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Dear Robin

**Leeds Local Development Framework: City Centre Area Action Plan:
Preferred Options April 2007**

The Yorkshire and Humber Assembly welcomes the opportunity to comment on the Leeds City Centre Area Action Plan: Preferred Options and to continue its involvement in the development of a coherent spatial planning framework for the region. The comments offered in this letter are intended to be within the spirit of continued and productive joint working.

At this stage, the Assembly's response to the consultation document is a set of officer comments. The aim is to highlight where issues related to general conformity with the Regional Spatial Strategy might arise. When the City Centre Area Action Plan (CCAAP) is submitted to the Secretary of State a formal Assembly view on its general conformity with the Regional Spatial Strategy will need to be given.

The following officer comments are made in relation to the existing Regional Spatial Strategy for Yorkshire & the Humber (based on the selective review of RPG12 issued in December 2004) and the Draft Regional Spatial Strategy – the

Yorkshire and Humber Plan (submitted to the Secretary of State in December 2005).

The comments place emphasis on the draft Regional Spatial Strategy (RSS), which reinforces and develops the general thrust of existing RSS. It is also more up to date and is gathering 'weight' as it passes through the preparation process. The Panel Report of the Examination in Public of the Yorkshire and Humber Plan has now been published (May 2007). This contains recommendations to Government that may or may not be reflected in the Proposed Changes to the Plan that are due to be published for consultation in the summer. The Panel Report backs the Plan's overall approach and strategy. It also includes recommendations for changes or additions to policies. Any points from the Panel Report that are particularly relevant to this response are noted within the following paragraphs. The Yorkshire and Humber Plan should be published by the end of 2007.

General Conformity with the Regional Spatial Strategy

As you know, the Planning and Compulsory Purchase Act 2004 introduced mechanisms to help ensure that Development Plan Documents (DPDs) drawn up by local authorities as part of the Local Development Framework (LDF) are in general conformity with the Regional Spatial Strategy (RSS). The intention is to ensure that DPDs are contributing to the delivery of the RSS and that the two strands of the Development Plan for an area (the RSS and DPDs) are mutually supportive and not in conflict.

We therefore welcome the reference in the introduction to the draft RSS and the way in which the relevant draft RSS policies are identified. It is clear that the CCAAP has been drawn up within its wider spatial planning context. It will be important in the submitted City Centre Area Action Plan to highlight the need for there to be 'general conformity' between the RSS and the City Centre Area Action Plan, to ensure that the two strands of the development plan are mutually supportive. We therefore think it would be helpful if this need for general conformity were set out at the start of the document as this demonstrates the need for a strong link between the LDF and the RSS and will help to clarify the significance of the references to the RSS that are made throughout the document.

Summary of comments

Overall, the CCAAP Preferred Options reflect the policy direction of current and draft RSS. In particular, the Assembly supports the Preferred Options on:

- Town centre uses (PO-01)
- Office uses (PO – 02 and PO-03)
- Housing and housing mix (PO-05 and PO-06)
- Renewable Energy (PO-22)

- Flood Risk (PO–24)
- Open Space (PO–25)
- Sustainable Transport (PO–31, PO–32, PO–33, and PO-34) and Car Parking Provision (PO – 35)

The Assembly would wish to see changes to the CCAAP to ensure that:

- the need for 'general conformity' with RSS is clear at the start of document
- the need for affordable housing is addressed to ensure policy and requirements are as up to date as possible

These points are expanded on in Annex A.

I trust that these comments are helpful to you as you prepare the CCAAP for submission to the Secretary of State. If you wish to discuss any of the points made here please do not hesitate to get in touch. We look forward to continuing to work with you on your CCAAP.

Regards

A handwritten signature in blue ink, appearing to read 'Jenny Poxon', written in a cursive style.

Jenny Poxon
Head of Planning Delivery and Conformity

Annex A

Town Centre Uses

The Assembly is encouraged by **Preferred Option PO-01** which seeks to promote main town centre uses within the city centre, which conforms with Policies E1 and E4 of current RSS (December 2004) and Policies YH5 and E2 of draft RSS (December 2005).

In the draft RSS (2005), Policy YH5 identifies Leeds as a Regional Centre. This policy clearly states that these centres will be the prime focus for housing, employment, shopping, leisure, education, health and cultural activities and facilities in the region. Policy E2 of draft RSS (December 2005) reinforces that city and town centres "will be the main focus for office, comparison shopping, health, education, casino, leisure, recreation, entertainment, cultural, public services, business services and other uses which generate a high level of people movements".

The Panel Report (May 2007) does not recommend changes to Policy YH5 and considers 'that Policy E2 represents the most appropriate strategy for guiding new town centre type development' (paragraph 4.49, page 44).

The Assembly is encouraged by the work that has been undertaken by Leeds City Council on the Leeds City Centre Retail Study (November 2003), which provided information on the capacity for major retail development in the city. This concluded that major new developments in out-of-centre locations would be likely to threaten new retail investments that had been sought and proposed in the city centre. The Leeds CCAAP reinforces the importance of Leeds city centre as the main focus for retail uses.

The Assembly is also encouraged by **paragraph 3.2.7**, which states that 'within the scope of the City Centre Area Action Plan, the city centre is considered to be the preferred location in Leeds for major leisure and entertainment development.' **Preferred Policy PO-12** encourages the provision of entertainment and cultural uses throughout the city centre.

Office Uses

The Leeds CCAAP places much emphasis on focussing office development in the city centre. This spatial approach to office development is fully supported by the Assembly. Both current and draft RSS seek to locate office uses in city or town centres. Policy E4 of current RSS (December 2004) specially states, "offices should be located in town and city centres". Policy E2 of draft RSS (December 2005) reinforces these principles by stating, "city and town centres will be the main focus for office...and other uses which generate a high level of people movements."

As stated above, the Panel Report (May 2007) considers 'that Policy E2 represents the most appropriate strategy for guiding new town centre type development' (paragraph 4.49, page 44).

Preferred Options PO-02 and PO-03 are both welcomed by the Assembly as both policies place great emphasis on locating office development in Leeds city centre. **Preferred Option PO-02** seeks to reinforce and promote the office function of core areas of the city centre through controlling the mix of uses in new development.

Housing

The Assembly welcomes **Preferred Option PO-05**, which encourages the development of new housing throughout the city centre, providing that this does not prejudice the functioning of the city centre as a place for main town centre uses.

The Leeds CCAAP recognises that at present there is a limited mix of dwellings in the city centre. The Assembly is encouraged by **Preferred Option PO-06** which seeks to address the need for housing mix in the city centre, requiring that 'developments of 50 or more residential units to make at least 10% of the total number of residential units 3 or more bedroomed'. Policy H4 in draft RSS (December 2005) emphasises the need for the current mix of housing in the Region to change so that it better supports the creation of more sustainable communities.

The issue of affordable housing is not covered in the Leeds CCAAP as it is stated that it is covered by policy in the UDP and will be updated through the LDF preparation. The Assembly feels that it is essential that the need for affordable housing is addressed in the CCAAP to ensure that policies for the City Centre are based on as up to date an analysis of need as possible. Current RSS (December 2004) encourages local authorities to set targets for the provision of affordable housing based on housing needs assessments (Policy H4). Draft RSS identifies Leeds as an area of 'medium need' for affordable housing (based on the Regional Housing Strategy, 2005). Policy H3A of the draft RSS suggests that in areas of 'medium need' (including Leeds) between 30 and 39% of homes (on sites of 15 homes or more) need to be affordable.

It should be noted that the Panel Report (May 2007) recommends changes to Policy H3 and Policy H4 (see pages 80 – 85 and recommendations 5.9, 5.10 and 5.11).

Renewable Energy

The Assembly welcomes **Preferred Option PO-22**, which states that all development with a floor space of 500 square metres or three or more residential units will be required to incorporate renewable energy generation to provide at least 10% of the predicted energy requirement of development approved prior to 2010. The policy goes on further to state that developments approved after 2010 will be expected to provide at least 15% and those after 2015, at least 20%.

The sustainable use of resources is a key theme of both current and draft RSS. Policy P6 of current RSS encourages new development to maximise energy efficiency and minimise resource demand. Policy ENV5 of draft RSS (December 2005) requires at least 10% of energy to be used in sizeable new development is to come from on-site renewable energy sources.

The Panel Report (May 2007) recommends that this policy should be applied to developments of 10 houses or more (see pages 102 – 103 and recommendation 6.5).

Flood Risk

The Assembly is encouraged by **paragraph 3.3.12**, which suggests that there should be a requirement for all planning applications in the City Centre to provide a Flood Risk Assessment to demonstrate that no further increase in flood risk will result from development. The Assesmbly welcomes **Preferred Option PO-24**. This policy requires that all planning applications in the City Centre should ensure that there will be no increase in surface water runoff, no increase in flooding on-site or elsewhere, and developer contributions will be provided for flood defence and mitigation works.

Current RSS (Policy R2) states that a sequential risk-based approach to planning for flood risk should be taken and that development in high flood risk areas should be avoided. Draft RSS policy (Policy ENV1) states that development in high flood risk areas should be avoided where possible and flood management should be undertaken pro-actively. ENV1 of draft RSS (December 2005) specifies that flood management will be required to facilitate development in the city of Leeds.

It should be noted that the Panel Report (May 2007) recommends changes to Policy ENV1 (see pages 104 – 107 and recommendation 6.6).

Public Open Space

Preferred Option PO-25 encourages the protection of public open space in Leeds City Centre and encourages developer contributions for public open space provision. Policy S4 of current RSS (December 2004) encourages the use of open

space on land close to town centres. Policy YH5 of draft RSS (December 2005) encourages the development of a strong sense of place with a high quality public realm and the creation of green space. Policy ENV11 of draft RSS (December 2005) states that opportunities should be maximised to develop walking and cycling routes, especially through urban centres in West Yorkshire.

The Panel Report (May 2007) does not recommend changes to these aspects of Policy YH5 and ENV11.

Car Parking Provision

Preferred Option PO-35 is welcomed. This policy applies stricter parking standards to sites within, and fronting on to, the public transport box (PTB), extends the coverage of the existing core parking policy area, and applies more stringent parking controls within the core car parking policy area. The Assembly is encouraged that this policy goes further than Policy T2 in draft RSS (December 2005) as it will help to implement RSS objectives.

It should be noted that the Panel Report (May 2007) recommends changes to Policy T2 (see pages 142 – 143 and recommendation 8.6).