whilst in the City Centre and Inner Area it has been possible to identify more land than originally envisaged which the document contends is entirely consistent with the Core Strategy approach. The Plan seeks to then justify over provision in the city and inner areas to help make up a shortfall in an adjacent areas.

5.4 Table 1 of the Housing Overview section sets out the distribution. The document explains that smaller settlements will take only a modest amount of new housing. It also identifies that the outer areas are often below the SP7 figure and in particular, in the outer north east Housing Market Characteristic Area, paragraph 2.31 of the Housing Overview section advises that the reduced contributions from extensions to major and smaller settlements in part arises from the allocation of a new settlement at Headley Hall, reflecting the option to depart from the hierarchy included in the Core Strategy Policy SP10.

5.5 Table 1 clarifies the difference between the Core Strategy SP7 housing target for the respective Housing Market Characteristic Area and the proposed allocations and from this table it can be noted that in the outer areas the proposed allocations are significantly below the Core Strategy target set out within Policy SP7 with heavy reliance being placed on a significant increase in housing allocations in the City Centre and Inner Area, with almost 3,000 additional dwellings being redirected towards these locations and consequently not being proposed in the HMCA’s where the Core Strategy requires they should be distributed to.
Soundness of the Distribution Approach

5.6 We object to the distribution as set out in paragraphs 2.26 and 2.33 and Table 1. The inconsistency between the distribution of housing set out in Table 1 of the Site Allocations Publication Draft and the requirements of Core Strategy Policy SP7 is unsound as it fails two of the tests of soundness set out within the NPPF.

5.7 The distribution strategy set out within Table 1 is unsound for the following reasons:

1. The distribution strategy set out in Table 1 is unjustified as it is inconsistent with the Council’s Core Strategy Policy SP7 and the evidence base in both the SHLAA and the Emerging Allocations Documents which demonstrate that there is alternative available land within HMCA’s to meet the Core Strategy Distribution Policy.

2. The distribution strategy set out in Table 1 is ineffective as it seeks to divert 3,000 dwellings to the City Centre and the Inner Area, an approach which will create delivery issues which means that the plan may not be deliverable over its period.

Reasoning

5.8 The distribution approach is inconsistent with the requirements of Policy SP7 in that the distribution redirects 3,000 units to the City Centre and Inner Area (nearly 5% of the total requirement). It should be noted that the Core Strategy at paragraph 4.6.14 advised that Spatial Policy 7 provided a realistic but indicative scale and distribution of dwellings expected in different geographical areas, an approach which is now being departed from.

5.9 In addition to the diversion of 3,000 dwellings to the Inner Area and City Centre, it should also be noted that the distribution strategy is also reliant on 3,000 units being proposed at a new settlement at Headley Hall in the Outer North East HMCA under reference MX2-33. On the same day as publication of the Allocations Document the City Council confirmed that the owners of this land no longer wished to progress with the promotion of the site for allocation which leaves a further 3,000 units (5%) of the Council’s requirement unaccounted for and undistributed.

5.10 The issues arising from this skewed distribution to the City Centre and Inner Area contrary to the Core Strategy Policy SP7 are that there are likely to be delivery issues with a significant number of the proposed allocations in the City Centre and Inner Urban Area due to market constraints and market saturation and the limited number of specialist operators who develop in these areas. The housing product in these areas is principally apartment led which is not attractive to the PLC housebuilders. Delivery in these areas of some 23,000 units will be solely dependent upon specialist operators who are limited in number and building capacity. This will inevitably have an adverse effect on delivery rates in these areas. This will hold back deliverable land elsewhere in the district until many years down the line and will also result in the growth needs of the outer HMCA’s not being met which again is
inconsistent with the approach of Core Strategy Policies SP6 and SP7. This approach would also be contrary to Policy SP1 of the Core Strategy relating to the location of development which also seeks to see growth not only in the Main Urban Area but also in Major and smaller settlements.

5.11 Furthermore, the evidence base behind the allocations in both the SHLAA and the discounted sites set out in the publication draft indicate there is suitable land available within the various HMCA's to meet the distribution envisaged by Policy SP7. It is therefore entirely possible to have a distribution approach that aligns with Policy SP7.

**Proposed Change to the Publication Draft Distribution Strategy to Address Soundness Issues Identified**

5.12 The Distribution Strategy should be amended to reflect Policy SP7 of the Core Strategy and to avoid over reliance on City Centre and Inner Area sites. New Allocations for the Outer North East HMCA should be proposed following the withdrawal of the Headley Hall site Ref. MX2-33 the new allocations should be directed to existing safeguarded land first before Green Belt release.
6.0 Representations to the Publication Draft – Phasing

Summary of the Site Allocations Publication Draft – Phasing

6.1 Paragraphs 2.36-2.39 of the Site Allocations Publication Draft Plan explains the Council’s approach for phasing development of housing sites. The approach is to release sites which the Council suggest are more sequentially preferable. Phase 1 is large containing 56,357 units on the basis that there are a significant number of brownfield sites in the main urban area which could come forward at any time, and sites which have the benefit of planning permission already; supplemented by strategic Green Belt and greenfield releases which amongst other things support wider regeneration ambitions.

6.2 Paragraph 2.37 goes on to advise that three phases are identified for the managed release of sites for the Site Allocations Plan and Aire Valley Action Plan. These phases are linked to the spatial strategy of the plans, and focus development primarily in regeneration areas and in relation to the settlement hierarchy.

6.3 Paragraph 2.37/8 highlights that the Council consulted on whether sites should be phased on a time period basis at Issues and Options stage but maintains that the Core Strategy Inspector’s modifications to H1 clarified that phasing should be driven by the sufficiency of supply of land, rather than fixed time periods. On this basis the phasing approach set out within paragraphs 2.36-2.39 and Table 4 is based on Phase 1 commencing from the base date of the Core Strategy with Phases 2 and 3 to follow on sequentially to allow additional land to be brought forward so as to maintain a five-year supply and relevant buffer as and when necessary, rather than being linked to specific timescales.

6.4 The key question arises as to whether the Council’s phasing approach will deliver a 5 year rolling supply of housing land. Upon analysis assuming the allocations DPD is adopted as is but with a 10% discount on the delivery of commitments even applying a 5% NPPF buffer, assuming no persistent under delivery (which has to be questioned given delivery in recent years and the likely delivery this year), the sites in Phase 1 would fail to deliver a 5 year rolling supply of housing land. This in itself warrants a policy approach of no phasing and the phasing trigger is therefore considered below.

Soundness of the Phasing Approach

6.5 We object to the phasing approach set out within paragraphs 2.36-2.39 and Table 4.

6.6 The phasing approach is considered unsound in relation to two of the tests of soundness set out within the NPPF: -
1. The phasing strategy and triggers are **unjustified** as they are not the most appropriate strategy to assist delivery of the housing requirement for the district when considered against the reasonable alternatives; and

2. The phasing strategy is **not effective** as 50% of the Phase 1 supply is formed of sites subject to unimplemented planning permissions, expired planning permissions or old UDP allocations which have not been properly tested. The strategy also places significant reliance on a large number of Phase 1 allocations in the City Centre and Inner Area where delivery issues are likely to occur and does not have an appropriate mechanism for identifying the timing for release of Phase 2 and Phase 3 land. The result would be that the phasing would not deliver a rolling 5 year supply.

**Reasoning**

6.7 Phase 1 of the phasing strategy contains 56,357 units of which a significant number relate to either unimplemented planning permissions, expired planning permissions or existing UDP allocations that have yet to be developed. These sites total 33,523 units of which 25,816 are yet to be started. This represents 50% of Phase 1. These sites have not been assessed to establish the realistic likelihood that they will come forward which is particularly important in relation to the UDP allocations given the UDP was originally adopted in 2001, some 14 years ago. On the basis that there is no evidence to demonstrate these sites will come forward, a cautious approach should be undertaken to including these within Phase 1 and to the quantum of units that will be delivered from this. Essentially there is a need for a thorough review of the supply the Council is identifying in Phase 1 in terms of unimplemented planning permissions, expired planning permissions and undeveloped UDP allocations given these sites are being set against the housing requirement to generate the residual requirement to determine the number of units from new sites that will be required.

6.8 The distribution of Phase 1 sites is also skewed with circa 16,800 units in Phase 1 being situated within the City Centre and Inner Area. This represents 30% of the overall Phase 1 sites. This over reliance on Phase 1 sites within the City Centre and Inner Area is likely to result in under delivery against the Core Strategy housing target on the basis of market constraints, market saturation and the limited number of specialist operators who develop in these areas. As previously stated, the housing product in these areas is principally apartment led which is not attractive to the PLC housebuilders. In these areas delivery of 16,800 units would be solely dependent upon specialist operators who are limited in number and building capacity. This will inevitably have an adverse effect on delivery rates in these areas and furthermore will hold back deliverable land elsewhere in the district with no indication of when other land would be released to address this under delivery due to the proposed trigger mechanisms in the phasing policy.

6.9 In terms of the trigger mechanism, the Council have 56,000 units in Phase 1, 50% of which have not been properly assessed, an approach which will create delivery difficulties and subsequent under delivery. As a consequence, there will be the need to release Phase 2 and Phase 3 sites to meet identified undersupply. The phasing strategy and relevant policy do not have a clear
trigger date and the release of Phase 2 and Phase 3 will only occur when the Council conclude it does not have a five-year housing land supply.

6.10 This approach of releasing later phases based on the five-year housing land supply position is similar to the previous UDP policy approach. Under that approach, the City Council determined not to release Phase 2 and Phase 3 sites on the basis that they considered they had a five-year supply, a position the housebuilding industry disagreed with. The result of the disagreement was 11 public inquiries wherein the City Council was found not to have a five-year supply. Unless a clear trigger/release mechanism is included in the policy for the release of Phase 2 and Phase 3, these same circumstances could arise in future to the detriment of housing delivery.

6.11 Without certainty as to the trigger or the release date for Phase 2 and Phase 3 sites, the building industry would find it difficult to plan for investment decisions which again would adversely affect delivery rates in the city.

Proposed Changes to the Publication Draft Phasing Strategy to address Soundness Issues Identified

6.12 The phasing of sites should be amended to avoid heavy reliance on Phase 1 sites with unimplemented planning permissions, expired planning permissions and old UDP allocations. A full assessment of deliverability of these sites should be carried out and the sites in the respective phases should be rebalanced with Phase 2 and 3 sites moving forward to Phase 1 to address any identified delivery issues and more land allocated if necessary.

6.13 The strategy should also be amended to identify either clear release dates for Phase 2 and Phase 3 or alternatively, an undisputable trigger relating to housing delivery which sets a clear trigger point.

6.14 In this context, the two alternative changes are proposed as follows:

1. A phasing release strategy defining specific dates for release. The Core Strategy was adopted in November 2014 and it would be logical to give the Council 5 years from its adoption to meet the requirement from Phase 1 with Phase 2 being released November 2019. Due to lead in times this would mean Phase 2 delivering units in 2021 with Phase 3 being released in November 2024. The phasing strategy could be worded as follows:

“Phase 1 housing is available for immediate release, Phase 2 will be released for development as of 12 November 2019 with Phase 3 being released for development 12th November 2024.”

As an alternative the phasing release policy could be related to actual housing delivery when considered against the Core Strategy target and the housing land position supply. Given the quantum of delivery is objectively monitored this is relatively undisputable whereas looking forward to the five-year supply is subject to interpretation and debate. A combination of the two would therefore be more robust. Under delivery by 20% or more as a measure would chime with the NPPF. In this context, a delivery based phasing policy could be worded as follows:
“Phase 1 housing is available for immediate development from the start of the plan period; 1st April 2012.

Phase 2 sites will be released for development if one of the following circumstances arises:-

1) If housing delivery when measured against the annual housing requirement of the adopted Core Strategy of November 2014 is cumulatively below 80% of the annual requirement for two successive years; or

2) There is an absence of a 5 year housing land supply.

Two years following on from the release of Phase 2 sites, Phase 3 will be released if one of the circumstances in 1) and 2) above continues to prevail.
7.0 Representations to the Publication Draft – Safeguarded Land Distribution and Policy Approach

Summary of Publication Draft – Safeguarded Land

7.1 Core Strategy Spatial Policy 10 identifies the need to create areas of safeguarded land to ensure the long term endurance of the Green Belt and provide a reserve of potential sites for longer term development beyond the plan period. National Planning Policy Framework, paragraph 85, defines safeguarded land as land between the urban area and the Green Belt, identified to meet longer term development needs. This could include both housing and employment.

7.2 Under the safeguarded land section, Policy HG3 designates sites to be protected as safeguarded land. The policy does not distinguish between new safeguarded land as opposed to the inappropriate retention of existing safeguarded land and lacks clarity in this regard. The distribution of safeguarded land set out in Table 4 is not even across the HMCA’s because some areas cannot provide any as they have no Green Belt boundary, i.e. the City Centre and the Inner HMCA’s, or otherwise the Council contend that the areas have tight boundaries offering little or no opportunity i.e. East and North Leeds HMCA’s. Table 4 then illustrates the distribution of safeguarded sites across Leeds with the East Leeds, and North Leeds HMCA’s having no safeguarded land at all.

Soundness of the Safeguard Land Distribution and Allocation Approach

7.3 We object to the distribution and allocation approach for safeguarded land as set out in paragraph 2.60, Table 4 and Policy HG3. The policy lacks clarity as to the approach to allocation of safeguarded land and should seek to identify new safeguarded land, rather than the Council’s combined approach (apparent from analysis of the relevant HMCA allocations) of allocating new safeguarded land and retaining some UDP safeguarded land in HMCA’s where they are also proposing Green Belt releases. The safeguarded land distribution approach and policy is therefore unsound as it fails one of the tests of the soundness set out within the NPPF.

7.4 The safeguarded land policy and distribution is considered unsound for the following reason:

1. The approach to identifying safeguarded land is unjustified as the Council do not put forward any exceptional circumstances for retaining existing safeguarded land as future safeguarded land whilst also releasing Green Belt sites in the same Housing Market Characteristic Areas.

Reasoning

7.6 In terms of the approach to identifying safeguarded land when the policy is applied in practice in the HMCA’s, it is clear that the Council are seeking to
hold back safeguarded land that was taken out of the Green Belt in 2001 and subsequently tested through two UDP inquiries. The approach is to retain this as safeguarded land, whilst at the same time releasing Green Belt in the same Housing Market Characteristic Area.

7.7 During both UDP inquiries the site suitability of sites then identified as safeguarded land was assessed against Annex B (Safeguarded Land) of PPG2 (Green Belt). In relation to identifying safeguarded land, Annex B of PPG2 stated:

Identifying Safeguarded Land

- B2. Safeguarded land comprises areas and sites which may be required to serve development needs in the longer term, i.e. well beyond the plan period. It should be genuinely capable of development when needed.
- B3. Safeguarded land should be located where future development would be an efficient use of land, well integrated with existing development and well related to public transport and other existing and planned infrastructure, so promoting sustainable development.
- B4. In identifying safeguarded land, local planning authorities should take into account the advice on housing in PPG3 and on transport in PPG13. They should also have regard to environmental and landscape quality (so far as is consistent with paragraph 1.7 of this PPG); to the contribution which future redevelopment may make to remedying urban fringe problems, producing attractive, well landscaped urban edges; and the advice in PPG7 on protecting the best agricultural land.

7.8 In identifying existing UDP safeguarded land in 2001, the Council and the inspector considered safeguarded sites against the criteria and tests within PPG2. Given the safeguarded sites were adopted in 2001, these sites were judged to meet all of the tests set out and therefore are suitable and sustainable sites for development.

7.9 In this context, given that the principle of development of existing safeguarded sites has been established by their removal from Green Belt and designation as PAS in the 2001 UDP, these sites should be allocated for housing now in accordance with paragraph 17 of the NPPF in preference of sites that were at the same time properly judged to serve Green Belt purposes.

7.10 The Framework clearly requires the Council to demonstrate exceptional circumstances to remove land from the Green Belt (para 83) and given the extent of housing needs in Leeds, it is not denied that Green Belt land will be needed for housing development. However, in the context of the purpose of Green Belt set out within the Framework (paragraph 80) and the terms of paragraph 84 of the Framework, it is clear that to advance its plan the Council will have to demonstrate why suitable non Green Belt land such as existing safeguarded sites should not be developed first to the extent that this provides exceptional circumstances to warrant the Green Belt release.

7.11 The Council have not put forward any justification in the safeguarded land policy and approach in terms of exceptional circumstances for Green Belt
release when there is non Green Belt land available in the form of existing safeguarded land. Already judged suitable for development in principle, removed from the Green Belt on that basis and for that purpose almost 15 years ago and clearly judged to perform a lesser Green Belt purpose or function than the land retained as Green Belt in both the UDP and UDPR. This approach is not only in conflict with the NPPF but is also in conflict with Core Strategy Policy 6 which identifies the considerations for allocating sites which includes “least impact on Green Belt purposes”.

Proposed Changes to the Publication Draft Safeguarding Land Strategy and Distribution Strategy to address Soundness Issues

7.12 The policy subtext and the policy itself should be expressly amended to identify that existing safeguarded land from the UDP will be allocated for housing and that safeguarded land for the Allocations Document will come entirely from new sources.
8.0 Representations to the Publication Draft: Section 3: Area Proposals: 11. Outer West – Review of Council’s Assessment


8.1 Prior to making detailed representations to the specific policies within Section 3 and the relevant allocations as listed above, a review of the Council’s assessment of the New Farnley site (HG3-17) is carried out below to check the accuracy of the conclusions.

8.2 The land at New Farnley (HG3-17) is currently identified as safeguarded/PAS land in the adopted Unitary Development Plan (and has been so since 2001) and it is proposed in the Allocations Document to retain the site as safeguarded land for future development with a capacity of 130 units, recognising the suitability of the site.

8.3 The Council’s site assessment in relation to the allocation concludes:-

“The site is designated as a Protected Area of Search (PAS) on the existing UDP, not within the Green Belt. The site is not required to meet the overall housing requirement over the plan period. There are other more suitable alternatives preferred for allocation. The site contributes to a reserve of land with potential for longer terms development.”

8.4 In coming to the conclusions, the Council have assessed the site through three processes, these being:-

1. The SHLAA 2014 review
2. The Council’s own Site Allocations Assessment Pro-Forma; and
3. The Council’s Sustainability Appraisal criteria.

8.5 In drawing the conclusions from these three assessments the site has been compared to a range of other sites within the Outer West Housing Market Characteristic Area including significant Green Belt sites which have been deemed to be more suitable for allocation than this non-Green Belt site.

8.6 This section of the representations seeks to consider the Council’s assessment of the site through the three processes set out above, to consider whether the assessment is accurate and to draw conclusions on the assessment of the site. Where necessary the ID Planning conclusions are also drawn and highlighted in the tables overleaf.

8.7 The site is then assessed against the competing sites which the Council have deemed suitable for allocation on a tabulated basis subject to some IDP adjustments which are identified in the table. Where those sites are within Green Belt, the assessment of the site is also considered against the Green Belt review criteria.
8.8 On the basis of the assessment of the representations site against the Council’s criteria and then a comparison to the proposed competing allocations, representations are made to Section 3 of the Allocations Document in relation to the allocations in HG1, HG2 and HG3 and the supporting text and approach.

The SHLAA Assessment of New Farnley, HG3-17 – SHLAA Reference 2123

8.9 The SHLAA 2014 update contains no assessment of a number of PAS sites including that for the New Farnley site. At the time of writing the representations, the SHLAA assessment has been requested from the Council but is yet to be received.

The Council’s Allocation Pro-Forma Assessment of the New Farnley site, HG3-17 SHLAA Reference 2123

8.10 The Council’s Pro-Forma Assessment does not identify any site constraints that prevent development of the site.

8.11 In essence, subject to an appropriate design of a scheme, there are no site constraints that would prevent the site coming forward and on this basis the Council’s site appraisal, is broadly correct.

The Council’s Sustainability Appraisal of New Farnley, HG3-17 – SHLAA Reference 2123

8.12 For the purposes of the exercise of assessing sites against sustainability appraisals, the assessment focuses on the areas where the Council have suggested major negative effects.

8.13 In this context, the Council have suggested three major negative effects against the sustainability criteria relating to the New Farnley site, these being against:-

- SA11 – minimise the pressure on greenfield land by efficient land use patterns and that make good use of derelict land and previously used sites and promote balance development, provided that it is not of a high environmental value (defined as ecological value)
- SA19 – maintain and enhance landscape quality
- SA22a – make efficient use of energy and natural resources and promote sustainable design.

8.14 The New Farnley site is considered against these criteria on an individual basis as set out below.

SA11 – Minimise the Pressure on Greenfield Land

8.15 The decision making criteria for this objective are twofold i.e.:-

- Does it make efficient use of land by promoting development on previously developed land, reuse of buildings and higher densities;
- Will it promote the development of communities with accessible services, employment, shops and leisure facilities

8.16 Clearly the site is greenfield so a negative assessment against this criteria is justified, however, given the site’s sustainability credentials and its proximity to facilities within the New Farnley area and good public transport at Whitfield Road, a major negative is considered unjustified and the site should have been assessed as a minor negative.

**SA19 – Maintain and Enhance Landscape Quality**

8.17 The decision making criteria for this objective are:

- Will it maintain and enhance areas of high landscape value (defined as Special Landscape Areas);
- Will it protect and enhance individual features such as hedgerows, dry stone walls, ponds and trees;
- Will it increase the quality and quantity of woodland features in appropriate locations and using native species;
- Will it protect and enhance the landscape quality of the city’s rivers and other waterways;
- Will it take account of the geomorphology of the land;
- Will it maintain and enhance landscape character of the area.

8.18 The Council have again judged the site to have a major negative effect on this objective but this does not appear to be justified for the following reasons.

8.19 As stated in Section 2 of the these representations, they have been supported by technical documentation in the form of an indicative Masterplan, a Transport Assessment Framework and Travel Plan, a Flood Risk and Drainage Assessment and a Phase 1 Habitat Survey.

8.20 Considering the technical information it is clear that:-

- The site is not a Special Landscape Area
- The indicative Masterplan seeks to retain hedgerows and trees where possible
- Additional planting was also proposed on the site and the Masterplan reflects the Geomorphology

8.21 It is accepted there will be change to the landscape character of the area and this will not be enhanced however, it is not considered that a major negative is justified against this criteria. In this context, the site should have been scored as a minor negative.

**SA22a – Make Efficient Use of Energy and Natural Resources and Promote Sustainable Design**

8.22 The decision making criteria for SA22 relate to will it increase energy and water efficiency in all sectors.
8.23 It is difficult to understand how the Council have come to a judgement as to the major negative in relation to this aspect as the submitted Drainage and Flood Risk Assessment identifies that the sustainable urban drainage system can be adopted. As such the major negative does not appear justified with the site being more appropriately assessed as either neutral or a minor negative.

Conclusions on Council’s Site Assessment

8.24 The Council’s site assessment has not paid regard to the technical documentation submitted with the representation and has incorrectly identified the site has having three major negatives against SA criteria. Upon reassessment, it is considered the site should be only subject to two minor negatives with the other negatives being a neutral or positive.

Comparison of New Farnley HG3-17, SHLAA Reference 2123 against Competing Proposed Allocations

8.25 A review of the proposed allocations within the Outer West Housing Market Characteristic Area has been undertaken and a list of sites have been identified to consider the representation site against. Given the representations made in relation to the Safeguarding Land policy paragraphs and approach, in Section 7 of these representations, the site is not considered against other Safeguarded Land that has been rolled over from the UDP as these sites should be allocated for housing before consideration of more sensitive land currently subject to open space or Green Belt notations in the extant development plan.

8.26 The Core Strategy housing requirement for the Outer West area is 4,700 units and the identified commitments (which are subject to challenge) represent 2,535 units which leaves a contested residual requirement of 2,165. Deducting the amount of retained PAS land from this (595) leaves a residual requirement of 1,570 units. This 1,570 units will have to be found from Green Belt or other open land sources but the development of existing Safeguarded Land would reduce the amount of Green Belt release for allocation.

8.27 In this context, the New Farnley Safeguarded site at HG3-17 is assessed against the following sites in the tables set out overleaf:-

HG2-63
HG2-65
HG2-67
HG2-68
HG2-69
HG2-71
HG2-72
HG2-76
HG2-80
HG2-81
HG2-56
HG2-55
8.28 It should be noted that the majority of these sites are either Green Belt or other open space and are also identified for immediate release within Phase 1.

8.29 The tables set out each of the allocations, the main conclusions from the Council’s own assessment, these being the SHLAA, the Council’s own Allocations Assessment, the Green Belt Review where appropriate and the Council’s Sustainability Appraisal. In relation to the Sustainability Appraisal the focus is on those criteria where there is a major negative. The end columns of the table seek to identify the conclusions in relation to the Council’s assessment of Green Belt or open space the competing site in question with the final column setting out the conclusions in relation to the comparison of the representation site to those competing sites.

8.30 From the conclusions set out in the tables assessing the representation site at New Farnley against the competing allocations, it can be seen that the New Farnley site performs significantly better than all of the proposed allocations which are either Green Belt, Green Belt and Special Landscape or other protected open land. None of the preferred allocations have been demonstrated by the Council to be sequentially preferable and there appears to be no exceptional circumstances to justify the release of Green Belt land ahead of or instead of land that has been safeguarded for longer term development over a 14-15 year period and has been found to be suitable, sustainable and achievable location for housing.

8.31 These conclusions feed into the following representations in relation to the proposed allocations in the Outer West Area.
**ASSESSMENT AGAINST COMPETING SITES IN HOUSING MARKET CHARACTERISTIC AREA**  
**HG2-63 (1201)**

<table>
<thead>
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<th>UDP Allocation</th>
<th>Proposed Allocation</th>
<th>Number of Units</th>
<th>Council Assessment /Identified Issues</th>
<th>Council Green Belt Review – Identified Issues</th>
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<th>Conclusions on Site Availability, Suitability and Achievability – Site Issues</th>
<th>Comparison of Subject Site to Competing Allocation</th>
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</thead>
</table>
| Woodhall Road, Gain Lane, Thornbury | Green Belt / Special Landscape Area | Housing (Phase 1) | 196 | • Cumulative highway effect  
• Setting of listed building  
• HSE gas line  
• Average public transport accessibility | • Wouldn’t round off settlement  
• Would lead to physical connection of settlement (Leeds to Bradford)  
• No defensible boundary between site and urban area with regard to | • Limited information on availability and achievability | 4 major negatives against the following criteria:  
- SA10 – green space provision  
- SA11 – greenfield development  
- SA19 – adverse effect on landscape quality  
- SA22a – will not make efficient use of energy and natural resources | • Significant site constraints  
• Adversely affect the purposes of including land in Green Belt. Would merge neighbouring towns and encroach into the countryside  
• 4 major SA negatives | • No Site constraints  
• No listed buildings  
• Good public transport  
• Not in Green Belt  
• 2 minor SA negatives (IDP Assessment) | Conclusion  
New Farnley site HG3-17 performs better and should be allocated as Phase 1 housing instead |
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<th>Conclusions on Site Availability, Suitability and Achievability – Site Issues</th>
<th>Comparison of Subject Site to Competing Allocation</th>
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<tbody>
<tr>
<td>Daleside Road, Thornbury</td>
<td>Green Belt Housing (Phase 1)</td>
<td>89</td>
<td></td>
<td>• Cumulative highway effect</td>
<td>• No defensible boundary between site and urban area</td>
<td>• Capacity reduced on account of high pressure gas pipeline running through the site</td>
<td>5 major negatives against the following criteria: -</td>
<td>• Significant site constraints</td>
<td>• No site constraints</td>
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<td>• Significant ecological impact identified on parts or all of the Site</td>
<td>• Reduce the separation between Leeds &amp; Bradford</td>
<td>• Achievability low to medium market area</td>
<td>• SA10 – reduced green space</td>
<td>• Major ecology issues</td>
<td>• No Ecological issues</td>
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<td></td>
<td></td>
<td></td>
<td>• HSE gas pipeline</td>
<td></td>
<td>• SA11 – greenfield site</td>
<td>• Poor public transport</td>
<td>• Good public transport</td>
<td>• No in Green Belt</td>
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<td>• Poor public transport accessibility</td>
<td></td>
<td>• SA12 – adverse effect on ecology</td>
<td>• Adverse effect on the purposes of including land in the Green Belt</td>
<td>• 2 minor SA negatives</td>
<td>• 2 minor SA negatives</td>
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<td>• Council ecologist does not support the allocation as the land lies at a pinch point in the wildlife habitat network between Leeds &amp; Bradford and the site includes a section of the Tyersall Beck as well as semi-improved grassland and</td>
<td></td>
<td>• SA19 – adverse effect on landscape quality</td>
<td>• SA22a – will not make efficient use of energy and natural resources</td>
<td>(IDP Assessment)</td>
<td>Conclusion</td>
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<td>New Farnley site HG3-17 performs better and should be allocated as Phase 1 housing instead</td>
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<td>scrub</td>
<td>completion of green space assessment.</td>
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### ASSESSMENT AGAINST COMPETING SITES IN HOUSING MARKET CHARACTERISTIC AREA

**HG2-67 (1073S-3440)**

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<th>Council SHLAA Assessment /Identified Issues</th>
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<th>Conclusions on Site Availability, Suitability and Achievability – Site Issues</th>
<th>Comparison of Subject Site to Competing Allocation</th>
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</thead>
</table>
| Owlcote Farms, Owlcotes Gardens, Pudsey | N11 – Other Open Space and Urban Green Corridor | Housing (Phase 1)   | 100             | • Cumulative impact on network                                                                       | • Not applicable                            | • The site is designated Urban Green Corridor under the Protected Open Land Policy an element of housing would not be accepted under UDP Policy | 1 major negative against the following: -  
- SA10 – reduced green space  
But incorrectly assessed against: -  
- SA11 – Greenfield  
- SA19 – Adverse effect on landscape  
- SA22a – Will not make efficient use of energy and natural resources | • 4 major SA negatives  
- Harm to Urban Green Corridor function  
- No site constraints  
- Not open space or urban green corridor  
- 2 minor SA negatives (IDP Assessment)  
**Conclusion**  
New Farnley site HG3-17 performs better and should be allocated as Phase 1 housing instead |
### ASSESSMENT AGAINST COMPETING SITES IN HOUSING MARKET CHARACTERISTIC AREA

**HG2-68 (1195)**

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<th>Address</th>
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<th>Number of Units</th>
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<th>Council Green Belt Review – Identified Issues</th>
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<th>Conclusions on Site Availability, Suitability and Achievability – Site Issues</th>
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</thead>
<tbody>
<tr>
<td>Waterloo Road, Pudsey</td>
<td>Green Belt</td>
<td>Housing (Phase 1)</td>
<td>35</td>
<td>• Ecological constraints</td>
<td>• Development would only partially round off the settlement</td>
<td>• No information on constraints to development</td>
<td>• Low to medium market area</td>
<td>2 major negatives against the following: - • SA11 – greenfield site • SA22a – will not make efficient use of energy and natural resources But incorrectly assessed against: - • SA10 Green space • SA19 – Adverse effect of landscape Therefore should be 4 major negatives (IDP Assessment)</td>
<td>• Ecological constraints • Adverse effect on the purposes of including land in Green Belt • 4 major negatives</td>
</tr>
</tbody>
</table>
### ASSESSMENT AGAINST COMPETING SITES IN HOUSING MARKET CHARACTERISTIC AREA

**HG2-69 (3011-4044)**

<table>
<thead>
<tr>
<th>Address</th>
<th>UDP Allocation</th>
<th>Proposed Allocation</th>
<th>Number of Units</th>
<th>Council Assessment /Identified Issues</th>
<th>Council Green Belt Review – Identified Issues</th>
<th>Council SHLAA Assessment – Identified Issues</th>
<th>Council Sustainability Assessment – Identified Issues</th>
<th>Conclusions on Site Availability, Suitability and Achievability – Site Issues</th>
<th>Comparison of Subject Site to Competing Allocation</th>
</tr>
</thead>
</table>
| Dick Lane, Thornbury         | Part Green Belt/Part Protected Playing Pitch | Housing (Phase 1) | 206             | • Cumulative effect on local highway network  
• Significant ecological impact identified on parts or all of the site  
• The site contains a culvert or canalised watercourse  
• Average public transport accessibility | • Development would only partially round off settlement | • Limited information on suitability and availability | 4 major negatives against the following: -  
• SA10 – Reducing green space  
• SA12 – adverse effect on ecology  
• SA19 – harm to landscape quality  
• SA22a – will not make efficient use of energy and natural resources | • Significant site constraints  
• Major ecological issues  
• 4 major SA negatives | • No site constraints  
• No ecological issues  
• Not in Green Belt  
• 2 minor SA negatives (IDP Assessment) | Conclusion  
New Farnley site HG3-17 performs better and should be allocated as Phase 1 housing instead |
### ASSESSMENT AGAINST COMPETING SITES IN HOUSING MARKET CHARACTERISTIC AREA

**HG2-71 (4169)**

<table>
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<tr>
<th>Address</th>
<th>UDP Allocation</th>
<th>Proposed Allocation</th>
<th>Number of Units</th>
<th>Council Assessment /Identified Issues</th>
<th>Council Green Belt Review – Identified Issues</th>
<th>Council SHLAA Assessment Identified Issues</th>
<th>Council Sustainability Assessment – Identified Issues</th>
<th>Conclusions on Site Availability, Suitability and Achievability – Site Issues</th>
<th>Comparison of Subject Site to Competing Allocation</th>
</tr>
</thead>
</table>
| Land off Tyersall Road, Pudsey | Green Belt Housing (Phase 1) | 33 | • Public transport to employment and health not met  
• Site crossed by HSE gas pipeline | • Development would not round off the settlement  
• There is no strong defensible boundary between the site and the urban area  
• Could set precedent for further sprawl if the boundary is not suitably landscaped or defined | • Much of the site is a closed landfill site and 50% of the site is under the outer zone of the high pressured gas pipeline  
• Limited information on suitability and availability | 2 major negatives against the following: -  
• SA11 – greenfield site  
• SA22a – will not make efficient use of energy and natural resources | • Significant site constraints  
• Adverse affect on purpose of including land in the Green Belt  
• Major ecological issues  
• 4 major negatives | • No site constraints  
• No ecological issues  
• Not in Green Belt  
• 2 minor SA negatives (IDP Assessment)  

**Conclusion**

New Farnley site HG3-17 performs better and should be allocated as Phase 1 housing instead.
### ASSESSMENT AGAINST COMPETING SITES IN HOUSING MARKET CHARACTERISTIC AREA

#### HG2-72 (3464)

<table>
<thead>
<tr>
<th>Address</th>
<th>UDP Allocation</th>
<th>Proposed Allocation</th>
<th>Number of Units</th>
<th>Council Assessment / Identified Issues</th>
<th>Council Green Belt Review – Identified Issues</th>
<th>Council SHLAA Assessment Identified Issues</th>
<th>Council Sustainability Assessment – Identified Issues</th>
<th>Conclusions on Site Availability, Suitability and Achievability – Site Issues</th>
<th>Comparison of Subject Site to Competing Allocation</th>
</tr>
</thead>
</table>
| Land at Tyersall Court, Tyersall            | Green Belt     | Housing (Phase 1)   | 40              | - Part of the site should be retained to enable the extension of Pudsey Tyersall Primary School  
- No public transport or local services within walking distance  
- No highway frontage  
- Not supported by highways officer | Development would not round off the settlement  
- There is no strong defensible boundary between the site and the urban area  
- High potential for further sprawl to the south if boundary of development is not suitably defined or landscaped | Currently no highway access into the site  
- Limited information on suitability and availability | 4 major negatives against the following:  
- SA11 – Greenfield  
- SA13 – Greenhouse gas emissions – no access to public transport  
- SA16 – no public transport  
- SA22a – will not make sufficient use of energy and natural resources | - Significant constraints  
- No means of access  
- No public transport or local services  
- Adverse effects on the purposes of including land in the Green Belt  
- 4 major negatives | - No site constraints  
- Suitable means of access  
- Good public transport  
- Not in Green Belt  
- 2 minor SA negatives (IDP Assessment) |

**Conclusion**
New Farnley site HG3-17 performs better and should be allocated as Phase 1 housing instead.
## ASSESSMENT AGAINST COMPETING SITES IN HOUSING MARKET CHARACTERISTIC AREA

### HG2-76 (1060a-3377a)

<table>
<thead>
<tr>
<th>Address</th>
<th>UDP Allocation</th>
<th>Proposed Allocation</th>
<th>Number of Units</th>
<th>Council Assessment /Identified Issues</th>
<th>Council Green Belt Review – Identified Issues</th>
<th>Council SHLAA Assessment Identified Issues</th>
<th>Council Sustainability Assessment – Identified Issues</th>
<th>Conclusions on Site Availability, Suitability and Achievability – Site Issues</th>
<th>Comparison of Subject Site to Competing Allocation</th>
</tr>
</thead>
</table>
| Houghside Road, Pudsey   | Green Belt, Special Landscape Area and Leeds Nature Area | Housing (Phase 1)   | 160             | • Poor public transport  
• No comment from ecology  
• The development would only partially round off the settlement  
• The site does not have strong defensible boundary between site and urban area | • Low to medium area  
• Limited information on suitability and availability | 2 major negatives against the following:  
• SA11 – Greenfield  
• SA22a – will not make efficient use of energy and natural resources | But incorrectly assessed against:  
• SA10 – reduced green space  
• SA19 – Adverse effect on landscape | • Significant constraints  
• Poor public transport  
• No ecological assessment  
• Special Landscape Area  
• Adverse effects on the purposes of including land in the Green Belt  
• 4 major negatives | • No site constraints  
• Good public transport  
• No ecological issues  
• Not in special landscape  
• Not in Green Belt  
• 2 minor SA negative (IDP Assessment) |

**Conclusion**

New Farnley site HG3-17 performs better and should be allocated as Phase 1 housing instead.
## ASSESSMENT AGAINST COMPETING SITES IN HOUSING MARKET CHARACTERISTIC AREA

HG2-80 (1184-3050)

<table>
<thead>
<tr>
<th>Address</th>
<th>UDP Allocation</th>
<th>Proposed Allocation</th>
<th>Number of Units</th>
<th>Council Assessment / Identified Issues</th>
<th>Council Green Belt Review – Identified Issues</th>
<th>Council SHLAA Assessment Identified Issues</th>
<th>Council Sustainability Assessment – Identified Issues</th>
<th>Conclusions on Site Availability, Suitability and Achievability – Site Issues</th>
<th>Comparison of Subject Site to Competing Allocation</th>
</tr>
</thead>
</table>
| Acres Hall Avenue, Pudsey| Green Belt     | Housing (Phase 1)   | 99              | - Poor public transport                | - The development would not round off the settlement | - No information on constraints to development | - No information on constraints to development | - 1 major negative against: - SA22a – will not make efficient use of energy and natural resources 
But incorrectly assessed against: - SA10 – reduced green space 
SA11 – greenfield 
SA19 – Adverse effect on landscape 
Therefore should be 4 major negatives | - Significant constraints 
- Poor public transport 
- No ecological assessment 
- Special Landscape Area 
- Adverse effects on the purposes of including land in the Green Belt 
- 4 major negatives | - No site constraints 
- Good public transport 
- No ecological issues 
- Not in special landscape 
- Not in Green Belt 
- 2 minor SA negative (IDP Assessment) |

**Conclusion**

New Farnley site HG3-17 performs better and should be allocated as Phase 1 housing instead.
## ASSESSMENT AGAINST COMPETING SITES IN HOUSING MARKET CHARACTERISTIC AREA

### HG2-81 (3455b)

<table>
<thead>
<tr>
<th>Address</th>
<th>UDP Allocation</th>
<th>Proposed Allocation</th>
<th>Number of Units</th>
<th>Council Assessment / Identified Issues</th>
<th>Council Green Belt Review – Identified Issues</th>
<th>Council SHLAA Assessment Identified Issues</th>
<th>Council Sustainability Assessment – Identified Issues</th>
<th>Conclusions on Site Availability, Suitability and Achievability – Site Issues</th>
<th>Comparison of Subject Site to Competing Allocation</th>
</tr>
</thead>
</table>
| Land off Gamble Lane     | Green Belt     | Housing (Phase 1)   | 200            | • Cumulative highway effect  
• Significant ecological impact identified on parts or all of the site  
• The site contains a culvert or canalised watercourse  
• No public transport or local services within walking distance  
• Highway officers do not support  
• Ecological officers only support with significant mitigation and exclusion of large parts of the site from development | • The development would only partially found off the settlement  
• No strong defensible boundary between site and urban area | • Low to medium market area  
• Limited information on suitability and availability | 3 major negatives against the following:  
• SA11 – Greenfield  
• SA19 – adverse effect on landscape  
• SA22a – will not make efficient use of energy and natural resources | • Significant site constraints  
• Major ecological issues  
• No public transport or local services  
• No highways support  
• Adverse effect on the purposed of including land in the Green Belt  
• 5 major negatives | • No site constraints  
• No ecological issues  
• Good public transport  
• Appropriate means of access  
• Not in Green Belt  
• 2 minor SA negatives (IDP Assessment) |

Conclusion: New Farnley site HG3-17 performs better and should be allocated as Phase 1 housing instead.
## ASSESSMENT AGAINST COMPETING SITES IN HOUSING MARKET CHARACTERISTIC AREA

### HG2-56 (1193a)

<table>
<thead>
<tr>
<th>Address</th>
<th>UDP Allocation</th>
<th>Proposed Allocation</th>
<th>Number of Units</th>
<th>Council Assessment /Identified Issues</th>
<th>Council Green Belt Review – Identified Issues</th>
<th>Council SHLAA Assessment Identified Issues</th>
<th>Council Sustainability Assessment – Identified Issues</th>
<th>Conclusions on Site Availability, Suitability and Achievability – Site Issues</th>
<th>Comparison of Subject Site to Competing Allocation</th>
</tr>
</thead>
</table>
| Rodley Lane (land at) / Calverley Lane, Calverley | Green Belt Housing (Phase 2) | 53 | • The site contains a culvert or canalised watercourse  
  • Poor health and secondary school accessibility  
  • No ecology comments | • The development would not round off the settlement  
  • No strong defensible boundary between site and urban area  
  • Development would reduce separation between Calverley and Rodley | • No information on constraints to development  
  • Covered by a Tree Preservation Order  
  • Limited information on suitability and availability | 5 major negatives against the following:  
  • SA10 – Reduce open space  
  • SA11 – Greenfield  
  • SA12 – Adverse effect on ecology  
  • SA19 – Adverse effect on landscape  
  • SA22a – will not make efficient use of energy and natural resources | • Site constraints  
  • No ecology comments  
  • TPO  
  • Adverse effects on the purposes of including land in the Green Belt  
  • 5 major negatives | • No site constraints  
  • No ecological issues  
  • Trees retained  
  • Not in Green Belt  
  • 2 minor SA negatives (IDP Assessment) | Conclusion:  
  New Farnley site HG3-17 performs better and should be allocated as Phase 1 housing instead |
## ASSESSMENT AGAINST COMPETING SITES IN HOUSING MARKET CHARACTERISTIC AREA

**HG2-55 (4049)**

<table>
<thead>
<tr>
<th>Address</th>
<th>UDP Allocation</th>
<th>Proposed Allocation</th>
<th>Number of Units</th>
<th>Council Assessment /Identified Issues</th>
<th>Council Green Belt Review – Identified Issues</th>
<th>Council SHLAA Assessment – Identified Issues</th>
<th>Council Sustainability Assessment – Identified Issues</th>
<th>Conclusions on Site Availability, Suitability and Achievability – Site Issues</th>
<th>Comparison of Subject Site to Competing Allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Calverley Lane, Calverley</td>
<td>Green Belt</td>
<td>Housing (Phase 3)</td>
<td>18</td>
<td>• Problematic highway accesses to the site, to achieve safe means of access the speed limit and visibility splays need to be commensurate with guidance</td>
<td>• Development would only partially round off the settlement</td>
<td>• Limited information on suitability and availability</td>
<td>• Significant site constraints</td>
<td>• No site constraints</td>
<td>• No site constraints</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>• The site is within the setting of a listed building</td>
<td>• No strong defensible boundary between site and urban area</td>
<td></td>
<td>• Listed building</td>
<td>• No listed buildings or conservation areas</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>• The site is within the setting of the Calverley Conservation Area</td>
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<td></td>
<td>• Conservation Area</td>
<td>• Appropriate means of access</td>
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<td></td>
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<td></td>
<td></td>
<td>• The site is affected by a gas pipeline</td>
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<td></td>
<td>• Gas line</td>
<td>• Not in Green Belt</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>• Access Comments – Site location on 60mh highway. Visibility splays</td>
<td></td>
<td></td>
<td>• Unachievable means of access</td>
<td>• 2 minor SA negatives</td>
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<td></td>
<td></td>
<td></td>
<td>• Development would only partially round off the settlement</td>
<td></td>
<td>• No highway officer support</td>
<td>• (IDP Assessment)</td>
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<td></td>
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<td></td>
<td>• No strong defensible boundary between site and urban area</td>
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<td>• Adverse effects on the purposes of including land in the Green Belt</td>
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<td>• Limited information on suitability and availability</td>
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<td>• 4 major negatives</td>
<td>• 4 major negatives</td>
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<td></td>
<td>• Significant site constraints</td>
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<td></td>
<td>• Listed building</td>
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<td></td>
<td>• Conservation Area</td>
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<td>• Gas line</td>
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<td></td>
<td>• Unachievable means of access</td>
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<td></td>
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<td></td>
<td>• No highway officer support</td>
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<td></td>
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<td></td>
<td>• Adverse effects on the purposes of including land in the Green Belt</td>
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<td>• 4 major negatives</td>
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</tr>
</tbody>
</table>

**Conclusion**

New Farnley site HG3-17 performs better and should be allocated as Phase 1 housing instead.
not achievable. Poor horizontal and vertical alignment
- Highway officer does not support
9.0 Representations to the Publication Draft – Housing Market Characteristic Area Representations on Section 3, Outer West Policies and Allocations


Representations to Policy HG1 Identified Housing Site – Policy Approach and Allocation

Summary of Publication Draft Outer West – Existing Housing Commitments and Supply – Policy HG1

9.1 Policy HG1 and the related paragraphs of Section 3 seek to identify existing commitments including unimplemented planning permissions, expired planning permissions and old UDP allocations. The policy identifies 2,535 units which is offset against the target for the area or 4,700 leaving a residual requirement of 2,165 units.

9.2 Of the 2,535 units offset from the HMCA requirement, 1,053 are on sites which have yet to be commenced. As set out in Section 4 of these representations, the inclusion of all unimplemented and expired planning permissions and old UDP allocations without any robust assessment of deliverability having taken place and no allowance being made for a proportion of sites not coming forward is unsound as it fails all four tests of soundness set out within the NPPF.

Soundness of Inclusion of all Existing Commitments

9.3 We object to the Council’s inclusion of all unimplemented planning permissions, expired planning permissions and undeveloped fourteen year old UDP allocations within the Outer West HG1 Policy and Allocations list without any assessment of their deliverability on a proper and robust basis. This approach is unsound for the following reasons:

1. The inclusion of this source of supply without any assessment of the deliverability results in a plan that has not been positively prepared and a strategy that does not seek to meet the objectively assessed need given the plan relies on all of these sites being deliverable to meet the housing requirement.
2. The inclusion of unimplemented planning permission, expired planning permissions and old UDP allocations is not justified and relying on this source of supply coming forward is not the most appropriate strategy when assessed against the reasonable alternatives, which would be to allocate a greater number of sites to meet the identified need.
3. A reliance on this source of supply coming forward in totality during the plan period is unrealistic and results in the plan being ineffective.
4. The reliance on this source of supply coming forward in totality results in the plan being **inconsistent** with National Policy.

9.4 The reasons for these conclusions is as per Section 4, paragraphs 4.7-4.19 of these representations.

**Proposed Change to the Pre-Submission Draft to Address Soundness Issues Identified in Relation to Existing Housing Commitments in Outer West HG1 Policy and Allocations**

9.5 The Council should undertake an appropriate assessment of these sites, remove those sites from the supply which are not considered to meet the deliverability tests set out in Footnote 11 and 12 of the NPPF and to subsequently allocate more land to ensure that the objectively assessed need can be met and that the plan has been positively prepared and is justified, effective and consistent with National Policy. Alternatively the accepted norm of a 10% reduction for non-delivery should be applied.

**Representations to Policy HG1 and HG2 – Housing Allocations – Policy Approach and Allocations**

**Summary of Publication Draft Outer West – Distribution of Supply in Policies HG1, HG2 and Associated Allocations**

9.6 The residual requirement for the Outer West area (deducting 2,535 commitments which is challenged) equals 2,165 units. The allocations within Policies HG1 and HG2 only allocate sufficient land to meet 2,100 units.

9.7 We **object** to the site allocations in Policy HG1 and HG2 not meeting the identified Core Strategy requirement under Policy SP7 for this HMCA.

9.8 The distribution strategy set out within Policy HG1 and HG2 is **unsound** for the following reason:

1. The distribution strategy is **unjustified** as it is inconsistent with the Council’s Core Strategy Policy SP7 and the evidence base in both the SHLAA and the emerging Allocations Document which demonstrates that there is alternative available land within the HMCA to meet the Core Strategy distribution policy.

9.9 The reasoning for this conclusion is as set out in paragraphs 5.8-5.11 of Section 5 of these representations.

**Proposed Changes to the Publication Draft Distribution Strategy to Address Soundness Issues Identified**

9.10 The distribution strategy should be amended so that the full Housing Market Characteristic Area requirement of 2,165 is met within the area from known and tested supply.
Representations to Policy HG1 and HG2 – Phasing

Summary of Publication Draft Outer West – Phasing

9.11 Policy HG1 identifies 2,535 units from commitments to be delivered in Phase 1 whilst Policy HG2 identifies 1,994 units of principally Green Belt land also to be released as new allocations in Phase 1. A small amount of sites are held back for Phase 2 and Phase 3 totalling 106 units.

9.12 The significant quantum of Green Belt sites in Phase 1 are proposed for allocation instead of UDP Safeguarded Lane (PAS) which the Allocations Document seeks to retain as Safeguarded Lane. There is no justification in terms of exceptional circumstances for the advancement of Green Belt sites to Phase 1 when there is already non Green Belt land available in the form of existing Safeguarded Lane at New Farnley already judged suitable for development in principle, removed from the Green Belt on that basis and clearly judged to perform a lesser Green Belt purpose or function than the land retained as Green Belt in both the UDP and UDPR.

Soundness of the Phasing Approach

9.13 We object to the phasing approach set out within Policy HG1, HG2 and associated tables.

9.14 The phasing approach is considered unsound in relation to two of the tests for soundness set out within the NPPF; -

1. The phasing strategy is unjustified as it seeks to promote Green Belt land release in Phase 1 in preference of existing Safeguarded Land and it is not the most appropriate strategy to assist delivery of the housing requirement for the district when considered against the reasonable alternatives; and

2. The phasing strategy is not effective as a significant amount of Phase 1 in the Outer West HMCA is formed of sites subject to unimplemented planning permissions, expired planning permissions or old UDP allocations which have not been properly tested.

9.15 The reasoning for these conclusions is as per paragraph 6.6-6.10 of these representations.

Proposed Changes to the Publication Draft Phasing Strategy to Address Soundness Issues Identified

9.16 The phasing of sites should be amended to avoid heavy reliance on Phase 1 sites in the form of unimplemented planning permissions, expired planning permissions and old UDP allocations. A full assessment of deliverability of these sites should be carried out and the sites in the respective phases should be rebalanced with Phase 2 and Phase 3 sites moving forward to Phase 1 to address any identified delivery issues.

9.17 The land at New Farnley should be identified as a Phase 1 Housing Allocation ahead of, or instead of Phase 1 Green Belt release.
Representations to Policy HG3 – Safeguarded Land – Policy Approach and Allocations

Summary of Publication Draft – Safeguarded Land

9.18 Policy HG3 of the Outer West HMCA and associated table seeks to retain three PAS sites as Safeguarded Land.

Soundness of the Safeguarded Land and Allocation Approach

9.19 We object to the allocation approach for safeguarded land as set out within Policy HG3 and associated tables. Existing Safeguarded Land should be allocated for housing and new Safeguarded Land should be found from fresh sources.

9.20 The Safeguarded Land approach is considered unsound for the following reason: -

1. The Council do not put forward any exceptional circumstances for retaining existing Safeguarded Land for future safeguarding purposes whilst also releasing Green Belt sites at the same time in the same HMCA. The approach is therefore unjustified.

9.21 The reasoning for this is as per paragraph 7.5 through to 7.11 of Section 7 of these representations.

Proposed Changes to the Publication Draft Safeguarding Land Strategy

9.22 The policy subtext and the policy itself should be expressly amended to identify that existing Safeguarded Land from the UDP will be allocated for housing and that Safeguarded Land for the Allocations Document will come from new sources.

Summary of Publication Draft Outer West – Proposed Housing Allocations under HG2 and Safeguarded Land under HG3

9.23 HG2 seeks to allocate a number of sites for release in Phase 1, the majority of which are either Green Belt or Other Open Space and Urban Green Corridor.

9.24 Policy HG3 seeks to retain existing PAS land as Safeguarded Land even though it was taken out of the Green Belt in 2001 for longer term development.

9.25 The comparative assessment of the New Farnley safeguarded site (HG3-17) against a range of Phase 1 Green Belt sites allocated under Policy HG2 identifies that the New Farnley site performs better than those sites and is sequentially preferable for allocation.

Soundness of the Allocations in Policy HG2 and HG3

9.26 We object to the Council allocating the following Green Belt and Other Open Land sites and the heavy reliance on these within Phase 1 when there are
non-Green Belt sources of land in the form of existing Safeguarded Land available at New Farnley: -

HG2-63
HG2-65
HG2-67
HG2-68
HG2-69
HG2-71
HG2-72
HG2-76
HG2-80
HG2-81
HG2-56
HG2-55

9.27 We also object to the inclusion of New Farnley site as Safeguarded Land under Policy HG3-17.

9.28 The New Farnley site performs better than the Green Belt sites listed above when assessed against the relevant criteria. The promotion of unsustainable Green Belt sites which continue to perform Green Belt purposes in preference to existing Safeguarded Land which performs better against the assessment criteria is unsound for the following reasons: -

1. The retention of PAS land for safeguarding purposes whilst at the same time releasing less sustainable Green Belt sites is not justified as no exceptional circumstances have been demonstrated to show the Green Belt sites perform demonstrably better than the Safeguarded Land to the extent that they should be allocated first.

Proposed Changes to the Pre-Submission Draft to Address Soundness Issues Identified in Relation to the List of Allocations in Policy HG2 and HG3

9.29 The New Farnley site at HG3-17 should be identified as a Phase 1 housing allocation along with other PAS sites in the area. The Council should then consider the residual requirement needed to be met from Green Belt and carry out a comparative assessment of the Green Belt sites and put forward the most sustainable Green Belt sites to meet the residual requirement after PAS land has been allocated.
10.0 Conclusions

10.1 The New Farnley site is suitable, available, achievable and developable for residential development. This has been concluded by an independent inspector through a Section 78 appeal and the technical documentation submitted with this.

10.2 The site performs better than a range of Phase 1 Green Belt and Other Open Land proposed allocations. Redrow Homes and Park Lane Homes do not support the Council strategy set out in the Publication Draft with regard to the following: -

1. The inclusion of all unimplemented and expired planning permissions and old UDP allocations without any robust assessment of deliverability having taken place.
2. The distribution proposed within Section 2 of the document which fails to meet the distribution set out within the Core Strategy under Policy SP7 and which is heavily reliant on redistributing 3,000 units to the City Centre and Inner Area where there will be delivery issues.
3. The phasing strategy of the Publication Draft which is absent an appropriate trigger for identifying the timing of release for Phase 2 and Phase 3 and with 50% of Phase 1 being made up of unimplemented planning permissions, expired planning permissions or old UDP allocations which have not been properly tested.
4. The Publication Draft’s approach to Safeguarded Land in terms of its approach in seeking to retain existing PAS land as Safeguarded Land whilst releasing less sustainable and less suitable Green Belt sites at the same time.
5. The Council’s inaccurate assessment of the New Farnley site against the assessment criteria and Sustainability Appraisal.
6. The retention of New Farnley as Safeguarded Land whilst at the same time releasing Green Belt sites which perform as well against the Council’s own criteria.

10.3 Amendments to the plan have therefore been set out which address the soundness issues identified. It is therefore proposed that the site at New Farnley is reassessed in light of the soundness issues identified and subsequently allocated for housing within Phase 1 of the plan.
Your city. Your plan.
Working with you to find the best locations for new homes, jobs, greenspace and retail.

These Plans are now at Publication stage and this is your chance to comment on them before they are examined by a Planning Inspector. We would like to hear your views on the Soundness and Legal Compliance of the Plans.

Any terms we’ve underlined are explained in the guidance notes. Please read these before completing this form. Interactive versions of the maps and this form can be found at www.leeds.gov.uk/yourcity.

How to find out more about and comment on the two Plans:

- The easiest way to take part is online at www.leeds.gov.uk/yourcity, where you will find a link to the interactive site maps and consultation material.

- At your local Library, One Stop Centre, or Leeds City Council Leonardo Building reception in the city centre

- You can also return completed response forms to:
  Site Allocations: sap@leeds.gov.uk
  Aire Valley Leeds AAP: avlaap@leeds.gov.uk
  or via post to:
  LDF Publication Draft Consultation
  Forward Planning & Implementation
  The Leonardo Building
  2 Rossington Street
  Leeds, LS2 8HD
  Should you need help please phone us on (0113) 247 8092

We need to receive your comments by 5pm, 16th November 2015

Data Protection

The council is required by law to publish the comments you send us about the Plans, including your name and postal address. Your comments will be made available for the public to read in council offices and online. Your telephone number, email address, and signature will not be published. In addition, the council is required to provide all information submitted to us, including all personal information, to the Planning Inspectorate and their designated Programme Officer as part of the public examination of the Site Allocations and Aire Valley Leeds Area Action Plans. The Planning Inspectorate may use your personal information to contact you during the public examination process. All data provided to the Planning Inspectorate and their programme officer will be shared in accordance with the Data Protection Act 1998. Please note that we cannot provide anonymity or accept comments marked ‘private’ or ‘confidential’. Comments that include offensive, racist, discriminatory, threatening and other non-relevant statements will be destroyed.
### Part 1 - Your details

*This information must be completed*

<table>
<thead>
<tr>
<th><strong>Personal details / Client details</strong></th>
<th><strong>Agent details</strong>&lt;br&gt;<strong>Only complete if you are an agent</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Title</strong></td>
<td>Mr</td>
</tr>
<tr>
<td><strong>First name</strong></td>
<td>Jonathan</td>
</tr>
<tr>
<td><strong>Last name</strong></td>
<td>Dunbavin</td>
</tr>
<tr>
<td><strong>Job title</strong> (where relevant)</td>
<td>Director</td>
</tr>
<tr>
<td><strong>Organisation</strong> (where relevant)</td>
<td>ID Planning</td>
</tr>
<tr>
<td><strong>Address</strong></td>
<td>Atlas House</td>
</tr>
<tr>
<td></td>
<td>31 King Street</td>
</tr>
<tr>
<td></td>
<td>Leeds</td>
</tr>
<tr>
<td><strong>Post code</strong></td>
<td>LS1 2HL</td>
</tr>
<tr>
<td><strong>Phone/Mobile</strong></td>
<td>0113 2436116</td>
</tr>
<tr>
<td><strong>Email</strong></td>
<td><a href="mailto:jonathan@idplanning.co.uk">jonathan@idplanning.co.uk</a></td>
</tr>
</tbody>
</table>

(We'd prefer to contact you by e-mail)

### Part 2 - What comment do you wish to make?

Please use a separate response form for each site/part of the Plan(s) you wish to comment on.

2.1. Which Plan do your comments relate to?

- [ ] Leeds Site Allocations Plan
- [ ] Aire Valley Leeds Area Action Plan

2.2. Which section of the Plan do your comments relate to?

a. A specific site/designation in the Plan

   Site reference from the document or Map (e.g. HG2-1 (3026))

   HG3-17

   Do you agree with the proposed use of this site?

   - [ ] Yes
   - [ ] No

Please tick all the themes you wish to comment on;

- [ ] Ecology/Landscape/Tree(s)
- [ ] Local services/facilities
- [ ] Schools
- [ ] Conservation/Heritage
- [ ] Loss of Greenbelt
- [ ] Highways/transport
- [ ] Site Boundary (*please submit a revised boundary*)

- [ ] Other (*please specify*)

*IF YOU HAVE COMPLETED 2.2 a - PLEASE GO STRAIGHT TO PART 3*
b. Another part of the Plan

Title of document (e.g. Publication Plan, background paper, sustainability appraisal)

Policy Ref. (e.g. - RTC1) __________ Paragraph Number __________

Diagram / Inset Map __________ Other __________

IF YOU HAVE COMPLETED 2.2 b - PLEASE GO STRAIGHT TO PART 3

c. A site previously considered and not allocated in the plan

(See Housing & Employment Background Paper)

Reference No (e.g. SHLAA ref) __________

Address __________________________

IF YOU HAVE COMPLETED 2.2 c - PLEASE GO STRAIGHT TO PART 3

d. A new site which has not been considered. Please attach a site plan.

Address __________________________

IF YOU HAVE COMPLETED 2.2 d - PLEASE GO STRAIGHT TO PART 3

Part 3 - Is the Plan sound?

At this stage, before the Plan is sent to the Secretary of State for Public Examination, we are asking for your views about the 'soundness' of the plan. An independent Inspector will examine the plan against the 'tests of soundness' (Please read the guidance notes on how to complete this section)

3.1. Do you consider the plan to be sound?

☐ Yes (go to Q3.3)

☐ No (go to Q3.2)

3.2. Which test of soundness are your comments about? (You must select at least one option)

☐ Positively Prepared

☐ Effective

☐ Justified

☐ Consistency with National Policy

3.3. Please set out why you think the Plan is sound / unsound? Your comments should briefly cover all the evidence and supporting information necessary to support or justify your view. It helps us if you can use subheadings to deal with specific issues. Please continue on a separate sheet if you need to. There may not be another opportunity to make further comments before the plan is sent to examination.

See comprehensive representations document submitted with the form

3.4. Please set out what change(s) you consider necessary to make the Plan sound.

You will need to say why this change will make the Plan. It helps us if you can be precise as possible and providing any suggested revised wording. Please continue on a separate sheet if you need to.

See comprehensive representations document submitted with the form
Part 4 - Is the Plan legally compliant?

Please give evidence in support of the comment you gave in Part 2.

4.1. Do you consider the Plan to be legally compliant?

- Yes
- No
- Don’t Know

(Please read the guidance notes on how to complete this section)

4.2. Which part of legal compliance is your comment about?

- Local Development Scheme
- Planning and Compulsory Purchase Act 2004
- Statement of Community Involvement
- Sustainability Appraisal Report
- Consultation of appropriate Statutory Bodies
- Town & Country Planning (Local Planning) Regulations
- Duty to Cooperate

4.3. Please give details of why you consider the Plan is/or is not legally compliant.

Please try to be as precise as possible, using headings to break up your comments and continue on a separate sheet if you need to.

Part 5 - Take part in the public examination

5.1. Your comments will be taken into account by the Planning Inspector. Would you like to take part in the forthcoming Public Examination?

- Yes
- No

N.B. The Planning Inspector will decide the best way to hear from those who wish to take part in the examination

Part 6 - Future updates

6.1. Would you like to be notified of any of the following? (Please tick as appropriate)

- The Submission of the Plan(s) for Public Examination
- The Adoption of the Plan(s)

Please sign and date this form

Signature: Jonathan Dunbavin

Date: 13 November 2016

Thank you for taking the time to give your comments on the Leeds Site Allocations Plan and/or Aire Valley Leeds Area Action Plan.

If you would like to make another comment on another site or different part of the Plan(s), please use a separate response form.