



LEEDS UNITARY DEVELOPMENT PLAN

**THE CITY COUNCIL'S RESPONSE TO
THE INSPECTOR'S REPORT AND
PROPOSED MODIFICATIONS**

**CHAPTERS 5:
Environment**



LEEDS
CITY COUNCIL

DEPARTMENT OF PLANNING AND ENVIRONMENT

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**MODIFICATIONS TO THE
REVISED DRAFT UDP**

LEEDS UNITARY DEVELOPMENT PLAN

RESPONSE TO THE INSPECTOR`S REPORT AND PROPOSED MODIFICATIONS

Leeds City Council received the Inspector`s Report in February 1999 and an Addendum to that Report in July 1999. The Addendum provides clarification, resolving uncertainties and ambiguities in the original Report and correcting errors. The Council`s response is therefore made to the original Report as amended by the Addendum as both documents together provide the final views of the UDP Inspectors.

THE MODIFICATIONS DOCUMENT

In responding to the Inspector`s Report the Council has followed the Chapter and Topic order used by the Inspectors. The Council`s reponse is published as individual chapters for the convenience of the public whose interest may well lie in a particular issue or geographic area. This chapter is therefore one of thirty which together form the Council`s response and modifications.

The modifications are changes to either the text or Proposals Map (or both) of the Revised Draft UDP of June 1993.

Each chapter comprises in the following order

- a list of the all the Inspector`s recommendations that the Council proposes to reject
- a schedule listing the inspector`s recommendations, the Council`s decision and any modifications arising as a result of that decision
- a schedule listing changes not arising from the Inspector`s Report
- where appropriate a set of plans illustrating the changes

Where modifications are proposed the full text of the change is provided where this is considered helpful to an understanding of the Council`s intentions. Elsewhere, for instance when the change is the deletion or substitution of a few words, then the change is signalled by the modification but not given in full. In these cases it will be necessary to read the modification alongside the Revised Draft UDP in order to see the precise wording of changes.

It has been decided not to renumber sites to avoid confusion as particular reference numbers have been associated with some sites for many years. Therefore, because some sites have been deleted there are gaps in the reference numbers of proposals.

Modification Reference Numbers

The referencing system used is based on the chapters of the Inspector's Report. Each chapter has a separate number sequence which appears in right hand column of the schedule after "**Proposed Modification**" e.g. 15/003 is the modification for the third topic in Chapter 15.

Where the Inspector has reported separately on one of the Appendices in Volume 2 of the UDP the modification carries the prefix **A**. Thus modification A/5/001 is the modification for the first topic in the Inspector's Report on Appendix 5.

Note: a modification number is provided even when no change is proposed to facilitate public comment on the Council's decision; modifications may relate to more than just the chapter indicated by the reference number.

Plans

The plans which illustrate the changes to the Proposals Map have a separate reference number which has the prefix **M**. A single modification may include a number of plans. It should be noted that not all changes to the Proposals Map are supported by a plan: plans are generally only provided where the proposed change cannot be adequately identified from the existing Proposals Map. For instance where an allocation is to be deleted then no plan is provided, whereas a new allocation clearly requires a plan.

Rejected Recommendations

A list of those topics on which the City Council has determined to reject the Inspector's recommendation, either completely or in part, is included at the front of this document. Those topics relevant to this chapter are highlighted by means of shading in the following schedule.

REPRESENTATIONS

At this stage in the UDP process representations of objection or support may only be made to:

- **the proposed changes to the Revised Draft UDP set out in the right hand column of the schedules**
- **the Council's failure to promote a change recommended in the Inspector's Report**

This is not an opportunity to object to matters in the original Plan which remain unchanged.

Representations should be made to the Council on the form provided which includes further guidance notes. To be valid representations must be received by the Council during the "deposit" period from 14 August to 24 September 2000.

LIST OF TOPICS ON WHICH A RECOMMENDATION OF THE INSPECTOR'S REPORT IS REJECTED IN WHOLE OR IN PART BY LEEDS CITY COUNCIL

Topic No.	Chapter	Description/Location
23	4	GP7 Planning Obligations
31	5	N1 Protection of Greenspace
35	5	N4 Improving Greenspace through Obligations
36	5	N5 Improving Greenspace Provision
37	5	N6 Criteria for Protection of Pitches
40	5	N8 Strategic Network of Green Corridors
41	5	N9 Enhancing/Respecting Corridor Functions
43	5	N11 Open Land
45	5	N13 Design of New Buildings
52	5	N20 Removal of Other Features in Consevation Areas
56	5	N24 Development next to Green Belt
69	5	N29 Protection of Sites and Monuments of Arch Importance
111	5	Proposed drainage policy
129	5	N48 Areas of Search for Landfill
138/139	5	N50A/50B LNAs
160	6	T13 Reservation/Protection of Proposed Supertram Routes
175	6	T28 Long Stay Commuter Parking in City Centre
186	7	H3,4,7,8 Housing Land Supply
195/196	7	H11,12 Affordable Housing
206	8	E1,2,2,3B,4 Adequacy of Employment Land Provision
215	8	E8 Key Employment Sites
227	9	S2 Town Centres
264	11	R4/R5 Community Involvement
314	14	N1/N5 Cragghill Quarries, Horsforth
319	14	Aireborough – Area of Search for Landfill
330	14	Rear 77-93 Breary Lane East Bramhope
349	14	Fulford Grange Hospital
357	14	North Ives Farm
364	14	Horsforth STW
375	15	P&R Adjacent A64 Whinmoor
378	15	T29A Lorry Park promotion
381	15	H4.7 Housing allocation Rear of Seacroft Hospital
389	15	E4.9 Employment Allocation – East Leeds Radial , Cross Green
391	15	E8.6 Key Employment site – Coal Road/Ring Road, Seacroft
404/405/406	15	Killingbeck
414	16	Area of Search for Landfill West of Barwick
442	16	Micklefield Enlarged Settlement
452	16	Green Lane Garforth
476	17	Low Moor Farm PAS
491	17	E4.38 Employment Allocation - Tingley Station, Morley
509	17	Daisy Hill Close Morley – N5
517/518/527 540	17	East of Churwell
562/580	18	Bodington
604	18	Meanwood Ring Road
605	18	Allerton Grove Sports Ground
620	19	Harewood/Bardsey – Area of Search for Landfill
951	19	LNA84 Otley Sand & Gravel Pits
672	20	LT5B.5 Leisure and Tourism Dick Lane Pudsey

LIST OF TOPICS ON WHICH A RECOMMENDATION OF THE INSPECTOR'S REPORT IS REJECTED IN WHOLE OR IN PART BY LEEDS CITY COUNCIL

675	20	Coal Hill Farsley
706	21	H4.33 Pitfield Road Carlton
707	21	H4.34 Carlton Hall
718	21	Cemetery Lane Lofthouse
720	21	Bentley Arms Oulton
823	24	St Johns Avenue Thorner
827	24	North of Walton – Area of Search for Landfill
864	24	Field House Farm Walton
64	APP3	BD4 New Building: Mechanical Plant
67	APP3	BD15 Public Art
70	APP4	Archaeology Policies explanatory text
87	APP5	GB7 Redundant Hospitals
1017	APP6	EM9 Open Cast Coal Extraction

PROPOSED MODIFICATIONS TO THE REVISED DRAFT UNITARY DEVELOPMENT PLAN REPRESENTATION FORM

GUIDANCE NOTES

Please read these notes carefully before completing the attached form.

1. IMPORTANT BACKGROUND INFORMATION

The Revised Draft Unitary Development Plan has been to a Public Inquiry, where objections to the Plan have been heard by an independent Planning Inspector. Following consideration of those objections, the Inspector has recommended a number of modifications to the Plan.

Leeds City Council has considered the Inspector's recommendations and as a result the Council has published modifications to the Plan. Some further modifications have been made which do not originate from the Inspector's recommendations. These are previously advertised amendments which were not the subject of objection, and therefore not considered, at the Public Inquiry.

2. THE PROPOSED MODIFICATIONS

The Proposed Modifications document is arranged in the same way as the Inspector's Report. There are 30 chapters containing modifications to city-wide Policies, and to the Proposals for each of the following areas:

- City Centre
- Aireborough, Horsforth and Bramhope
- East Leeds
- Garforth
- Morley
- North Leeds
- Otley and Mid-Wharfedale
- Pudsey
- Rothwell
- South Leeds
- West Leeds
- Wetherby

Each chapter contains:

- i) The Inspector's recommendation on each Policy/Proposal which was examined at the

Inquiry, and/or changes proposed by the Council which do not arise from the Inspector's recommendations.

- ii) The Council's decision on each of these and the reasons for that decision.

- iii) The proposed modification to the Plan.

Also included are plans illustrating the modifications where these are not clearly identifiable on the Proposals Map. At the start of each chapter is a list of those topics where the Council is rejecting the Inspector's recommendations.

3. HOW TO MAKE A REPRESENTATION

You should use this form to register your objection to (or support for) the modifications or to object to the Council's failure to promote a modification recommended by the Inspector. At this stage you can only make representations about the content of the modifications document or matters arising from it. You can not make representations about the contents of the original Plan. Representations must relate to the Modifications document. However, you can not make valid representations where the Inspector has supported the Council's position and no changes to the Deposit Plan have been recommended, i.e. where the Plan stays the same.

All representations must be received before 25th September 2000.

Please use a separate form for each representation

4. WHAT WILL HAPPEN TO MY REPRESENTATION?

All representations will be made public so that other people know about them. Consequently, they can not be treated as confidential.

When the representation period has passed the Council must consider all the representations made and decide whether it is necessary to hold a further Inquiry. The Council may also decide to propose further modifications in response to objections received. A further Inquiry related to the objections to the proposed modifications will be necessary only in exceptional circumstances, and it will not normally be necessary to hold a further Inquiry into matters already considered at the initial UDP Inquiry. However, the Secretary of State advises Planning Authorities to consider holding an inquiry where objectors raise matters which were not an issue at all at any of the earlier stages of the Plan.

If the Council decide to hold a further Inquiry, it must carry out the same procedures as it did for the original Inquiry.

If the Council decides that no inquiry is necessary and that no further modifications need to be made, they will give notice of their intention to adopt the Plan after 28 days.

5. HOW TO COMPLETE THE FORM

SECTION 1

Make sure you enter the correct reference number, which you will find alongside the heading 'Proposed Modification'.

SECTION 2

You may object to, or support, a proposed modification.

SECTION 3

Please give your full name, address and daytime telephone number and, where appropriate, the name of the organisation you represent.

SECTION 4

Please complete this section if you are using a Professional Advisor; all correspondence from the Council will then be sent to your agent. If you decide later on to employ an agent please let the Council know immediately.

SECTION 5

Please state in full the planning reasons for making your representation and then make clear in **Section 6** the changes you would like to see to the modification.

If you don't have enough space to explain your case continue on separate sheets of paper, but please number each additional page and print your name at the bottom.

6. FOR MORE INFORMATION

Copies of the Proposed Modification document, together with the original Revised Draft Unitary Development Plan and the Inspector's Report are available at all libraries within the District and at the Council's Planning Offices in Merrion House, Leeds. You may purchase copies of the Modifications and Inspector's Report at the Planning reception point on the 6th floor in Merrion House. Copies of all representation forms received may also be inspected there.

The procedure and other aspects of the Development Plan Process is explained in a free Government booklet '**Local Plans and Unitary Development Plans - a Guide to Procedures**' which is available from the Department of Planning and Environment at the address given below (send an A5 size s.a.e. for your free copy). If you need any further clarification telephone (0113) 2478000.

REMEMBER

- Your representation must be received before 25th September 2000 at

Department of Planning and Environment
Selectapost 5
Merrion House
110 Merrion Centre
Leeds
LS2 8SH
- Each objection/support form should relate to one proposed modification only
- If you attach supplementary documents to your form please supply 2 duplicate sets (in addition to the original)
- Please note that receipt of your representation will be acknowledged.



LEEDS
CITY COUNCIL



PROPOSED MODIFICATIONS TO THE REVISED DRAFT UNITARY DEVELOPMENT PLAN



REPRESENTATION FORM

IMPORTANT - MAKE SURE YOU:

- Comment only on the proposed modifications (no further comments on the Plan itself can now be accepted)
- Read the attached Guidance Notes before completing this form
- Complete this form in **BLOCK CAPITALS** in black ink (to help photocopying)
- Complete a **separate form** for each modification you wish to object to or support

FOR OFFICIAL USE ONLY

Reference Number:

Date received: / / 2000

SDs: YES / NO

Cont. Sheets YES / NO

Duly made: YES / NO

Not: YES / NO

1 Which modification do you object to or support?

Please enter opposite the appropriate modification number which appears in the modification report.

Proposed Modification No.

2 Are you Objecting or Supporting ? (Please tick)

3 Title (Mr / Mrs / Miss / Ms / Dr etc.).....

First Name

Surname

Organisation (if applicable)

Address

.....**Postcode**

Daytime telephone

4 Agent's name (if applicable).....

Contact.....

Address

Postcode

Telephone

5 Please state here the full grounds on which your representation of objection or support is being made. (Continue over. If there is not enough room please continue on a separate sheet)

5 continued...

6 Indicate the changes you are seeking to the Proposed Modifications to the Plan.

Signature Date

**PLEASE SEND THIS FORM BACK TO:
The Director of Planning and Environment
Selectapost 5
Merrion House
110 Merrion Centre
Leeds
LS2 8SH**

TO ARRIVE BEFORE 25 SEPTEMBER 2000



LEEDS UNITARY DEVELOPMENT PLAN

**THE CITY COUNCIL'S RESPONSE TO
THE INSPECTOR'S REPORT AND
PROPOSED MODIFICATIONS**

**SCHEDULE RELATING TO THE
INSPECTOR'S REPORT**

031	<p>Topic 031 N1 PROTECTION OF URBAN GREENSPACE</p> <p>Inspectors Recommendations 031.28 I recommend that the UDP be modified as follows:</p> <p>i) by the replacement of paras 5.2.6-7 and Policy N1 with the following:</p> <p>5.2.6 Given the pressures for development, it is critical that the public's need for formal and informal outdoor recreation is safeguarded. Greenspace is a vital resource. Once lost to development it may well be lost to the community forever. Where in an area there is a shortfall against the Council's greenspace hierarchy and standards under Policy N2, or the sector has a shortfall of public playing pitches, development will not be permitted on existing greenspace other than for outdoor recreation. In other areas, existing open spaces to which the public has a right of access will be retained for outdoor recreation unless an alternative of at least equivalent value to the overall needs of the public in terms of accessibility, amenity and recreation potential can be provided.</p> <p>5.2.7 A summary, on an electoral Ward basis, of existing Greenspace provision can be found at Appendix []. Land protected under Policy N1 is identified on the main Proposals Map and on City Centre Inset Map II.</p> <p>N1 DEVELOPMENT OF LAND IDENTIFIED ON THE PROPOSALS MAP AND CITY CENTRE INSET MAP II AS PROTECTED GREENSPACE, WILL NOT BE PERMITTED FOR PURPOSES OTHER THAN OUTDOOR RECREATION, UNLESS THE NEED IN THE LOCALITY FOR GREENSPACE IS ALREADY MET AND A SUITABLE ALTERNATIVE SITE CAN BE IDENTIFIED AND LAID OUT AS URBAN GREENSPACE IN AN AREA OF IDENTIFIED SHORTFALL.</p> <p>ii) by the inclusion as an Appendix of summary information on a Ward or similar basis about provision of Greenspace in all categories and their relationship to the accessibility targets of Policy N2.</p> <p>iii) by the consequential identification of the main areas of the District which show a surplus or a deficiency.</p> <p>iv) by the replacement of the Glossary definition of [Urban] Greenspace with the following:</p>	<p>Leeds City Council Decision and Reasons The Council in general accepts the Inspector's conclusions set out in paras 031.9-27 of the Report and paras 38, 40 and 41 of the addendum, and consequently, in general, accepts the Inspector's recommendation to modify the Plan, save for the recommendation that the existing greenspace provision is summarised in an appendix. The Council has adopted an accessibility approach to the provision of greenspace, which it will also use in the identification of surplus greenspace. To that end, to seek to identify purely quantitative information regarding all greenspace in an appendix, as well as on the Proposals Map would serve no useful purpose. The Council will assess the position on a site by site basis so as to accord with its accessibility methodology; an appendix would present information purely on a ward basis, consequently disregarding greenspace use between wards or sectors and would not serve to illustrate the link between home and greenspace that is fundamental to the Council's approach.</p> <p>Proposed Modification 5/001 Modify the Revised Draft UDP by:</p> <p>(i) replacing para 5.2.6 with the following:</p> <p>5.2.6 Given the pressures for development, it is critical that the public's need for formal and informal outdoor recreation is safeguarded. Greenspace is a vital resource. Once lost to development it may well be lost to the community forever. Where in an area there is a shortfall against the Council's greenspace hierarchy and standards under Policy N2, or the sector has a shortfall of public playing pitches, development will not be permitted on existing greenspace other than for outdoor recreation. In other areas, existing open spaces to which the public has a right of access will be retained for outdoor recreation unless an alternative of at least equivalent value to the overall needs of the public in terms of accessibility, amenity and recreation potential can be provided.</p> <p>(ii) replacing Policy N1 with the following:</p> <p>N1 DEVELOPMENT OF LAND IDENTIFIED ON THE PROPOSALS MAP AND CITY CENTRE INSET MAP II AS PROTECTED GREENSPACE, WILL NOT BE PERMITTED FOR PURPOSES OTHER THAN OUTDOOR RECREATION, UNLESS THE NEED IN THE LOCALITY FOR GREENSPACE IS ALREADY MET AND A SUITABLE ALTERNATIVE SITE CAN BE IDENTIFIED AND LAID OUT AS URBAN GREENSPACE IN AN AREA OF IDENTIFIED SHORTFALL.</p> <p>(iii) replacing the Glossary definition of greenspace in Volume 2 with the following:</p> <p>Greenspace: A collective term to describe open spaces which the public have a right to enter and use for formal or informal recreation. Examples include recreation grounds, parks, linear spaces along canal towpaths or former railway lines, pedestrian areas in the city centre, small play spaces within housing areas, and woodlands.</p>
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Greenspace:

A collective term to describe open spaces which the public have a right to enter and use for formal or informal recreation. Examples include recreation grounds, parks, linear spaces along canal towpaths or former railway lines, pedestrian areas in the city centre, small play spaces within housing areas, and woodlands.

Inspector's Addendum

- 38 I would not expect that there would be many occasions when suitable replacements for greenspace lost in areas of adequate provision could be made up in areas of shortfall. Nonetheless I believe that it remains both a possibility and a desirable aim, however rare and difficult it may indeed be to achieve in practice. I would expect that Policy N1 as I recommend it be modified would in general ensure the protection of areas of greenspace, but would provide an incentive for potential developers in areas of adequate provision to investigate or encourage replacement provision in areas of shortfall.
40. Other UDP Policies deal with other important aspects of the preservation of open space. For example Policy N1A would protect allotments, Policy N6 playing fields, Policy N8 urban green corridors, and Policy N11 large areas of open land. I assume that it is the intention of the UDP that the advice of PPG17 concerning the importance of open space in urban areas to the quality of life should be implemented through these Policies as a whole rather than solely through any one of those Policies. Under these circumstances I consider that Policy N1 should relate solely to land falling within my recommended definition in para 031.28iv.
41. My reference in my recommendation 031.28iii to a 'Ward or similar' basis is intended to offer the Council an alternative method of showing the information in question if that appeared to them to be either clearer or as clear but easier to obtain. The word 'not' should be added to the final sentence of para 031.25 after the words 'the public are'.

032

Topic 032

N1A PROTECTION OF ALLOTMENT GARDENS

Inspector's Recommendation

032.21 I recommend that the UDP be modified as follows:

- i) by the replacement of para 5.2.8 and Policy N1A with the following:

Leeds City Council Decision and Reasons

The Council accepts the Inspector's conclusions set out in paras. 032.11-20 of the Report and paras 42 and 43 of the Addendum, and consequently accepts the Inspector's recommendations to modify the Plan. Note: Map changes concerning allotment gardens are based on the original RDUDP Proposals Map boundaries drawn in 1993. Changes in accordance with the Inspector's recommendations to allotment gardens are made to the designation of allotments only and not to their boundaries; the alterations to which will be dealt with in the UDP review.

5.2.8 Allotment gardens also provide a valuable recreational resource for some members of the community but they do not offer general public access. In the densely developed parts of the inner city where accessible open space is limited they are valued for their general amenity function in enhancing quality of life. Shortfalls of Greenspace in an area can usefully be redressed by the reuse of poorly used allotment land for public access. Some allotment gardens have statutory protection but, in order to ensure that the open space needs of the District are met, the following Policy will be applied to all allotments which are the subject of a formal tenancy or licence agreement and which lie inside the main built-up areas of the District.

N1A DEVELOPMENT OF LAND CURRENTLY USED AS ALLOTMENT GARDENS WILL NOT BE PERMITTED FOR PURPOSES OTHER THAN OUTDOOR RECREATION, UNLESS THE NEED IN THE LOCALITY FOR GREENSPACE IS ALREADY MET AND A SUITABLE ALTERNATIVE SITE FOR ALLOTMENT GARDENS CAN BE IDENTIFIED.

ii) by the identification on the Proposals Map of areas subject to this Policy using a different notation from that used for Policy N1.

Inspector's Addendum

42. My purpose in referring to the main built-up areas of the District in relation to Policy N1A was to remove the need for it to apply in rural areas which are well supplied with greenspace and where there should be no difficulty in replacing it nearby. However as there should be no difficulty for potential developers of such sites to prove compliance with the Policy in such cases and in view of the time and potential delay involved in defining the boundaries of 'the main built-up areas of the District' I now consider that my initial recommendation should be changed by the removal of the final words 'and which lie ... of the District' from the new para 5.2.8.

43. However desirable it may be to include a definition of the words 'a suitable alternative site' in the new Policy N1A I consider that that this is best examined in relation to individual proposals. Suitability may embrace not only size and proximity but also topography, access, and the inherent quality of the land. Any definition included in the UDP would therefore be long but would be of little additional assistance unless the relative importance of the various aspects could be indicated. As I do not believe that this could be done in a convincing way I believe that it is best to

Proposed Modification 5/002

Modify the Revised Draft UDP by:

(i) replacing para 5.2.8 with the following:

5.2.8 Allotment gardens also provide a valuable recreational resource for some members of the community but they do not offer general public access. In the densely developed parts of the inner city where accessible open space is limited they are valued for their general amenity function in enhancing quality of life. Shortfalls of Greenspace in an area can usefully be redressed by the reuse of poorly used allotment land for public access. Some allotment gardens have statutory protection but, in order to ensure that the open space needs of the District are met, the following Policy will be applied to all allotments which are the subject of a formal tenancy or licence agreement.

(ii) the addition of Policy N1A as follows:

N1A DEVELOPMENT OF LAND CURRENTLY USED AS ALLOTMENT GARDENS WILL NOT BE PERMITTED FOR PURPOSES OTHER THAN OUTDOOR RECREATION, UNLESS THE NEED IN THE LOCALITY FOR GREENSPACE IS ALREADY MET AND A SUITABLE ALTERNATIVE SITE FOR ALLOTMENT GARDENS CAN BE IDENTIFIED.

(iii) identifying sites subject to N1A on the Proposals Map (Plans M/5/001-098).

NB: A number of allotments are included in the Topics in the Local Plan chapters. Proposals Map changes are dealt with under those Topics and are not repeated here.

leave the phrase to be interpreted on a case by case basis.

033

Topic 033**N2 OPEN SPACE HIERARCHY****Inspector's Recommendation**

033.30 I recommend that the UDP be modified as set out below:

- i) Paras 5.2.9-11 should be modified as set out in PC007, subject to additions to para 5.2.11a with the following intentions:
- a) to justify the size of local recreational areas and neighbourhood parks;
 - b) to explain that larger spaces may serve several levels of the hierarchy [e.g. a neighbourhood park could serve both (2) and (3) and a major city park could be (2), (3) and (4)];
 - c) to explain that formal playing pitches, courts and greens are included in N2(3) and (4);
 - d) to explain that in some circumstances proximity to a LNA will also fulfil functions N2(1) and (2);
 - e) to indicate that different locations will offer varying opportunities and that a variety of solutions in terms of size, shape and design may help meet these targets.
 - f) to indicate that non-family housing may have different needs for open space.
 - g) to explain that whilst the NPFA advisory standard is not felt suitable for Leeds, the land requirement of the accessibility approach has been estimated and is likely to approximate, within or adjacent to the main built up area of the City, to a target of 2.5 ha of Greenspace per 1000 population.
- ii) Policy N2 should be replaced with the following:

N2 SUPPORT WILL BE GIVEN TO THE ESTABLISHMENT OF A HIERARCHY OF GREENSPACES ACCESSIBLE TO RESIDENTIAL AREAS, SERVING THE FOLLOWING FUNCTIONS AND WITH THE ASSOCIATED MINIMUM TARGETS FOR PROVISION

1. LOCAL AMENITY SPACE -
FOR IMMEDIATE LOCAL NEEDS, INCLUDING FORMAL CHILDREN'S PLAY AREAS AND INFORMAL AMENITY SPACE WITHIN OR ADJACENT TO HOUSING:
0.2 HA PER 50 DWELLINGS

Leeds City Council Decision and Reasons

The Council accepts the Inspector's conclusions set out in paras. 033.13-29 of the Report and para 44 of the addendum and consequently accepts the Inspector's recommendations to modify the Plan.

Proposed Modification 5/003

Modify the Revised Draft UDP by:

- (i) replacing paras 5.2.9-11 with the following:

- 5.2.9 In the provision and enhancement of greenspace, the City Council will seek to ensure that all sections of the community have opportunities to experience and enjoy the amenity and recreational benefits of greenspace. It is fundamentally important that greenspace should be accessible to its users.
- 5.2.10 The provision of greenspace needs to take account of both quantitative and qualitative factors in providing for minimum requirements. The function of greenspace in enhancing quality of life is very important, but this function is only effective if the provision of greenspace relates to the needs of the users of that space. As a consequence, provision must acknowledge the ability of users to travel, and must therefore be accessible to all but especially the least mobile (such as elderly or disabled people, and young children). For example, in the case of children it should recognise the distance from home which parents would regard as safe, as well as traffic danger considerations. Not only should greenspace be accessible, it should also provide for a range of both passive and active recreational experiences in order to serve the users of that space.
- 5.2.11 Particular attention should be given to the recreational needs of children, in that the design of spaces and provision of play equipment within them should reflect the abilities and activities of a range of children's age groups. Thus the need for both informal and formal areas for recreation must be accommodated in the provision of greenspace.

- (ii) adding paras 5.2.11a and b as follows:

5.2.11a The approach of the City Council within the UDP is to define a set of minimum standards to act as targets, to guide priorities for the provision of new greenspace. Reflecting the considerations in the previous paragraphs, these targets are based on access to different types of greenspace serving different functions. In this respect the approach adopted in the Leeds UDP is not based solely on the common method of relating total area of greenspace to the total numbers of people in an area (e.g. the advisory NPFA standard). Such an approach tends to be difficult operationally (in particular in defining the catchment population), and fundamentally can ignore a lack of relationship between the location of the greenspace and the population served. Perhaps most importantly, it ignores the diverse functions provided by different areas of greenspace. Furthermore it

2. LOCAL RECREATIONAL AREAS - PROVIDING FOR LOCAL INFORMAL RECREATIONAL NEEDS OF OLDER CHILDREN AND ADULTS:
2.8 HA WITHIN 400M

3. NEIGHBOURHOOD/DISTRICT PARKS - PROVIDING FOR A COMMUNITY AS A WHOLE, INCLUDING FORMAL EQUIPPED PLAYGROUNDS, PLAYING PITCHES, COURTS AND GREENS:
12 HA WITHIN 800M

4. MAJOR CITY PARKS - PROVIDING FOR THE CITY AS A WHOLE, INCLUDING FORMAL EQUIPPED PLAYGROUNDS, PLAYING PITCHES, COURTS AND GREENS:
SUPPORT FOR ADDITIONAL PROVISION WHEREVER POSSIBLE.

Inspector's Addendum

44. I fully accept that sites are designated as LNAs for reasons wholly separate from any consideration of any recreational function they may have. The definition of greenspace that I recommend in para 031.28 is similarly entirely independent of any nature conservation interest such sites may or may not possess. My purpose in para 033.19 was to draw attention to the need nonetheless to consider carefully which LNAs might also perform greenspace functions. I do not assert that LNAs automatically contribute to the N2 hierarchy nor do I wish to encourage public access to those LNAs where it would be harmful.

should be noted that the Council's approach to the provision, enhancement, and protection of greenspace recognises that:

- a. there is a correlation between the size and type of greenspace and the catchment it serves. Thus N2:1 sites, while serving an essential function in their immediate locality, permit only a small range of activities for users within the catchment area. Accordingly it is the N2:2 and N2:3 sites which must meet the wider objectives for larger catchment areas including the recreational needs of older children and adults.
- b. greenspaces at higher levels in the hierarchy may also fulfil the functions of lower order greenspaces for the local community.
- c. reflecting this multi-functionality, the size of neighbourhood/district parks and major city parks are such, so as to accommodate playing fields, greens and courts as well as informal recreation and amenity open space.
- d. in some circumstances proximity to a LNA will also fulfil N2.1 and N2.2 functions; where LNAs coincide with greenspace they have been shown on the Proposals Map as N1.
- e. the City Council recognises that the hierarchy of greenspace presents challenges for particular areas; built environment constraints may mean an imaginative variety of size, shapes and designs to fit local circumstances is required. To that end, size, design and quality are components of greenspace which can be addressed with different weight.
- f. similarly, development, such as non-family housing, may have different needs and require different types of greenspace provision.

5.2.11b Policy N2 thus defines a hierarchy of greenspaces, each with a minimum target level of provision accessible to a catchment area. These targets reflect distances commonly travelled to use different types of greenspace as revealed by various national researches. It is for this reason that the NPFA standards are not suitable for Leeds. The Council's approach is more sophisticated in that it addresses accessibility to, and usage of greenspace. Nevertheless the Council's approach amounts to approximately 2.5 hectares of greenspace per 1000 population compared to 2.43 hectares per 1000 population under NPFA standards. Areas for particular types of use are identified, from the local informal amenity spaces, through small local recreational areas, providing for wider activities for older children and adults, and neighbourhood parks, to the major parks serving the City as a whole.

(iii) replacing Policy N2 with the following:

N2 SUPPORT WILL BE GIVEN TO THE ESTABLISHMENT OF A HIERARCHY OF GREENSPACES ACCESSIBLE TO RESIDENTIAL AREAS, SERVING THE FOLLOWING FUNCTIONS AND WITH THE ASSOCIATED MINIMUM TARGETS FOR PROVISION

1. LOCAL AMENITY SPACE -
FOR IMMEDIATE LOCAL NEEDS, INCLUDING FORMAL CHILDREN'S PLAY AREAS AND INFORMAL AMENITY SPACE WITHIN OR

		<p>ADJACENT TO HOUSING: 0.2 HA PER 50 DWELLINGS</p> <p><u>2. LOCAL RECREATIONAL AREAS –</u> PROVIDING FOR LOCAL INFORMAL RECREATIONAL NEEDS OF OLDER CHILDREN AND ADULTS: 2.8 HA WITHIN 400M</p> <p><u>3. NEIGHBOURHOOD/DISTRICT PARKS –</u> PROVIDING FOR A COMMUNITY AS A WHOLE, INCLUDING FORMAL EQUIPPED PLAYGROUNDS, PLAYING PITCHES, COURTS AND GREENS: 12 HA WITHIN 800M</p> <p><u>4. MAJOR CITY PARKS –</u> PROVIDING FOR THE CITY AS A WHOLE, INCLUDING FORMAL EQUIPPED PLAYGROUNDS, PLAYING PITCHES, COURTS AND GREENS: SUPPORT FOR ADDITIONAL PROVISION WHEREVER POSSIBLE.</p>
034	<p>Topic 034 N3 PRIORITY AREAS FOR OPEN SPACE</p> <p><u>Inspector's Recommendation</u> 034.9 I recommend that the UDP be modified by the replacement of para 5.2.13 and Policy N3 with the following:</p> <p>i) 5.2.13 [as in PC007 then followed by]</p> <p>Opportunities to improve existing playspaces and parks and to identify other sites for formal and informal recreation and amenity within walking distance [up to about 800m] of home will be taken as they arise.</p> <p>N3 PRIORITY WILL BE GIVEN TO IMPROVING GREENSPACE PROVISION WITHIN THE PRIORITY RESIDENTIAL AREAS IDENTIFIED ON THE PROPOSALS MAP, OR IN LOCATIONS READILY ACCESSIBLE ON FOOT TO THOSE RESIDING IN THOSE AREAS.</p> <p><u>Inspector's Addendum</u> 45. Whilst I indicate in para 034.5 that a distance of 800m is about the limit for a reasonable walking distance, I accept that even this may be beyond a reasonable walking distance for some individuals or groups. The supporting text to Policy N3 that I recommend refers to distances of 'up to 800m'. I believe that it and the wording of the</p>	<p><u>Leeds City Council Decision and Reasons</u> The council accepts the Inspector's conclusions set out in paras. 034.3-8 of the Report and para 45 of the Addendum, and consequently accepts the Inspector's recommendation to modify the Plan.</p> <p><u>Proposed Modification 5/004</u> Modify the Revised Draft UDP by:</p> <p>(i) replacing para 5.2.13 as follows:</p> <p>5.2.13 Survey work and analysis undertaken by the Department of Planning has identified a number of areas lacking in greenspace in both quantitative and qualitative terms where priority should be given in efforts to improve provision. These areas, identified on the Proposals Map, suffer inadequate access to greenspace, and pressure on the limited existing greenspace is considerable, given the densely populated nature of these largely inner main urban area communities. Opportunities to improve existing playspaces and parks and to identify other sites for formal and informal recreation and amenity within walking distance [up to about 800m] of home will be taken as they arise.</p> <p>(ii) replacing Policy N3 as follows:</p> <p>N3 PRIORITY WILL BE GIVEN TO IMPROVING GREENSPACE PROVISION WITHIN THE PRIORITY RESIDENTIAL AREAS IDENTIFIED ON THE PROPOSALS MAP, OR IN LOCATIONS READILY ACCESSIBLE ON FOOT TO THOSE RESIDING IN THOSE AREAS.</p>

	<p>Policy itself do make it sufficiently clear that its underlying aim is to increase the supply of accessible greenspace. I can see no need to add to either to make it even more clear that the closer any new provision is to those whom it will serve the better.</p>	
035	<p>Topic 035 N4 IMPROVING GREENSPACE THROUGH PLANNING OBLIGATIONS</p> <p>Inspector's Recommendation 035.22 I recommend that the UDP be modified by the replacement of para 5.2.14 and Policy N4 with the following:</p> <p>5.2.14 Proposals for new development should assist in supporting the establishment of the hierarchy of greenspaces identified in Policy N2. Proposals should take account of the type of households likely to reside in the development, which in most cases will require as a minimum a standard of 0.2 ha per 50 dwellings for local amenity space as described in Policy N2. Where no one under 18 is expected to live there a lower standard may be acceptable. Where the existing quantity or quality of Greenspace in other levels of the hierarchy set out in Policy N2 falls below the accessibility thresholds, the City Council will seek from developers, through planning obligations, additional land or commuted payments to acquire Greenspace or to improve existing space to serve the needs of residents of the new development. Payments may also be sought to secure the maintenance of spaces which would serve principally those residents.</p> <p>N4 IN CONSIDERING RESIDENTIAL DEVELOPMENT PROPOSALS, PROVISION OF GREENSPACE WILL BE REQUIRED TO ENSURE THAT APPROPRIATE ACCESS TO THE HIERARCHY OF SPACES IDENTIFIED IN POLICY N2 IS AVAILABLE TO RESIDENTS OF THE PROPOSED DEVELOPMENT:</p> <p>i local amenity space:</p> <p>RESIDENTIAL DEVELOPMENT PROPOSALS SHOULD ACHIEVE THE MINIMUM STANDARDS OF PROVISION OF SAFE, SECURE AND USABLE OPEN SPACE ON-SITE IDENTIFIED IN POLICY N2.1: 0.2 HA PER 50 DWELLINGS, OR IN THE CASE OF OUTLINE APPLICATIONS WHERE THE NUMBER OF DWELLINGS IS NOT SPECIFIED, 10% OF THE TOTAL SITE AREA. A LOWER PROPORTION OF GREENSPACE MAY BE ACCEPTABLE IN DEVELOPMENTS DESIGNED TO BE UNSUITABLE FOR THOSE UNDER 18.</p>	<p>Leeds City Council Decision and Reasons The Council generally accepts the Inspector's conclusions set out in para. 035.8-21 of the Report and paras 46 and 47 of the Addendum, and consequently accepts most of the Inspector's proposed modifications. However, the Inspector's recommendations suggest that only N2.1, local amenity space, will be provided on-site and this is rejected. In practice, on larger sites, other parts of the N2 hierarchy spaces may also be sought on site, appropriate to the scale of the development. The Council's modification reflects this position.</p> <p>Proposed Modification 5/005 Modify the Revised Draft UDP by:</p> <p>(i) replacing para 5.2.14 with the following:</p> <p>5.2.14 Proposals for new development should assist in supporting the establishment of the hierarchy of Greenspaces identified in Policy N2. Proposals should take account of the type of households likely to reside in the development, which in most cases will require as a minimum a standard of 0.2 ha per 50 dwellings for local amenity space as described in Policy N2. Where no one under 18 is expected to live there a lower standard may be acceptable. Where the existing quantity or quality of Greenspace in other levels of the hierarchy set out in Policy N2 falls below the accessibility thresholds, the City Council will seek from developers, through planning obligations, additional land or commuted payments to acquire greenspace or to improve existing space to serve the needs of residents of the new development. On larger sites greenspace at other levels of the hierarchy may be provided on-site as an integral part of the development. Payments may also be sought to secure the maintenance of spaces which would serve principally those residents.</p> <p>(ii) replacing Policy N4 with the following:</p> <p>N4 IN CONSIDERING RESIDENTIAL DEVELOPMENT PROPOSALS, PROVISION OF GREENSPACE WILL BE REQUIRED TO ENSURE THAT APPROPRIATE ACCESS TO THE HIERARCHY OF SPACES IDENTIFIED IN POLICY N2 IS AVAILABLE TO RESIDENTS OF THE PROPOSED DEVELOPMENT:</p> <p>i local amenity space:</p> <p>RESIDENTIAL DEVELOPMENT PROPOSALS SHOULD ACHIEVE THE MINIMUM STANDARDS OF PROVISION OF SAFE, SECURE AND USABLE OPEN SPACE ON-SITE IDENTIFIED IN POLICY N2.1: 0.2 HA PER 50 DWELLINGS, OR IN THE CASE OF OUTLINE APPLICATIONS WHERE THE NUMBER OF DWELLINGS IS NOT SPECIFIED, 10% OF THE TOTAL SITE</p>

ii local recreation areas:

THE COUNCIL MAY SEEK PLANNING OBLIGATIONS TO SECURE ADDITIONAL OR IMPROVED GREENSPACE WITHIN THE LOCALITY IN ORDER TO ADDRESS THE NEEDS OF RESIDENTS OF THE PROPOSED DEVELOPMENT. THIS MAY BE BY DIRECT PROVISION OF LAND OR BY COMMUTED PAYMENTS. OBLIGATIONS ARE MOST LIKELY TO BE SOUGHT WHERE NO GREENSPACE PROTECTED UNDER POLICY N1 IS ACCESSIBLE TO THE SITE WITHIN THE DISTANCES IDENTIFIED IN POLICY N2 OR WHERE GREENSPACE IN THE LOCALITY IS OF POOR QUALITY THROUGH ABSENCE OF FACILITIES OR OVER-USE. THE COUNCIL MAY ALSO SEEK PLANNING OBLIGATIONS FOR THE MAINTENANCE OF SUCH GREENSPACE WHERE THE SPACE IS PRINCIPALLY OF BENEFIT TO RESIDENTS OF THE NEW DEVELOPMENT.

iii neighbourhood/district parks:

N4ii WILL APPLY BUT OBLIGATIONS WILL NOT BE SOUGHT REGARDING MAINTENANCE.

5.2.14a [as in PC007 until line 12 where clarification of the parenthesis is needed, then as PC007 until the last sentence which should be as follows:] On smaller sites where open areas may lead to amenity problems, a contribution may instead be sought to provide safe ... Greenspace.

5.2.15 Guidance on the level of contribution which may be sought will be available from the City Council, as a basis for negotiation. Contributions will need to take into account the amount of Greenspace required to address the needs of residents of the development, together with the costs of acquisition, laying out and, where reasonable, maintenance of the space.

5.2.15a Contributions made through planning obligations will be used by the Council, within a period to be agreed with the developer, solely for the acquisition, laying out and maintenance of land located within the relevant distances set out in Policy N2 [or as close thereto as the parties agree is feasible], or the improvement of existing Greenspace for public use by residents of the development. Whilst the Council's capital programme will be the usual vehicle for achieving this, payments for Greenspace to meet the needs of specific developments will be identified separately and used only for the direct needs of that development.

AREA. A LOWER PROPORTION OF GREENSPACE MAY BE ACCEPTABLE IN DEVELOPMENTS DESIGNED TO BE UNSUITABLE FOR THOSE UNDER 18. ON LARGER DEVELOPMENTS OTHER LEVELS WITHIN THE HIERARCHY WILL BE SOUGHT.

ii local recreation areas:

THE COUNCIL MAY SEEK PLANNING OBLIGATIONS TO SECURE ADDITIONAL OR IMPROVED GREENSPACE ON-SITE, OR WITHIN THE LOCALITY, IN ORDER TO ADDRESS THE NEEDS OF RESIDENTS OF THE PROPOSED DEVELOPMENT. THIS MAY BE BY DIRECT PROVISION OF LAND OR BY COMMUTED PAYMENTS. OBLIGATIONS ARE MOST LIKELY TO BE SOUGHT WHERE NO GREENSPACE PROTECTED UNDER POLICY N1 IS ACCESSIBLE TO THE SITE WITHIN THE DISTANCES IDENTIFIED IN POLICY N2 OR WHERE GREENSPACE IN THE LOCALITY IS OF POOR QUALITY THROUGH ABSENCE OF FACILITIES OR OVER-USE. THE COUNCIL MAY ALSO SEEK PLANNING OBLIGATIONS FOR THE MAINTENANCE OF SUCH GREENSPACE WHERE THE SPACE IS PRINCIPALLY OF BENEFIT TO RESIDENTS OF THE NEW DEVELOPMENT.

iii neighbourhood/district parks:

N4ii WILL APPLY BUT OBLIGATIONS WILL NOT BE SOUGHT REGARDING MAINTENANCE, EXCEPT WHERE A DEVELOPMENT IS OF A SIZE TO JUSTIFY THE ON-SITE PROVISION OF N2.3 GREENSPACE.

(iii) adding para 5.2.14a and replacing para 5.2.15 as follows:

5.2.14a Provision of local amenity space on the development site itself is required by Policy N4.i. The design of the space will need to reflect the nature of the development: for example provision of children's play areas (with equipment) may be essential within proposed family housing developments, but the requirement may relate more to the need for informal spaces in other types of scheme. Guidance on these aspects will be available from the City Council's Departments of Planning and Leisure Services. In any case, the space provided must be properly laid out usable and safe space, as distinct from any purely visual landscaping required as part of the scheme. Provision of 0.2 ha of greenspace per 50 dwellings is the identified minimum standard, to be applied pro rata to all schemes. In considering outline applications, where the number of dwellings is not known, 10% of the total site area is the minimum greenspace provision (i.e. at an average density of 25 dwellings/hectare, 50 dwellings equals 2 ha, 10% of which would equal 0.2 ha). For schemes below 50 dwellings, provision will need to be considered on its merits. On smaller sites where open areas may lead to amenity problems, a contribution may instead be sought to provide safe and secure provision close by, perhaps via additional or improvements to nearby or adjacent greenspace.

	<p>Inspector's Addendum</p> <p>My reference in para 035.12 to the provision of N2(1) land on single sites relates to the need to ensure that such land should be very close to those whom it is to serve. On some large developments this may well mean that more than one such area would be provided. I do not recommend that this should or should not be done but accept that it will be necessary in some instances. I can see no reason to vary my recommendations to explain this further.</p> <p>The recommended reference to 'THE DIRECT PROVISION OF LAND' in N4(ii) relates to those cases where developers would themselves provide the additional or improved greenspace, either on or off site. 'COMMUTED PAYMENTS' would be made in lieu of such direct provision rather than vice versa.</p>	<p>5.2.15 Guidance on the level of contribution which may be sought will be available from the City Council, as a basis for negotiation. Contributions will need to take into account the amount of Greenspace required to address the needs of residents of the development, together with the costs of acquisition, laying out and, where reasonable, maintenance of the space.</p> <p>5.2.15a Contributions made through planning obligations will be used by the Council, within a period to be agreed with the developer, solely for the acquisition, laying out and maintenance of land located within the relevant distances set out in Policy N2 [or as close thereto as the parties agree is feasible], or the improvement of existing Greenspace for public use by residents of the development. Whilst the Council's capital programme will be the usual vehicle for achieving this, payments for Greenspace to meet the needs of specific developments will be identified separately and used only for the direct needs of that development.</p>
036	<p>Topic 036 N5 IMPROVING GREENSPACE PROVISION</p> <p>Inspector's Recommendation 036.10 I recommend that the UDP be modified as follows:</p> <p>i) as set out in that part of PC007 which relates to paras 5.2.16-17 and to Policy N5.</p> <p>ii) any sites protected under Policy N5 not discussed on a site-specific basis in this report and which cannot be shown to be within or readily accessible to an area deficient in greenspace should be deleted from the Proposals Map unless they are included in the Council's current Capital Programme.</p>	<p>Leeds City Council Decision and Reasons The Council generally accepts the Inspector's conclusions set out in paras. 036.6-9 of the Report but rejects the Inspector's proposed modification to delete some N5 sites. The Council believes that since the Capital Programme is an ongoing mechanism, deletion of sites not referred to in the current programme would unreasonably exclude sites which are to be added to this programme during the lifetime of the Plan. It should also be noted that not all N5 designations refer to the provision of new greenspace; some refer to enhancements and in some cases to actions that have already taken place in the early part of the Plan period.</p> <p>Proposed Modification 5/006 Modify the Revised Draft UDP by:</p> <p>(i) replacing para 5.2.16 with the following:</p> <p>5.2.16 The scope to enhance provision through development schemes is clearly limited to where and when proposals are made, and will largely be concerned with meeting the specific needs of the residents of the scheme. Beyond these contributions, a pro-active approach needs to be taken to supplementing and upgrading greenspace, giving priority to improving provision in those areas clearly deficient in facilities defined under Policy N3. The City Council is keen to ensure that both the quantity and quality of greenspace provision is improved, and as a consequence has taken positive action through initiating a Greenspace and Playing Fields Capital Programme for acquiring, laying out, and upgrading greenspaces and playing fields (the latter considered below), which will be the subject of regular monitoring and review:</p> <p>(ii) amending Policy N5 as follows:</p> <p>N5 THE CITY COUNCIL WILL SEEK BOTH ITSELF AND IN PARTNERSHIP WITH OTHER AGENCIES TO IMPROVE THE QUANTITY AND QUALITY OF</p>

		<p>GREENSPACE PROVISION THROUGH A PHASED PROGRAMME FOR THE ACQUISITION AND LAYING OUT OF NEW GREENSPACES, OUTDOOR RECREATION FACILITIES AND FOOTPATHS, AND THE EXTENSION OF EXISTING GREENSPACES.</p> <p>(iii) amending para 5.2.17 as follows:</p> <p>51.2.17 The City Council has previously identified sites for the laying out of new greenspaces in existing local plans. Those proposals not yet implemented are identified in Appendices 14-24 in Volume 2. They are included within the areas identified under Policy N1, and the proposals remain relevant in the context of the UDP. These sites and others are identified on the Proposals Map, and following the principle of Policy N5, will be supplemented whenever possible during the Plan period through the review of the City Council's Greenspace and Playing Fields Capital Programme. A particular priority in the Programme will concern maximising any opportunities which may arise to improve or upgrade provision in locations accessible to the priority areas defined in Policy N3.</p>
037	<p>Topic 037 N6 CRITERIA FOR THE PROTECTION OF PLAYING PITCHES</p> <p>Inspector's Recommendation 037.18 I recommend that the UDP be modified as follows:</p> <p>i) by the replacement of Policy N6 with the following:</p> <p>N6 DEVELOPMENT OF PLAYING PITCHES WILL NOT BE PERMITTED UNLESS:</p> <p>i. THERE IS A DEMONSTRABLE NET GAIN TO OVERALL PITCH QUALITY AND PROVISION BY PART REDEVELOPMENT OF A SITE OR SUITABLE RELOCATION WITHIN THE SAME SECTOR OF THE CITY, CONSISTENT WITH THE SITE'S FUNCTIONS;</p> <p>OR</p> <p>ii. THERE IS NO SHORTAGE OF PITCHES IN AN AREA IN RELATION TO PITCH DEMAND LOCALLY AND SECTORIALLY, IN THE CONTEXT OF THE CITY'S NEEDS, AND CITY WIDE, AND DEVELOPMENT WOULD NOT CONFLICT WITH UDP POLICIES CONCERNING PROTECTION OF THE GREEN BELT, PROTECTION AND ENHANCEMENT OF GREENSPACE AND PROVISION OF ADDITIONAL GREENSPACE, URBAN GREEN CORRIDORS AND OTHER OPEN LAND (POLICIES N1 TO N5 INCLUSIVE, N8 TO N11 INCLUSIVE AND N32).</p>	<p>Leeds City Council Decision and Reasons The Council generally accepts the Inspector's conclusions set out in paras. 037.9-17 of the Report and in para 48 of the Addendum, and generally accepts the Inspector's recommendations to modify the Plan, but rejects the Inspector's proposed modification to introduce a sectorial analysis of playing pitches. The Council believe that a sectorial analysis, in a table, of playing pitch provision is unnecessary and potentially misleading. It would firstly, underplay the District wide shortage that Leeds faces; secondly, would serve no useful purpose, since only one area is significantly in surplus according to NPFA standards; and thirdly, would not address the movement of users within the District willing to travel to particular provision, be that to an area of surplus or deficit.</p> <p>For ease, each of the changes to para 5.2.20 under Topics 037 to 039 have been incorporated within this Topic.</p> <p>Proposed Modification 5/007 Modify the Revised Draft UDP by:</p> <p>(i) replacing Policy N6 with the following:</p> <p>N6 DEVELOPMENT OF PLAYING PITCHES WILL NOT BE PERMITTED UNLESS:</p> <p>i. THERE IS A DEMONSTRABLE NET GAIN TO OVERALL PITCH QUALITY AND PROVISION BY PART REDEVELOPMENT OF A SITE OR SUITABLE RELOCATION WITHIN THE SAME LOCALITY OF THE CITY, CONSISTENT WITH THE SITE'S FUNCTIONS; OR</p> <p>ii. THERE IS NO SHORTAGE OF PITCHES IN AN AREA IN RELATION TO PITCH DEMAND LOCALLY, IN THE CONTEXT OF THE CITY'S NEEDS, AND CITY WIDE, AND DEVELOPMENT WOULD NOT CONFLICT WITH</p>

ii) by the modification of paras 5.2.18-20 as set out in PC007 subject to the following further changes:

para 5.2.18, line 11 - after "field", insert "Where playing fields fall within the Green Belt they are also designated, but Green Belt Policies would prevail",

para 5.2.18, add at the end of the paragraph " There is an uneven distribution of existing playing fields across the City in relation to the distribution of population and demand for these facilities. The consequential areal deficiencies in provision need to be tackled in the application of these Policies.",

a basic table should be inserted within para 5.2.18 to show the general scale and the distribution of the deficiencies, related to the specific standards which the Council is seeking to establish.

para 5.2.20, line 8 - after "demand", insert " Any relocations will also need to take into account local and sectorial deficiencies, against the overall aim to rectify any shortfalls in the surrounding areas, and against the background of the city-wide provision."

Inspector's Addendum

48. The word `sectorially' in the modified version of the Policy which I recommend is intended to refer to the established constituent parts of the City referred to in para 037.14. The definition of such areas is a matter for the Council bearing in mind the desirability of making use of sources of data that already exist and will be capable of easy up-dating in future.

UDP POLICIES CONCERNING PROTECTION OF THE GREEN BELT, PROTECTION AND ENHANCEMENT OF GREENSPACE AND PROVISION OF ADDITIONAL GREENSPACE, URBAN GREEN CORRIDORS AND OTHER OPEN LAND (POLICIES N1 TO N5 INCLUSIVE, N8 TO N11 INCLUSIVE AND N32).

(ii) replacing para 5.2.18 to 5.2.20 as follows:

5.2.18 Playing fields, pitches, courts and greens perform a special function for formal outdoor sport and recreation, allied to that of greenspace. Where the public has full access to a playing field (for example within a park), the playing field has been included within the protected greenspace designation (Policy N1) on the Proposals Map. Elsewhere, playing pitches without full public informal access, including private playing fields, have been identified with a separate notation as Protected Playing Fields on the Proposals Map. The discussion in this section covers both categories of playing field. Where playing fields fall within the Green Belt they are also designated, but Green Belt Policies would prevail. Research by the Departments of Planning and Leisure Services has indicated that there is overall considerable unmet demand for playing fields within the District, and that in some instances pitches are suffering from over-use. This work indicated also that the majority of existing pitches serve the needs of communities and clubs in the immediate locality, and that in some instances grouped pitches perform a city-wide function in making up for short-falls elsewhere. For comparison, the District as a whole was also found to be substantially deficient in playing field provision when compared to the National Playing Fields Association's minimum standard of 1.8 ha per 1,000 population.

5.2.19 In these circumstances, reflecting both the nature of demand and the existing level of provision, the UDP's approach is two-fold: most playing field facilities should be retained (Policies N1 and N6), and new provision should be encouraged (Policy N7A & B).

5.2.20 In some instances it may be appropriate to secure an overall improvement in pitch quality and provision through more effective layout or enhancement of existing pitches, or the relocation of facilities elsewhere. The relocation of playing fields and facilities from their present location will need to be clearly justified, and demonstrated to be not detrimental to pitch users. As a consequence relocated pitches will need to be accessible and well related to pitch demand. Any relocations will also need to take into account local deficiencies, against the overall aim to rectify any shortfalls in the surrounding areas, and against the background of the city-wide provision. The economics of pitch management and maintenance must also be borne in mind. In some situations development of grouped pitches could be the best solution, as part of an overall strategy. In pursuing this objective, the City Council will take a proactive approach in developing its strategy for provision, reflected in its Greenspace and Playing Fields Capital Programme (para 5.2.17 above). In parts of the District where there is a serious shortfall of pitch provision within easy access, planning obligations will be sought to secure appropriate relocated facilities, and to ensure provision prior to commencement of development on the existing site.

038	<p>Topic 038 N7A PROVISION OF PLAYING PITCHES IN AREAS OF SHORTFALL</p> <p>Inspector's Recommendation 038.6 I recommend that the UDP be modified as follows:</p> <p>i) by deleting from Policy N7A the words "AND WILL BE SECURED", and replacing them with " AND THE COUNCIL WILL SEEK TO SECURE SUCH PROVISION".</p> <p>ii) in the final sentence of para 5.2.20 the word "utilised" should be replaced with "sought".</p>	<p>Leeds City Council Decision and Reasons The Council accepts the Inspector's conclusions set out in paras. 038.3-5 of the Report and consequently accepts the Inspector's recommendations to modify the plan.</p> <p>Proposed Modification 5/008 Modify the Revised Draft UDP by:</p> <p>(i) replacing Policy N7A with the following:</p> <p style="padding-left: 40px;">N7A PROVISION OF NEW PLAYING PITCHES AND MORE EFFECTIVE LAYOUT OR ENHANCEMENT OF EXISTING PITCHES WILL BE SUPPORTED IN AREAS WHERE THERE IS A RECOGNISED SHORTFALL, AND THE COUNCIL WILL SEEK TO SECURE SUCH PROVISION, WHERE APPROPRIATE, THROUGH THE USE OF PLANNING OBLIGATIONS.</p> <p>(ii) amending the last sentence of para 5.2.20 by replacing 'utilised' with 'sought' (see Topic 37).</p>
039	<p>Topic 039 N7B CITY COUNCIL PROVISION OF PITCHES</p> <p>Inspector's Recommendation 039.7 I recommend that the UDP be modified as follows:</p> <p>i) Para 5.2.20 should be replaced with the version set out in PC007 other than the correction of the para reference in the penultimate sentence and the last sentence reading: In parts of the District where there is a serious shortfall of pitch provision within easy access, planning obligations will be sought to secure ... site.</p> <p>ii) Policy N7B should be replaced with the following:</p> <p>N7B THE CITY COUNCIL ... OF PROVISION AND THROUGH PLANNING OBLIGATIONS, TO LAY OUT PITCHES AND PROVIDE FACILITIES, WHICH MAY INCLUDE GROUPED PITCHES IN STRATEGIC LOCATIONS.</p> <p>Inspector's Addendum</p> <p>50. The words 'WHERE NECESSARY' at the start of this Policy were omitted in error from my recommendation. They should be included.</p>	<p>Leeds City Council Decision and Reasons The council accepts the Inspectors conclusions set out in paras. 039.4-6 of the Report and in para 50 of the Addendum, and consequently accepts the Inspector's recommendations to modify the Plan.</p> <p>Proposed Modification 5/009 Modify the Revised Draft UDP by:</p> <p>(i) amending the paragraph reference in the penultimate sentence and the final sentence of para 5.2.20 (see Topic 037)</p> <p>(ii) replacing Policy N7B with the following:</p> <p style="padding-left: 40px;">N7B WHERE NECESSARY THE CITY COUNCIL WILL PURSUE OPPORTUNITIES WHICH ADDRESS DEFICIENCIES IN PLAYING PITCH PROVISION, THROUGH ITS OWN PROGRAMME OF PROVISION AND THROUGH THE USE OF PLANNING OBLIGATIONS, TO LAY OUT PITCHES AND FACILITIES (AND WHERE APPROPRIATE, COMPLEXES OF GROUPED PITCHES IN STRATEGIC LOCATIONS).</p>

040	<p>Topic 040 N8 STRATEGIC NETWORK OF URBAN GREEN CORRIDORS</p> <p>Inspector's Recommendation 040.36 I recommend that the UDP be modified as follows:</p> <p>i) As set out in PC008.</p> <p>ii) Diagram 1 should be modified to distinguish between those parts of the corridor where public access already exists and those where there is potential. This could be achieved for example by using solid green for existing Greenspace and dashed lines across private land. A Key should be added to explain the chosen notation.</p> <p>iii) Paras 5.2.21-3 and 5.2.27 should be replaced with the following:</p> <p>5.2.21 Urban Green Corridors link the main built up area to the countryside. They comprise a network of existing Greenspaces and other land with potential within areas deficient in open space. Their main function is to safeguard and improve public access between the main built up area and the countryside. They also serve to promote the viability of wildlife in urban areas and include land where visual amenity should be enhanced and where conflict between use, access and appearance needs to be resolved.</p> <p>5.2.22 Many of these spaces and routes exist at present but the creation of some links will depend on development opportunities. In areas where the chain of public open spaces is broken by areas of built development or private open land, the Council will seek to achieve provision for one or more of the corridor functions when any planning proposal is put forward. Achievement of this aim will be particularly important in the priority areas for open space identified on the Proposals Map under Policy N3, and elsewhere where a shortfall in local amenity or recreation areas as defined in Policy N2 can be demonstrated. Conditions will be applied, where necessary, or planning obligations may be sought where appropriate to secure these aims. The City Council will also support the enhancement of existing corridor functions through environmental improvements and site management initiatives.</p> <p>5.2.23 The strategic network of urban green corridors is identified on the Proposals Map and illustrated on Diagram 1 (between pages [] and []).</p>	<p>Leeds City Council Decision and Reasons The Council generally accepts the Inspector's conclusions set out in paras. 040.14-35 of the Report and para 52 of the Addendum and consequently generally accepts the Inspector's recommendation to modify the plan, except in that instance where the modification of Diagram 1 is proposed. The Council believes nothing would be achieved by distinguishing between those parts of the corridor where public access already exists and those where there is potential. It is impractical - parts of the corridor are simply footpaths; and over-elaborate - there is no principle against development in Urban Green Corridors. Consequently no functional policy benefit would derive from such a distinction.</p> <p>Proposed Modification 5/010 Modify the Revised Draft UDP by:</p> <p>(i) deleting Clover buildings, Kirkstall from the illustrative Green Corridor Diagram. (Plan M/5/099)</p> <p>(ii) replacing para 5.2.21 to 5.2.23 and 5.2.27 with the following:</p> <p>5.2.21 Urban Green Corridors link the main built up area to the countryside. They comprise a network of existing Greenspaces and other land. Their main function is to safeguard and improve public accessibility between the main built up area and the countryside. They also serve to promote the viability of wildlife in urban areas and include land where visual amenity should be enhanced and where conflict between use, access and appearance needs to be resolved.</p> <p>5.2.22 Many of these spaces and routes exist at present but the creation of some links will depend on development opportunities. In areas where the chain of greenspace is broken by areas of built development or private open land, the Council will seek to achieve provision for one or more of the corridor functions when any planning proposal is put forward. Achievement of this aim will be particularly important in the priority areas for greenspace identified on the Proposals Map under Policy N3, and elsewhere where a shortfall in local amenity or recreation areas as defined in Policy N2 can be demonstrated. Conditions will be applied, where necessary, or planning obligations may be sought where appropriate to secure these aims. The City Council will also support the enhancement of existing corridor functions through environmental improvements and site management initiatives.</p> <p>5.2.23 The strategic network of urban green corridors is identified on the Proposals Map and illustrated on Diagram 1 (between pages [] and []).</p> <p>(iii) replacing Policy N8 with the following:</p> <p>N8 THE STRATEGIC NETWORK OF URBAN GREEN CORRIDORS LINKS THE MAIN URBAN AREA WITH THE COUNTRYSIDE. THESE CORRIDORS PROVIDE OR HAVE THE POTENTIAL TO PROVIDE FOR INFORMAL</p>
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	<p>N8 THE STRATEGIC NETWORK OF URBAN GREEN CORRIDORS LINKS THE MAIN URBAN AREA WITH THE COUNTRYSIDE. THESE CORRIDORS PROVIDE OR HAVE THE POTENTIAL TO PROVIDE FOR INFORMAL RECREATION AND ALSO CONTRIBUTE TO VISUAL AMENITY AND NATURE CONSERVATION. WITHIN THESE CORRIDORS, DEVELOPMENT PROPOSALS SHOULD ENSURE THAT:</p> <p>i ANY EXISTING CORRIDOR FUNCTION OF THE LAND IS RETAINED, ENHANCED OR REPLACED; AND</p> <p>ii WHERE THERE IS POTENTIAL TO CREATE A LINK BETWEEN EXISTING GREENSPACES, PROVISION IS MADE FOR ONE OR MORE CORRIDOR FUNCTION.</p> <p>iv) The first sentence of para 5.2.24 should be deleted.</p> <p><u>Inspector's Addendum</u> 52. This Policy would apply to a large and varied series of sites. I entirely agree with the Council as to the likely difficulty of finding suitable replacements for the corridor functions of any parts of them that are developed. Nonetheless as the Policy is intended to set out criteria for considering specific proposals it is right that all possible eventualities should be provided for. The word 'REPLACED' should remain.</p>	<p>RECREATION AND ALSO CONTRIBUTE TO VISUAL AMENITY AND NATURE CONSERVATION. WITHIN THESE CORRIDORS, DEVELOPMENT PROPOSALS SHOULD ENSURE THAT:</p> <p>i ANY EXISTING CORRIDOR FUNCTION OF THE LAND IS RETAINED, ENHANCED OR REPLACED; AND</p> <p>ii WHERE THERE IS POTENTIAL TO CREATE A LINK BETWEEN EXISTING GREENSPACES, PROVISION IS MADE FOR ONE OR MORE CORRIDOR FUNCTION.</p> <p>(iv) deleting the first sentence of para 5.2.24</p>
041	<p><u>Topic 041</u> N9 ENHANCING/RESPECTING CORRIDOR FUNCTIONS BY DEVELOPMENT</p> <p><u>Inspector's Recommendation</u> 041.9 I recommend that the UDP be modified by the replacement of para 5.2.28 and Policy N9 with the following:</p> <p>5.2.8 The strategic ... extend the network. Other places outside the main built up area also provide important local visual breaks, wildlife habitats and authorised informal recreation routes. Within these areas, features such as trees, flora and water make important contributions to their visual character and value to wildlife and local residents. These resources should be retained or replaced within or adjacent to the site and, where possible, they should be enhanced.</p> <p>N9 DEVELOPMENT PROPOSALS ON OPEN LAND OUTSIDE</p>	<p><u>Leeds City Council Decision and Reasons</u> The Council rejects the Inspector's conclusions set out in paras 041.4-8 of the Report and in paras 53 and 54 of the Addendum and consequently rejects the Inspector's recommendations to modify the Plan, save for the deletion of the word 'normally' referred to in para 41.8 of the conclusions. It appears that the Inspector misunderstands the intention of this Policy, which is to apply to any site not forming part of the strategic corridor network (N8) and not merely land outside the main built up area. The Policy allows for assessment of a site's role in fulfilling a corridor function on a site by site basis. The Policy recognises that a fine grained network exists, performing some of the functions outlined in para 5.2.21 on a scale that is inappropriate and impractical to illustrate on the Proposals Map. The Inspector's Policy is not an alternative but an entirely new Policy as it ignores any corridor function. The Policy is also rejected on the basis that it notes that 'equivalent public benefit should arise from ... proposals'. The Council believe that such a qualitative assessment is superfluous given that the N9 designation affords maintenance of the site's 'corridor function' explained in the justification as including 'informal recreation routes and facilities'.</p> <p><u>Proposed Modification 5/011</u> Modify the Revised Draft UDP by:</p>

	<p>URBAN GREEN CORRIDORS SHOULD HAVE REGARD TO THE EXISTING VALUE OF THE LAND FOR INFORMAL RECREATION, NATURE CONSERVATION AND VISUAL AMENITY AND SHOULD ENSURE THAT EQUIVALENT PUBLIC BENEFIT WOULD RESULT FROM THE PROPOSALS.</p> <p><u>Inspector's Addendum</u></p> <p>53. If a heading is needed to this Policy the words 'Open land outside urban green corridors' would suffice. This Policy is not a 'corridor policy' but is related spatially to Policy N8. There is no reason to move it to another part of the Plan, although in my recommendation the paragraph numbered 5.2.8 should be numbered 5.2.28.</p> <p>54. The Policy is intended to apply generally to open areas beyond the main built-up area which contain land subject to Policy N8. It is not site specific and I can see no need for further definition of the areas to which it will apply.</p>	<p>(i) deleting 'NORMALLY' from Policy N9.</p>
042	<p><u>Topic 042</u> N10 PROTECTION OF PUBLIC RIGHTS OF WAY</p> <p><u>Inspector's Recommendation</u> 042.12 I recommend that the UDP be modified by the replacement of Policy N10 with the following:</p> <p>N10 DEVELOPMENT WILL NOT BE PERMITTED WHICH ADVERSELY AFFECTS A PUBLIC RIGHT OF WAY UNLESS AN ALTERNATIVE IS PROVIDED WHICH MAINTAINS THE CONVENIENCE, SAFETY AND VISUAL AMENITY OFFERED BY THE ORIGINAL RIGHT OF WAY.</p>	<p><u>Leeds City Council Decision and Reasons</u> The Council accepts the Inspector's conclusions set out in paras. 042.5-11 in the Report and consequently accepts the Inspector's recommendation to modify the Plan.</p> <p><u>Proposed Modification 5/012</u> Modify the Revised Draft UDP by:</p> <p>(i) amending Policy N10 as follows:</p> <p style="padding-left: 40px;">N10 DEVELOPMENT WILL NOT BE PERMITTED WHICH ADVERSELY AFFECTS A PUBLIC RIGHT OF WAY UNLESS AN ALTERNATIVE IS PROVIDED WHICH MAINTAINS THE CONVENIENCE, SAFETY AND VISUAL AMENITY OFFERED BY THE ORIGINAL RIGHT OF WAY.</p>
043	<p><u>Topic 043</u> N11 SITES WHERE ONLY OPEN USES ALLOWED</p> <p><u>Inspector's Recommendation</u> 043.14 I recommend that the UDP be modified as follows:</p> <p>i) by the replacement of para 5.2.30 and Policy N11 with the following:</p> <p>5.2.30 In addition to green corridors and greenspaces, there are a number of large tracts of open land in the urban areas which represent a major visual amenity. These areas will be protected from development which would intrude harmfully in important public views of them or which would otherwise</p>	<p><u>Leeds City Council Decision and Reasons</u> The Council in general rejects the Inspector's conclusions set out in paras. 043.6-13 of the Report and paras 56 to 58 of the Addendum and consequently rejects the Inspector's proposed modifications relating to Policy N11, save for the replacement of para 5.2.30 and the inclusion under the relevant area statements of a description of each site. The Council believe that the Policy, as amended, does not provide the certainty that PPG12 requires a Development Plan to have. For both residents and landowners there is no clear indication of where development might be acceptable and what form it should take. Greater certainty would have been provided by the Inspector excluding those parts of the site thought to have development potential from the scope of the Policy. Furthermore the Policy as amended invites any development, rather than allowing exceptional development which relates to the open nature of the site. Those parts of N11 sites to which the Inspector has objected on the basis that they do not contribute to the open character should have been removed under the relevant site specific topics. Furthermore, the</p>

	<p>adversely affect their contribution to public amenity. The Area statements in Volume 1 describe these areas and the Site Statement Appendices in Volume 2 identify the Local Plan policies which have been carried forward for those N11 areas protected in adopted Local Plans.</p> <p>N11 ON THE FOLLOWING OPEN TRACTS OF LAND DEVELOPMENT WILL ONLY BE ALLOWED IF IT WOULD SUBSTANTIALLY RETAIN THE OPEN CHARACTER AND PUBLIC AMENITY VALUE OF THE LAND: [1-7 as in the Deposit Plan] 8 MEANWOOD VALLEY URBAN FARM/SCOTT HALL FARM, MEANWOOD. 9 VALLEY ROAD, MORLEY.</p> <p>ii) by the addition to each of the relevant area statements of a description of each of the N11 tracts and their specific contribution to public visual amenity.</p> <p><u>Inspector's Addendum</u></p> <p>56. Although no objections were made to the strategic intent of this Policy, outstanding objections were made to the lack of the inclusion of specific areas. It would not be possible to consider these sensibly without first considering the purpose and wording of the Policy. As a result of that consideration I conclude that certain relatively minor changes are necessary for the Policy to achieve its intentions, and accordingly I recommend them as modifications. It is against the aims and wording of this modified Policy that I consider the desirability of including or excluding specific areas or sites.</p> <p>57. I refer in para 043.12 to the desirability of explaining why particular areas previously protected by similar Policies in earlier Plans should now be protected under Policy N11. This would assist Plan users in understanding their particular characteristics and value.</p> <p>58. The inclusion in my recommendation of 'VALLEY ROAD, MORLEY' was an error based on PC009. My recommendation under Topic 532 not to do so is correct, so that my recommendation in para 043.11i should be changed accordingly.</p>	<p>level of development that would substantially retain open character and public amenity value is not apparent from the Policy.</p> <p>Proposed Modification 5/013 Modify the Revised Draft UDP by:</p> <p>(i) replacing para 5.2.30 as follows:</p> <p>5.2.30 In addition to green corridors and greenspaces, there are a number of large tracts of open land in the urban areas which represent a major visual amenity. These areas will be protected from development which would intrude harmfully in important public views of them or which would otherwise adversely affect their contribution to public amenity. The Area statements in Volume 1 describe these areas and the Site Statement Appendices in Volume 2 identify the Local Plan policies which have been carried forward for those N11 areas protected in adopted Local Plans.</p> <p>(ii) amending Policy N11 as follows:</p> <p>N11: ON THE FOLLOWING TRACTS OF OPEN LAND, ONLY OPEN USES WILL BE PERMITTED. BUILDING WILL ONLY BE ALLOWED IF IT CAN BE SHOWN THAT IT IS NECESSARY FOR THE OPERATION OF FARMING OR RECREATIONAL USES, AND IF IT WOULD NOT ADVERSELY AFFECT THE OPEN CHARACTER OF THE AREA:</p> <ol style="list-style-type: none"> 1. OWLCOTES HILL, PUDSEY 2. COAL HILL, RODLEY 3. HAIGH WOOD, WEST ARDSLEY 4. OUTER RING ROAD, WEETWOOD 5. OUTER RING ROAD, MOORTOWN 7. KIRKSTALL VALLEY 8. MEANWOOD VALLEY <p>(iii) including under the following Topics (1: Topics 678 & 665, 2: Topic 679, 3: Topic 471, 4: Topic 597, 5: Topics 604 & 616, 7: Topic 769, 8: Topic 395) area statements with a description of each of the N11 tracts and their specific contribution to public visual amenity.</p>
044	<p>Topic 044 N12 PRIORITIES FOR URBAN DESIGN</p> <p><u>Inspector's recommendation</u></p>	<p><u>Leeds City Council Decision and Reasons</u> The Council accepts the Inspector's conclusions set out in para. 044.9-22 of the Report and para 59 in the Addendum and consequently accepts the Inspector's recommendations to modify the Plan.</p>

044.24 I recommend that the UDP be modified as follows:

- i) as set out in LCCIC/46 subject to the substitution of the following for N12(i), (iii) and (vi):
 - i SPACES BETWEEN BUILDINGS ARE OF CONSIDERABLE IMPORTANCE. DEVELOPMENT LANDSCAPE ELEMENTS;
 - ii NEW DEVELOPMENTS SHOULD RESPECT THE CHARACTER AND SCALE OF BUILDINGS AND THE ROUTES THAT CONNECT THEM;
 - vi DEVELOPMENTS SHOULD, WHERE POSSIBLE, BE ADAPTABLE FOR OTHER FUTURE USES;

ii) substitute the following for para 5.3.4:

The broad guiding principles which apply across the District aim to ensure that:

i - the best existing buildings are retained and adapted wherever possible; new buildings should be of good intrinsic design and should express the needs of the new development whilst complementing adjacent buildings and spaces.

ii – development should create a variety of linked spaces that are both functional and attractive and which are defined by buildings and major landscape elements.

iii - new buildings and spaces should respect the general character and scale of the existing urban fabric and townscape.

iv – there is a network of safe and attractive pedestrian and cycle routes throughout the urban area. This will help people without access to a car, encourage others to leave their car behind, and allow easier enjoyment of the best of our urban areas.

v - in the larger urban areas the townscape should include visual reference points to help people find their way around; these include landmarks, visual corridors, and changes of character as well as adequate signs.

vi – buildings should be designed for a long and adaptable life

Proposed Modification 5/014

Modify the Revised Draft Plan by:

(i) deleting N12 (i),(iii) and (vi) and substitute the following:

- i) SPACES BETWEEN BUILDINGS ARE OF CONSIDERABLE IMPORTANCE. DEVELOPMENT SHOULD CREATE A SERIES OF LINKED AND VARIED SPACES THAT ARE DEFINED BY BUILDINGS AND LANDSCAPE ELEMENTS;
- iii) NEW DEVELOPMENTS SHOULD RESPECT THE CHARACTER AND SCALE OF BUILDINGS AND THE ROUTES THAT CONNECT THEM;
- vi) DEVELOPMENTS SHOULD, WHERE POSSIBLE, BE ADAPTABLE FOR OTHER FUTURE USES;

(ii) substituting the following for para 5.3.4:

5.3.4 The broad guiding principles which apply across the District aim to ensure that:

i - the best existing buildings are retained and adapted wherever possible; new buildings should be of good intrinsic design and should express the needs of the new development whilst complementing adjacent buildings and spaces.

ii - development should create a variety of linked spaces that are both functional and attractive and which are defined by buildings and major landscape elements.

iii - new buildings and spaces should respect the general character and scale of the existing urban fabric and townscape.

iv - there is a network of safe and attractive pedestrian and cycle routes throughout the urban area. This will help people without access to a car, encourage others to leave their car behind, and allow easier enjoyment of the best of our urban areas.

v - in the larger urban areas the townscape should include visual reference points to help people find their way around; these include landmarks, visual corridors, and changes of character as well as adequate signs.

vi - buildings should be designed for a long and adaptable life so as to avoid the problems of inflexibility and early obsolescence.

vii - the urban environment is as visually attractive as possible by the use of high quality hard and soft landscaping, good quality building materials, good detailing and decoration, the imaginative use of colour, good signage, appropriate lighting and the

so as to avoid the problems of inflexibility and early obsolescence.

vii - the urban environment is as visually attractive as possible by the use of high quality hard and soft landscaping, good quality building materials, good detailing and decoration, the imaginative use of colour, good signage, appropriate lighting and the introduction of public art which will enrich our environment.

viii - changes to the street scene and its individual buildings should facilitate access for people with restricted mobility, including those using or pushing wheelchairs, prams and pushchairs and those with impaired sight and hearing.

ix - site layouts and building design should aim to minimise the potential for crime .

Inspector's Addendum

59. My views on the use of the word `grain' in the context of urban design are given in para 044.13. It is important that the Plan where possible should avoid the use of jargon words or of normal words in an unfamiliar context or with an unfamiliar meaning. I find the Council's new wording of `The grain of an area is derived from the length and general height of blocks of buildings, together with the frequency of public routes through these blocks' no improvement in terms of intelligibility. My recommendation on this Policy stands.

introduction of public art which will enrich our environment.

viii - changes to the street scene and its individual buildings should facilitate access for people with restricted mobility, including those using or pushing wheelchairs, prams and pushchairs and those with impaired sight and hearing.

ix - site layouts and building design should aim to minimise the potential for crime.

045

Topic 045

N13 DESIGN OF NEW BUILDINGS

Inspector's recommendation

45.16 I recommend the that the UDP be modified as follows:

i) Substitute the following for Policy N13:

THE DESIGN OF ALL NEW BUILDINGS SHOULD BE OF HIGH QUALITY AND HAVE REGARD TO THE CHARACTER AND APPEARANCE OF THEIR SURROUNDINGS. GOOD CONTEMPORARY DESIGN WHICH IS SYMPATHETIC OR COMPLEMENTARY TO ITS SETTING WILL BE WELCOMED.

Leeds City Council Decision and Reasons

The Council accepts the Inspector's conclusions set out in para. 045.10-15 of the Report and consequently accepts the Inspector's recommendations to modify the Plan save for the statement on avoiding designs which will date rapidly. The Council believes that it is not always possible to foretell those designs which will date rapidly and those which will endure.

Proposed Modification 5/015

Modify the Revised Draft Plan by:

(i) substituting the following for Policy N13:

N13: THE DESIGN OF ALL NEW BUILDINGS SHOULD BE OF HIGH QUALITY AND HAVE REGARD TO THE CHARACTER AND APPEARANCE OF THEIR SURROUNDINGS. GOOD CONTEMPORARY DESIGN WHICH IS

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	<p>ii) Substitute the following for para 5.3.8ii:</p> <p>contemporary. The City Council does not wish to be prescriptive about architectural style but it will encourage designs which are modern and forward looking in accordance with the image it wishes to project for the city. The interpretation of this will differ according to the location and will need special care in Conservation Areas and on prominent sites. Designs which will date rapidly should be avoided.</p> <p>iii) Add the following at the end of para 5.3.8iii:</p> <p>In some areas, the character is influenced by the ethnic and cultural backgrounds of the different groups living within that area. Where appropriate, this could be expressed in the design of buildings.</p> <p>iv) Delete the words “and so that ... as possible” from the end of para 3.3.13 of Appendix 3 and replace them with the following:</p> <p>... with the fitting kept as unobtrusive as possible and with any light pollution of the night sky minimised.</p>	<p>SYMPATHETIC OR COMPLEMENTARY TO ITS SETTING WILL BE WELCOMED.</p> <p>(ii) substituting the following for para 5.3.8ii:</p> <p>5.3.8 ...contemporary. The City Council does not wish to be prescriptive about architectural style but it will encourage designs which are modern and forward looking in accordance with the image it wishes to project for the city. The interpretation of this will differ according to the location and will need special care in Conservation Areas and on prominent sites.</p> <p>(iii) adding the following at the end of para 5.3.8iii:</p> <p>...In some areas, the character is influenced by the ethnic and cultural backgrounds of the different groups living within that area. Where appropriate, this could be expressed in the design of buildings.</p> <p>(iv) deleting the words “and so that ... as possible” from the end of para 3.3.13 of Appendix 3 and replace them with the following:</p> <p>... with the fitting kept as unobtrusive as possible and with any light pollution of the night sky minimised.</p>
046	<p>Topic 046 N14 CONSENT TO DEMOLISH LISTED BLDGS REFUSED</p> <p>Inspector's recommendation 046.6 I recommend that the UDP be modified as follows:</p> <p>i) add a reference in para 5.3.9 to the source of current national and any local guidance considerations along the following lines: Attention is drawn to the considerations set out in paragraphs 3.16 to 3.19 of PPG15 regarding the total or substantial demolition of listed buildings.</p> <p>ii) the following should be substituted for Policy N14: THERE WILL BE A PRESUMPTION IN FAVOUR OF THE PRESERVATION OF LISTED BUILDINGS. CONSENT FOR THE DEMOLITION OR PARTIAL DEMOLITION OF A LISTED BUILDING WILL BE PERMITTED ONLY IN EXCEPTIONAL CIRCUMSTANCES AND WITH THE STRONGEST JUSTIFICATION.</p>	<p>Leeds City Council Decision and Reasons The Council accepts the Inspector's conclusions set out in para 046.6 of the Report and consequently accepts the Inspector's recommendations to modify the Plan. In addition, a minor amendment is proposed to the supporting text to update it.</p> <p>Proposed Modification 5/016 Modify the Revised Draft Plan by:</p> <p>(i) adding to the supporting text in Para 5.3.9, after “..is carried out largely by the City Council”</p> <p>Attention is drawn to the considerations set out in paragraphs 3.16 to 3.19 of PPG15 regarding the total or substantial demolition of listed buildings.</p> <p>(ii) revising Para 5.3.9 by substituting for “National Heritage” the current name of the Department which is “Culture Media and Sport”</p> <p>(iii) replacing Policy N14 with:</p> <p>N14 THERE WILL BE A PRESUMPTION IN FAVOUR OF THE PRESERVATION OF LISTED BUILDINGS. CONSENT FOR THE DEMOLITION OR PARTIAL DEMOLITION OF A LISTED BUILDING WILL BE PERMITTED ONLY IN EXCEPTIONAL CIRCUMSTANCES AND WITH THE STRONGEST</p>

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JUSTIFICATION.

047	<p>Topic 47 N15 CRITERIA FOR CHANGE OF USE OF LISTED BLDG</p> <p>Inspector's recommendation 047.6 I recommend that the UDP be modified as set out in that part of PC010 which refers to N15, subject to the addition of the word "FAVOURABLY" before "CONSIDERED" in the second clause of the first sentence.</p>	<p>Leeds City Council Decision and Reasons The Council accepts the Inspector's conclusions set out in para 047.6 of the Report and consequently accepts the Inspector's recommendations to modify the Plan.</p> <p>Proposed Modification 5/017 Modify the Revised Draft UDP by:</p> <p>replacing N15 with:</p> <p style="padding-left: 40px;">N15 WHERE THE ORIGINAL USE OF A LISTED BUILDING IS NO LONGER REQUIRED, PROPOSALS FOR A CHANGE OF USE WILL BE FAVOURABLY CONSIDERED PROVIDING THAT THE NEW AND ADAPTED USE DOES NOT DIMINISH THE SPECIAL ARCHITECTURAL OR HISTORIC VALUE OF THE BUILDING AND ITS SETTING. THE IMPLICATIONS OF THE WORKS NECESSARY TO COMPLY WITH THE OTHER STATUTORY REQUIREMENTS WILL BE TAKEN INTO ACCOUNT IN DETERMINING APPLICATIONS FOR CHANGE OF USE.</p>
048	<p>Topic 48 N16 EXTENSIONS TO LISTED BUILDINGS</p> <p>Inspector's recommendation 048.3 I recommend that no modification be made to the UDP.</p>	<p>Leeds City Council Decision and Reasons The Council accepts the Inspector's conclusions set out in para. 048.2 of the Report and consequently accepts the Inspector's recommendations to modify the Plan.</p> <p>Proposed Modification 5/018 None.</p>
049	<p>Topic 49 N17 PROTECTING EXISTING DETAILING AND FEATURES</p> <p>Inspector's recommendation 049.4 I recommend that the UDP be modified by the replacement of Policy N17 as follows:</p> <p>WHEREVER POSSIBLE, EXISTING DETAILING AND ALL FEATURES, INCLUDING INTERNAL FEATURES, WHICH CONTRIBUTE TO THE CHARACTER OF THE LISTED BUILDING SHOULD BE PRESERVED, REPAIRED OR IF MISSING REPLACED. TO THE EXTENT THAT THE ORIGINAL PLAN FORM IS INTACT, THAT PLAN SHOULD BE PRESERVED WHERE IT CONTRIBUTES TO THE SPECIAL CHARACTER AND APPEARANCE OF THE BUILDING.</p>	<p>Leeds City Council Decision and Reasons The Council accepts the Inspector's conclusions set out in para 049.4 and consequently accepts the Inspector's recommendations to modify the Plan.</p> <p>Proposed Modification 5/019 Modify the Revised Draft UDP by:</p> <p>replacing Policy N17 with:</p> <p style="padding-left: 40px;">N17 WHEREVER POSSIBLE, EXISTING DETAILING AND ALL FEATURES, INCLUDING INTERNAL FEATURES, WHICH CONTRIBUTE TO THE CHARACTER OF THE LISTED BUILDING SHOULD BE PRESERVED, REPAIRED OR IF MISSING REPLACED. TO THE EXTENT THAT THE ORIGINAL PLAN FORM IS INTACT, THAT PLAN SHOULD BE PRESERVED WHERE IT CONTRIBUTES TO THE SPECIAL CHARACTER AND APPEARANCE OF THE BUILDING.</p>

050	<p><u>Topic 50</u> N18 DEMOLITION IN CONSERVATION AREAS</p> <p><u>Inspector's recommendation</u> 50.13 I recommend the UDP be modified as follows:</p> <p>i) Replace Policy N18 with the following Policy N18A:</p> <p style="padding-left: 40px;">THERE WILL BE A PRESUMPTION AGAINST ANY DEMOLITION OF A BUILDING OR PARTS OF A BUILDING WHICH MAKES A POSITIVE CONTRIBUTION TO THE CHARACTER AND APPEARANCE OF A CONSERVATION AREA.</p> <p>ii) Add Policy N18 as follows:</p> <p style="padding-left: 40px;">IN A CONSERVATION AREA, CONSENT FOR DEMOLITION WILL NOT BE GIVEN UNLESS DETAILED PLANS FOR REDEVELOPMENT OF THE SITE HAVE BEEN APPROVED. SUCH A PERMISSION WILL BE SUBJECT TO THE CONDITION THAT DEMOLITION SHALL NOT TAKE PLACE UNTIL A CONTRACT FOR AN APPROVED SCHEME OF REDEVELOPMENT HAS BEEN LET.</p> <p>iii) Delete section (ii) of Policy BC8.</p> <p><u>Inspector's Addendum</u> 60.My intention in para 050.13ii is that the new Policy should be numbered N18B.</p>	<p><u>Leeds City Council Decision and Reasons</u> The Council accepts the Inspector's conclusions set out in para 50.13 of the Report and in para. 60 of the Addendum and consequently accepts the Inspector's recommendations to modify the Plan</p> <p><u>Proposed Modification 5/020</u> Modify the Revised Draft UDP by:</p> <p>(i) replacing Policy N18 with the following Policy N18A:</p> <p style="padding-left: 80px;">N18A: THERE WILL BE A PRESUMPTION AGAINST ANY DEMOLITION OF A BUILDING OR PARTS OF A BUILDING WHICH MAKES A POSITIVE CONTRIBUTION TO THE CHARACTER AND APPEARANCE OF A CONSERVATION AREA.</p> <p>(ii) adding Policy N18B after N18A of Chapter 5 as follows :</p> <p style="padding-left: 80px;">N18B IN A CONSERVATION AREA, CONSENT FOR DEMOLITION WILL NOT BE GIVEN UNLESS DETAILED PLANS FOR REDEVELOPMENT OF THE SITE HAVE BEEN APPROVED. SUCH A PERMISSION WILL BE SUBJECT TO THE CONDITION THAT DEMOLITION SHALL NOT TAKE PLACE UNTIL A CONTRACT FOR AN APPROVED SCHEME OF REDEVELOPMENT HAS BEEN LET.</p> <p>(iii) deleting section (ii) of Policy BC8 in Appendix 3 of Volume 2 of the Revised Draft UDP.</p>
051	<p><u>Topic 51</u> N19 CRITERIA FOR NEW BLDGS IN CONSERVATION AREAS</p> <p><u>Inspector's recommendation</u> 051.5 I recommend that no modification be made to the UDP.</p>	<p><u>Leeds City Council Decision and Reasons</u> The Council accepts the Inspector's conclusions set out in para. 051.3-4 of the Report and consequently accepts the Inspector's recommendations to modify the Plan.</p> <p><u>Proposed Modification 5/021</u> None.</p>
052	<p><u>Topic 52</u> N20 REMOVAL OF OTHER FEATURES IN CONS. AREAS</p> <p><u>Inspector's recommendation</u> 052.7 I recommend that the UDP be modified as follows:</p> <p>i) that paragraph 5.3.10 be expanded to refer to the nature and scope of the additional planning powers that apply in all Conservation</p>	<p><u>Leeds City Council Decision and Reasons</u> The Council accepts the inspector's conclusions in para 052.7 of the Report in respect of the need to briefly expand and clarify the supporting text in paragraph 5.3.10 but it rejects the recommendation that Policy N20 be deleted in its entirety. It feels there is a need to stress the importance of features other than buildings in contributing to the character and appearance of Conservation Areas. Where such features are subject to control then the emphasis should be on retaining these features. The Council accepts that the removal of paving is not normally subject to planning control and accepts that this should be deleted. Minor wording changes are recommended to the supporting text and to the Policy as below.</p>

	<p>Areas regarding trees and the restriction of some permitted development rights and, in specified CAs where circumstances justify it, the making of Directions under Article 4(1) and 4(2) for the selective removal of further rights of development otherwise permitted under the T&CP(GPD)O; and</p> <p>ii) that Policy N20 be deleted.</p>	<p><u>Proposed Modification 5/022</u> Modify the Revised Draft UDP by:</p> <p>(i) inserting the following text into Para 5.3.10 after the words “additional planning powers.” :</p> <p>5.3.10 ...The additional planning powers that apply in all Conservation Areas</p> <ul style="list-style-type: none"> • require notice to be given of the intention to carry out work to most trees, and • restrict some permitted development rights. <p>In specified Conservation Areas where circumstances justify it and after public consultation, the Council promotes the making of Directions under Article 4(1) and 4(2) for the selective removal of further rights of development otherwise permitted under the T&CP(GPD)O.</p> <p>(ii) revising the wording of Policy N20 to say:</p> <p style="padding-left: 40px;">N20 DEMOLITION OR REMOVAL OF OTHER FEATURES WHICH CONTRIBUTE TO THE CHARACTER OF THE CONSERVATION AREA AND WHICH ARE SUBJECT TO PLANNING CONTROL, SUCH AS TREES, BOUNDARY WALLS OR RAILINGS, WILL BE RESISTED.</p>
053	<p><u>Topic 53</u> N21 REVIEW AND DESIGNATION OF CONSERVATION AREAS</p> <p><u>Inspector's recommendation</u> 53.6 I recommend that the UDP be modified by the deletion of Policy N21 and the inclusion of its content in the supporting text.</p> <p><u>Inspector's Addendum</u> 61. Although as I explain in the covering letter to my report my function is to consider and make recommendations on objections to the Plan, the Council themselves categorised the objection by British Waterways and the supports and objections by the Leeds Civic Trust as relating to Policy N21. PPG15 indicates that although the LPA's broad criteria for the designation of new conservation areas and the review of the boundaries of existing areas should be included in Development Plans, and which particular areas are in mind for both. The actual processes are however separate from that of the Development Plan. Policy N21 includes no criteria and lists no areas. It adds nothing to the Plan and should be deleted.</p>	<p><u>Leeds City Council Decision and Reasons</u> The Council accepts the Inspector's conclusions set out in para 53.6 of the Report and in para 61 of the Addendum, and consequently accepts the Inspector's recommendations to modify the Plan.</p> <p><u>Proposed Modification 5/023</u> Modify the Revised Draft UDP by:</p> <p>(i) inserting the following text into para 5.3.10 after the words “..through proposals for enhancement.” :</p> <p style="padding-left: 40px;">...The boundaries of existing Conservation Areas are subject to review and the Council does consider the designation of further Conservation areas as is thought appropriate.</p> <p>(ii) deleting Policy N21 and as a consequence deleting N21 from the Proposals Map and Inset Map keys.</p>

054	<p>Topic 54 N22 ENHANCEMENT OF CONSERVATION AREAS</p> <p><u>Inspector's recommendation</u> 054.9 I recommend that the UDP be modified as follows:</p> <p>i) Policy N22 should be replaced with the following:</p> <p>THE SPECIAL ARCHITECTURAL OR HISTORIC INTEREST OF EACH CONSERVATION AREA WILL BE ASSESSED, DEFINED AND RECORDED AS RESOURCES PERMIT. THIS STATEMENT WILL INFORM BOTH DEVELOPMENT CONTROL DECISIONS AND ANY PROPOSALS FOR THE PRESERVATION OR ENHANCEMENT OF A CONSERVATION AREA. THE PUBLIC WILL BE FULLY CONSULTED ON ANY SUCH PROPOSALS.</p> <p>ii) The text and list at paragraph 3.2.8 of Appendix 3 should be updated to reflect the additional CAs declared since the Deposit Draft and should also be supplemented by notes on any areas where enhancement schemes have been approved, where any Article 4 Directions have been made, together with the source of further advice on them.</p> <p><u>Inspector's Addendum</u> 62.I confirm that my recommendation does indeed mean that any necessary consequential amendments should be made to the Proposals Map.</p>	<p><u>Leeds City Council Decision and Reasons</u> The Council accepts the Inspector's conclusions set out in para 054.9 of the Report and consequently accepts the Inspector's recommendations to modify the Plan.</p> <p><u>Proposed Modification 5/024</u> Modify the Revised Draft UDP by:</p> <p>(i) replacing Policy N22 with the following:</p> <p>N22 THE SPECIAL ARCHITECTURAL OR HISTORIC INTEREST OF EACH CONSERVATION AREA WILL BE ASSESSED, DEFINED AND RECORDED AS RESOURCES PERMIT. THIS STATEMENT WILL INFORM BOTH DEVELOPMENT CONTROL DECISIONS AND ANY PROPOSALS FOR THE PRESERVATION OR ENHANCEMENT OF A CONSERVATION AREA. THE PUBLIC WILL BE FULLY CONSULTED ON ANY SUCH PROPOSALS.</p> <p>(ii) amending Para 3.2.8 in Appendix 3 of Volume 2 by replacing 62 with 63 and by adding to the list of Conservation Areas:</p> <p>CA63 EASTERN RIVERSIDE</p> <p>(iii) adding a star symbol to the Proposals Map and the boundary to Inset Map 1 to show the Eastern Riverside Conservation Area (Plan M/5/100).</p>
055	<p>Topic 55 N23 OPEN SPACE DESIGN IN NEW DEVELOPMENT</p> <p><u>Inspector's recommendation</u> 055.12 I recommend that the UDP be modified by the replacement of para 5.3.11 and Policy N23 with the following:</p> <p>5.3.11 The design of external spaces in association with new built development should be regarded as an integral part of the design process for all but the smallest developments. <i>(then continue the paragraph in accordance with 5.3.11 in PC012: "Well landscaped sites ... locality.")</i>. New developments should, wherever possible, retain and enhance natural and man-made features which make a positive visual contribution. Such features include walls, trees, hedges and ponds.</p> <p>5.3.11a Early submission of landscape schemes enables agreement to be reached with the developer on the extent and quality of</p>	<p><u>Leeds City Council Decision and Reasons</u> The Council accepts the Inspector's conclusions set out in para 055.5 - 11 of the Report and para 63 of the Addendum and consequently accepts the Inspector's recommendation to modify the plan.</p> <p><u>Proposed Modification 5/025</u> Modify the Revised Draft UDP by:</p> <p>replacing para 5.3.11 and Policy N23 with the following:</p> <p>5.3.11 The design of external spaces in association with new built development should be regarded as an integral part of the design process for all but the smallest developments. Well landscaped sites can provide several benefits, including a setting for buildings, attractive spaces for a range of activities, screening of unattractive areas, the visual assimilation of developments into the landscape, and a contribution to the visual amenity of the locality. New developments should, wherever possible, retain and enhance natural and man-made features which make a positive visual contribution. Such features</p>

<p>landscaping, thus avoiding later misunderstanding. Where a full planning application is to be made, landscaping proposals should either be included with other details of the proposal or an advanced illustrative scheme should be submitted. Where outline planning permission is being sought, it will, in some cases, be impossible for the Council to judge the impact of the proposals without submission of landscaping proposals. This will apply in visually very sensitive locations. For many larger proposals an illustrative landscape scheme may be requested. In other cases it will often be necessary to impose landscaping conditions on an outline consent.</p> <p>5.3.11b (see Topic 56)</p> <p>5.3.11c The following policies apply, together with the more detailed policies contained in Appendix 3 Volume 2:</p> <p>N23 INCIDENTAL OPEN SPACE AROUND NEW BUILT DEVELOPMENT SHOULD BE DESIGNED TO PROVIDE A VISUALLY ATTRACTIVE SETTING FOR THE DEVELOPMENT ITSELF AND, WHERE APPROPRIATE, CONTRIBUTE TO INFORMAL PUBLIC RECREATION AND NATURE CONSERVATION. EXISTING FEATURES WHICH MAKE A POSITIVE VISUAL CONTRIBUTION SHOULD BE RETAINED WHERE POSSIBLE.</p> <p><u>Inspectors Addendum</u></p> <p>63. I Regret and apologise for the inclusion of two different versions of the recommended new paragraph 5.3.11a under Topics 055 and 059 respectively. I recommend that the latter version should be included in the UDP between 5.3.11 and 5.3.11b.</p>	<p>include walls, trees, hedges and ponds.</p> <p>5.3.11a Early submission of landscape schemes enables agreement to be reached with the developer on the level and quality of landscaping, thus avoiding later misunderstanding. Where a full planning application is to be made, landscaping proposals should either be included with other details of the proposal or an advanced illustrative scheme should be submitted for the whole development. The latter should then be followed by detailed proposals, which for larger proposals may be for each phase. In suitable circumstances, a phased implementation of a landscaping scheme may also be appropriate. Where outline planning permission is being sought it may, in a few special cases, be impossible for the Council to judge the impact of the proposals without submission of landscaping details. This will apply for example to some proposals in Conservation Areas. Where full permission is being sought on the basis of an illustrative landscape scheme, it will often be necessary to grant consent subject to landscaping conditions on such matters as design, implementation and management.</p> <p>5.3.11b (see Topic 56)</p> <p>5.3.11c The following policies apply, together with the more detailed policies contained in Appendix 3 Volume 2:</p> <p>N23 INCIDENTAL OPEN SPACE AROUND NEW BUILT DEVELOPMENT SHOULD BE DESIGNED TO PROVIDE A VISUALLY ATTRACTIVE SETTING FOR THE DEVELOPMENT ITSELF AND, WHERE APPROPRIATE, CONTRIBUTE TO INFORMAL PUBLIC RECREATION AND NATURE CONSERVATION. EXISTING FEATURES WHICH MAKE A POSITIVE VISUAL CONTRIBUTION SHOULD BE RETAINED WHERE POSSIBLE.</p>
<p>056</p> <p><u>Topic 56</u> N24 DEV'T NEXT TO THE GREEN BELT</p> <p><u>Inspector's recommendation</u></p> <p>056.12 I recommend that the UDP be modified as follows:</p> <p>i) A new para 5.3.11b as follows should be added (paras 5.3.11a and c are set out in Topic 55):</p> <p>Where new buildings abut the Green Belt or other open land it is particularly important that their siting and design have regard to how they will be seen in the landscape. In many cases this will also require provision of new planting to provide an attractive transition and, at the edge of the Green Belt, to create a readily recognisable and clearly defined boundary if one does not exist already. This transition planting may be</p>	<p><u>Leeds City Council Decision and Reasons</u></p> <p>The Council rejects the Inspector's recommendation set out in para 56.6 - 11 of the Report to add a new para 5.3.11b and to modify the wording of Policy N24. The Council disagrees with the Inspector's choice of the word 'buildings' rather than 'development' (Proposed Change 12) or 'built environment'. The term 'development' can encompass more than just buildings and its use in this instance accords with the intention of the Policy to give greater protection to Green Belt and open land. It is considered that the proposed modification set out below answers both the Council's and the Inspector's concerns regarding ambiguity, discussed in para 64 of the addendum to the Report, without introducing additional substance to the Policy.</p> <p><u>Proposed Modification 5/026</u> Modify the Revised Draft UDP by:</p> <p>(i) adding a new para 5.3.11b as follows:</p> <p>5.3.11b Where new development abuts the Green Belt or other open land it is particularly</p>

acceptable on land outside the development site but immediately adjacent to it, provided that the LPA is satisfied that the applicant has control over the land, that the planting will be retained for the foreseeable future and that the planting on adjacent land would not itself be harmful to the appearance of the nearby open land.

ii) Policy N24 should be replaced with the following:

WHERE DEVELOPMENT PROPOSALS ABOUT THE GREEN BELT, GREEN CORRIDORS OR OTHER OPEN LAND, THE ASSIMILATION OF THE BUILDINGS INTO THE LANDSCAPE MUST BE ACHIEVED AS PART OF THE DEVELOPMENT. IF EXISTING LANDSCAPE FEATURES WOULD NOT ACHIEVE THIS, A LANDSCAPING SCHEME WILL BE REQUIRED TO BE IMPLEMENTED WHICH DEALS POSITIVELY WITH THE TRANSITION BETWEEN DEVELOPMENT AND OPEN LAND.

Inspectors Addendum

64. My concern in recommending the substitution of the word 'buildings' for 'built environment' was over the ambiguity of the latter. The Council's question makes it clear that it is intended to include not only buildings but such open areas as car parks and external storage areas. My recommendation was intended to avoid the risk of future argument over what was intended by the term. I am now even more convinced that its use would lead almost inevitably to unproductive arguments when dealing with applications or appeals. It would be preferable to employ a different term which conveys the Council's intentions more clearly. The word 'development' is also ambiguous as it might refer to any material change of use even of land still fundamentally open, and it is also used elsewhere in this same Policy in an apparently different sense. If the Council regard the word 'buildings' as being unsatisfactory it would be preferable to use an expression such as buildings and structures'. I recommend accordingly.

important that its siting and design have regard to how it will be seen in the landscape. In many cases this will also require provision of new planting to provide an attractive transition and, at the edge of the Green Belt, to create a readily recognisable and clearly defined boundary if one does not exist already. This transition planting may be acceptable on land outside the development site but immediately adjacent to it, provided that the LPA is satisfied that the applicant has control over the land, that the planting will be retained for the foreseeable future and that the planting on adjacent land would not itself be harmful to the appearance of the nearby open land.

(ii) replacing Policy N24 with the following:

N24 WHERE DEVELOPMENT PROPOSALS ABOUT THE GREEN BELT, GREEN CORRIDORS OR OTHER OPEN LAND, THEIR ASSIMILATION INTO THE LANDSCAPE MUST BE ACHIEVED AS PART OF THE SCHEME. IF EXISTING LANDSCAPE FEATURES WOULD NOT ACHIEVE THIS, A LANDSCAPING SCHEME WILL BE REQUIRED TO BE IMPLEMENTED WHICH DEALS POSITIVELY WITH THE TRANSITION BETWEEN DEVELOPMENT AND OPEN LAND.

057

Topic 57

N25 DESIGN OF BOUNDARIES TO SITES

Inspector's recommendation

57.6 I recommend that the UDP be modified as follows:

i) the word "normally" should be deleted from Policy N25; and

Leeds City Council Decision and Reasons

The Council accepts the Inspector's conclusions set out in para 57.3 – 5 of the Report and consequently accepts the Inspector's recommendation to modify the Plan.

Proposed Modification 5/027

Modify the Revised Draft UDP by:

(i) deleting the word 'NORMALLY' from Policy N25.

INSPECTORS RECOMMENDATIONS

THE REASONS FOR THE COUNCIL'S DECISION AND CONSEQUENT MODIFICATIONS TO THE PLAN

	<p>ii) a brief reference to the Hedgerow Regulations 1997 and their implications should be included in section 5.6.</p>	<p>(ii) adding the following paragraph in section 5.6 of Volume 1: 5.6.6a The City Council has powers, under the Hedgerows Regulations 1997, to protect certain hedgerows against unauthorised removal, and is willing to prosecute offenders where appropriate.</p>
058	<p><u>Topic 58</u> N26 TEMPORARY LANDSCAPING OF VACANT SITES</p> <p><u>Inspector's recommendation</u> 58.4 I recommend that the UDP be modified as set out in that part of PC 012 which refers to Policy N26 (renumbered as Policy N27).</p>	<p><u>Leeds City Council Decision and Reasons</u> The Council accepts the Inspector's conclusions set out in para 58.3 of the Report and consequently accepts the Inspector's recommendation to modify the Plan.</p> <p><u>Proposed Modification 5/028</u> Modify the Revised Draft UDP by:</p> <p>re-numbering Policy N26 as N27 and rewording as follows:</p> <p style="text-align: center;">N27: TEMPORARY LANDSCAPING OF VACANT SITES CLEARED PRIOR TO DEVELOPMENT WILL BE ENCOURAGED WHEREVER PRACTICABLE.</p>
059	<p><u>Topic 59</u> N27 LANDSCAPING SCHEMES FOR NEW DEVELOPMENT</p> <p><u>Inspector's recommendation</u> 59.11 I recommend that the UDP be modified by insertion of a new paragraph 5.3.11a and replacement of Policy N27 as follows:</p> <p>5.3.11a Early submission of landscape schemes enables agreement to be reached with the developer on the level and quality of landscaping, thus avoiding later misunderstanding. Where a full planning application is to be made, landscaping proposals should either be included with other details of the proposal or an advanced illustrative scheme should be submitted for the whole development. The latter should then be followed by detailed proposals, which for larger proposals may be for each phase. In suitable circumstances, a phased implementation of a landscaping scheme may also be appropriate. Where outline planning permission is being sought it may, in a few special cases, be impossible for the Council to judge the impact of the proposals without submission of landscaping details. This will apply for example to some proposals in Conservation Areas. Where full permission is being sought on the basis of an illustrative landscape scheme, it will often be necessary to grant consent subject to landscaping conditions on such matters as design, implementation and management.</p> <p>N27 WHERE A LANDSCAPE SCHEME WILL BE REQUIRED FOR NEW DEVELOPMENT, AN APPLICATION FOR FULL PLANNING PERMISSION SHOULD BE ACCOMPANIED BY</p>	<p><u>Leeds City Council Decision and Reasons</u> The Council accepts the Inspector's conclusions set out in paras 059.5-10 of the Report (with the exception discussed below) and para 63 of the Addendum and consequently accepts the Inspector's recommendation to modify the Plan. The Inspector's report 059.4 says that N27 should be renumbered N26 – but the recommendation leaves it as N27. It is proposed to re-number it as N26.</p> <p><u>Proposed Modification 5/029</u> Modify the Revised Draft UDP by:</p> <p>(i) adding the following new paragraph 5.3.11a:</p> <p>5.3.11a Early submission of landscape schemes enables agreement to be reached with the developer on the level and quality of landscaping, thus avoiding later misunderstanding. Where a full planning application is to be made, landscaping proposals should either be included with other details of the proposal or an advanced illustrative scheme should be submitted for the whole development. The latter should then be followed by detailed proposals, which for larger proposals may be for each phase. In suitable circumstances, a phased implementation of a landscaping scheme may also be appropriate. Where outline planning permission is being sought it may, in a few special cases, be impossible for the Council to judge the impact of the proposals without submission of landscaping details. This will apply for example to some proposals in Conservation Areas. Where full permission is being sought on the basis of an illustrative landscape scheme, it will often be necessary to grant consent subject to landscaping conditions on such matters as design, implementation and management.</p> <p>(ii) deleting para 5.3.13.</p>

	<p>AN ILLUSTRATIVE LANDSCAPE SCHEME OR BY FIRM PROPOSALS FOR THE LANDSCAPING OF THE SITE.</p> <p><u>Inspector's Addendum</u></p> <p>63. I Regret and apologise for the inclusion of two different versions of the recommended new paragraph 5.3.11a under Topics 055 and 059 respectively. I recommend that the latter version should be included in the UDP between 5.3.11 and 5.3.11b. The modified Policy N27 should replace the previous version after para 5.3.13.</p>	<p>(iii) replacing Policy N27, re-numbered as N26, as follows:</p> <p>N26 WHERE A LANDSCAPE SCHEME WILL BE REQUIRED FOR NEW DEVELOPMENT, AN APPLICATION FOR FULL PLANNING PERMISSION SHOULD BE ACCOMPANIED BY AN ILLUSTRATIVE LANDSCAPE SCHEME OR BY FIRM PROPOSALS FOR THE LANDSCAPING OF THE SITE.</p>
069	<p><u>Topic 069</u> N29 PROTECTION OF MONUMENTS OF ARCHAEOLOGICAL IMPORTANCE</p> <p><u>Inspector's Recommendation</u> 069.16 I recommend that the UDP be modified as follows:</p> <p>i) Policy N29 should be replaced with the following:</p> <p>N29 SITES AND MONUMENTS OF ARCHAEOLOGICAL IMPORTANCE WILL BE PRESERVED AND APPROPRIATE INVESTIGATION WILL BE REQUIRED IN ACCORDANCE WITH THE POLICIES FOR ARCHAEOLOGY IN APPENDIX 4 OF VOLUME 2.</p> <p>ii) the location of Scheduled Ancient Monuments should be indicated on the Proposals Map.</p> <p>iii) the boundaries of Class I and II archaeological site should be shown on Inset Maps.</p> <p>iv) Class I, II and III sites should be listed in Appendix 4 together with a note cautioning plan users about the inadequate state of knowledge about the extent of many sites.</p> <p><u>Inspector's Addendum</u> 65. I explain in para 069.8 that PPG16 advises that the Proposals Map should define those areas where plan policies on archaeology will apply. I have no doubt that as an absolute minimum the general location of such locations should be shown by means of a symbol. This would however be insufficient to give landowners or potential developers clear information as to their precise boundaries. Whilst I appreciate that Inset Maps are not used to indicate the boundaries of Conservation Areas, they could be, and there would indeed be much merit in doing so. Those boundaries can however be found relatively easily from other</p>	<p><u>Leeds City Council Decision and Reasons</u> The Council in general accepts the Inspectors conclusions in paras. 069.7-15 of the Report and in para. 65 of the Addendum, and consequently, in general, accepts the Inspector's recommendations to modify the Plan, save for the conclusions and recommendations that the boundaries of Class I and II sites are shown on Inset Maps and that Class III sites should be listed in Appendix 4. The Council rejects the recommendation of Inset Maps as impractical. Since the same geographic area cannot be shown both on the Proposals Map and on an Inset Map, each inset Map would need to depict all Policies and proposals in that area, not just the archaeological sites. With so many archaeological sites (130 Class I and II sites) the potential is for there to be very many Inset Maps riddling the Proposals Map with holes; and even in some circumstances (e.g. the City Centre and some Town Centres) requiring Inset Maps of Inset Maps. This would be unhelpful to Plan users. It is of far greater benefit for Plan users to have a numbered symbol on the Proposals Map and corresponding text within Appendix 4. Indeed the Inspector, in the addendum, notes that this would be satisfactory as a minimum. The symbol and list of Class I and II sites alerts Plan users to the presence of important archaeological remains and provides them with a unique reference with which to seek more detailed and professional advice from West Yorkshire Archaeological Service. With regard to the list of Class III sites the Council has liaised with West Yorkshire Archaeology Service and they have highlighted practical constraints. Class III sites are not identified by name in the Sites and Monuments Record; instead, approximately 1000 such sites, varying from a few square metres to several square kilometres, are identified on 1:10,000 maps and revised often on a daily basis. The Council believes that the listing of such sites would be unworkable in practice and could result in confusion.</p> <p><u>Proposed Modifications 5/030</u> Modify the Revised Draft UDP by:</p> <p>(i) replacing Policy N29 with the following:</p> <p>N29 SITES AND MONUMENTS OF ARCHAEOLOGICAL IMPORTANCE WILL BE PRESERVED AND APPROPRIATE INVESTIGATION WILL BE REQUIRED IN ACCORDANCE WITH THE POLICIES FOR ARCHAEOLOGY IN APPENDIX 4 OF VOLUME 2.</p> <p>(ii) indicating by symbol the location of Class I and Class II archaeological sites on the</p>

	sources, unlike those of many of the areas subject to Policy N29. I am aware that this would lead to cartographic problems over and above those which exist already, but this is a matter of such importance to potential users of the Plan that it is necessary for the Council to find an acceptable answer to them. It is clear that the more site specific policies the Plan contains the more complex and unwieldy the Proposals Map is likely to become and the more difficult it is to devise clear and understandable notations for those policies.	Proposals Map (as in Topic 070 of Appendix 4). (iii) listing Class I and Class II archaeological sites in Appendix 4 of the UDP (iv) replacing para 4.1.5. as set out in Topic 070.
076	<p>Topic 076 N30 ENVIRONMENTAL IMPROVEMENT INITIATIVES PRIORITIES</p> <p>Inspector's Recommendation 076.4 I recommend that the supporting text be modified as outlined in paragraph 076.3.</p> <p>076.3 The supporting text requires some updating to reflect, amongst other things, the demise of the Leeds Development Corporation, changes to the enabling Housing Acts, the Community Priority Areas where Single Regeneration Budget funding will be focussed [mainly paras 5.3.16 to 5.3.21] and progress on the schemes outlined in paras 5.3.21 to 5.3.27.</p>	<p>Leeds City Council Decision and Reasons The Council accepts the Inspector's conclusions as set out in paras. 076.2-3 of the Report and consequently accepts the Inspector's conclusion to modify the Plan.</p> <p>Proposed Modification 5/031 Modify the Revised Draft UDP by:</p> <p>(i) replacing paras 5.3.16-17, 5.3.19, 5.3.21-24 as follows:</p> <p>5.3.16 The City Council and other bodies maintain very active environmental improvement programmes, which have been particularly successful in utilising grant assistance from Government and other organisations. The reclamation of derelict land is also a major priority. Current priorities for general environmental improvement work, which are likely to need to continue throughout the Plan period, are reflected in the following Policy...</p> <p>5.3.17 The declared General Improvement Areas (GIA's) and Housing Action Areas (HAA's), designated under the 1969 and 1974 Housing Acts respectively, provided the main focus for a wide variety of environmental improvement works in older housing areas throughout the 1970's and 1980's, including private street works, landscaping, traffic management schemes, and the provision of play facilities.</p> <p>5.3.19 All GIA's and HAA's have now ceased to exist. Some have been incorporated within the non-statutory Urban Renewal Areas. There are currently 10 Urban Renewal Areas; including one Statutory Renewal Area at Burley Lodge within the Hyde Park Urban Renewal Area. URAs aim to foster improvements to both housing stock and environment. A review of these areas is being undertaken to ensure that resources are still being directed into areas of greatest need. There are also several Community Priority Areas where Single Regeneration Budget funding will be focussed. These are:</p> <p>Belle Isle South Belle Isle North Chapelton & Harehills Urban Area (including. Scott Hall) East Bank Ebor Gardens Gipton North Gipton South Halton Moor</p>

		<p>Harehills and Torres Estate Hawthorn Wood Hyde Park/Burley Lodge Lincoln Green Little London/Woodhouse Middleton Estate Miles Hill/Beckhill/Potternewton Moor Allerton Sandfords and Wythers Seacroft South</p> <p>5.3.21 Initial work on improving the Waterways Corridor was undertaken within the context of a Leeds Waterways Strategy Report, jointly funded by the City Council, British Waterways and former Leeds Development Corporation, and produced in 1989. It laid particular emphasis on tourism and development opportunities as well as on environmental improvements within a limited stretch of the Waterways Corridor from Armley Industrial Museum through the City Centre Canal Basin to Thwaite Mills. Considerable achievements have already been made including upgrading of towpaths, cleaning of walls and painting of bridges and re-use of the Dark Arches and Canal Basin. A new Waterfront Strategy is being prepared to continue and extend this work.</p> <p>5.3.22 The City Council will continue to encourage community involvement, and endorses the principle that the whole of the Waterways Corridor from Apperley Bridge (on the Bradford boundary) to Castleford should be subject of improvement. The Lower Aire Valley Environmental Improvement Strategy published by the City Council helped to provide a strategic context for this lower section.</p> <p>5.3.23 In considering rail corridor improvements, there is longstanding concern about the depressing impression visitors get of Leeds when approaching the City by rail. Three major lines have been identified for environmental upgrading - Leeds/Wakefield (London), Leeds/Bradford and Leeds/York. To date most progress has been made on the Leeds/Bradford line, and funding from the former Urban Programme and the Leeds/Bradford City Action Team (CAT) has been channelled into a number of schemes. Further work is continuing under the Council's Gateways and Corridors Strategy.</p> <p>5.3.24 A number of minor road corridor improvement schemes have been tackled in recent years - for example planting along Kirkstall Road between the railway viaduct (which was also cleaned) and the City Centre. However, the work has now been given greater priority by the Leeds Initiative, the City Centre Working Party and the Corridors and Gateways Strategy, which has made improvements to the City's main gateways and principal road corridors a key element in its work programme.</p>
077	<p>Topic 077 N31 RECLAMATION OF DERELICT LAND PRIORITY AREAS</p>	<p>Leeds City Council Decision and Reasons The Council accepts the Inspector's conclusions as set out in paras. 077.4-8 of the Report and</p>

Inspector's Recommendation

077.9 I recommend that the UDP be modified as follows:

- i) by the addition of the following after para 5.3.31:
On the fringe of the built up area of Leeds there are some large developed sites within the Green Belt. Those sites where redevelopment and limited infill will be acceptable are specified in Policy GB7.
- ii) paras 5.3.28 to 5.3.36 should be modified to reflect current arrangements for the funding of regeneration and the reclamation of contaminated sites.

consequently accepts the Inspector's recommendation to modify the Plan.

Proposed Modification 5/032

Modify the Revised Draft UDP by:

- (i) replacing para 5.3.31 with the following:

5.3.31 Within Leeds is a considerable amount of industrial obsolescence, particularly older industrial buildings that are beyond their useful life and lie derelict. Recycling this land through demolition and reclamation for redevelopment is important in providing sites for new and expanding industry and is a part of the Council's economic regeneration strategy. On the fringe of the built up area of Leeds there are some large developed sites within the Green Belt. Those sites where redevelopment and limited infill will be acceptable are specified in Policy GB7.

- (ii) replacing paras 5.3.28 and 5.3.30-35 as follows:

5.3.28 Although the administrative mechanisms likely to embrace responsibility for derelict land reclamation schemes are still evolving, with the Government's decision to set up the Urban Regeneration Agency (whose remit is now taken on by Yorkshire Forward), comments on and indications of local priorities are essential in the Leeds UDP. Current Government priorities for the reclamation of derelict land which may attract grant assistance fall into three main categories...

5.3.30 The City Council will work closely with The Coal Authority in progressing reclamation schemes in the former coalfield area, to improve the quality of the environment. A legacy of coalfield dereliction overlies the south and east of the District. Many colliery waste tips are covered by restoration conditions and are the responsibility of The Coal Authority. The Council will continue to negotiate suitable reclamation schemes with The Coal Authority for these sites in appropriate cases.

5.3.32 Many former industrial sites are contaminated by the processes carried on in the works. Reclamation schemes will tackle this contamination, which is often a complex and costly operation. Emphasis will be given to those sites where particular problems are known to exist. Former uses of land that are recognised as having the potential to cause contamination will form a high priority in the future reclamation programme.

5.3.33 The new Environmental Protection Act requires the Council to identify all land within the District which has been subject to contaminating uses, and assess whether significant risks of contamination still exist. There are believed to be 5-6,000 such sites in Leeds. These sites are to be analysed over the next three years.

5.3.34 There is now a greater awareness of the environmental legacy that many former land uses may have left. Landowners and financial institutions are trying to work out how to make allowance in land valuations for the likely cost of site surveys and the possible cost

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		<p>of decontamination.</p> <p>5.3.35 Most of the land likely to be at risk of contamination probably lies in the older industrial areas of Leeds and its surrounding towns. Contamination from former land-fill sites could be more widespread. The implications of this for the UDP may take two main forms:</p> <p>i. a reluctance to redevelop certain sites because of perceived difficulties in funding investigation/reclamation. This could increase development pressure on green-field sites at the expense of inner-city sites ...</p>
078	<p><u>Topic 78</u> N32 GREEN BELT DESIGNATION</p> <p><u>Inspector's recommendation</u> 078.13 I recommend that the UDP be modified as set out in PC013.</p>	<p><u>Leeds City Council Decision and Reasons</u> The City Council accepts the Inspector's conclusions set out in paras.078.6-12 of the Report and consequently accepts the Inspector's recommendation to modify the Plan.</p> <p><u>Proposed Modification 5/033</u> Modify the Revised Draft UDP by :</p> <p>adding to the end of para.5.4.2:</p> <p>5.4.2. ...The Green Belt defined under Policy N32 is depicted on the Proposals Map as all land falling within the thick, dark green line and washed over with light green. In the circumstances where allocations are made within the Green Belt of Greenspace, Proposed Greenspace and Protected Playing Pitches (allocated under Policies N1, N5 and N6 respectively) , these are not washed over for practical map printing reasons. These allocations remain subject to the full range of Green Belt policies in the UDP.</p>
079	<p><u>Topic 79</u> N33 CONTROL OF DEV'T IN THE GREEN BELT</p> <p><u>Inspector's recommendation</u> 079.24 I recommend the following modifications to the UDP:</p> <p>(i) Policy N33 should be modified as set out in PC014 as amended by LCCIC/156 subject to the addition of two further categories of development</p> <ul style="list-style-type: none"> - CEMETERIES - OTHER DEVELOPMENT WHICH HAS THE SAME OR A LESSER IMPACT ON THE OPENNESS OF THE GREEN BELT THAN DOES THE EXISTING USE AND/OR BUILDING. - <p>(ii) in Volume 1 para 5.4.1, delete the reference to access to the countryside, add "setting" and "historic" to the third purpose and add "unrestricted" before "growth". For completeness "safeguarding the countryside from encroachment" should be added to the purposes listed in para 5.4.1.</p>	<p><u>Leeds City Council Decision and Reasons</u> The City Council accepts the Inspector's conclusions set out in paras 079.12-25 of the Report and in paras 67-68 of his Addendum, and consequently accepts the Inspector's Recommendations to modify the Plan</p> <p><u>Proposed Modification 5/034</u> Modify the Revised Draft Plan by :</p> <p>(i) rewording para. 5.4.1 of Volume 1 to read :</p> <p>5.4.1 Nationally, Green Belt is one of the best known and most consistently operated planning measures. Green Belt is designated in order to check the unrestricted growth of built-up areas, prevent neighbouring settlements from merging, assist in safeguarding the countryside from encroachment , preserve the setting and special character of historic towns and assist urban regeneration. These purposes were first established by Circulars, re-stated in the West Yorkshire Structure Plan and more recently endorsed by the Strategic Guidance for West Yorkshire. The UDP has the major role of redefining the Leeds Green Belt.</p>

(iii) in Appendix 5, delete paras 5.2.1 to 5.2.6 and replace them with a new 5.2.1 amended as follows from the new 5.2.7 proposed in LCCIC/156: delete first sentence and amend second to: The general policies controlling development in the countryside apply with equal force in the Green Belt but there is, in addition, a presumption against inappropriate development. National guidance on Green Belts and the control of development within them is contained in PPG2.

(iv) delete para 5.4.3 and substitute the following:
The following policies reflect and amplify national guidance and address the particular problems faced in the day-to-day control of development in the Leeds Green Belt.

(v) the numbering of Appendices should be reviewed so that their paragraph numbers are less likely to be confused with those in Volume 1.

Inspector's Addendum :

67. PPG2 explains that the fundamental aim of Green Belt policy is to prevent sprawl by keeping land permanently open. Para 3.4 explains that the construction of new buildings inside a Green Belt is inappropriate except for certain stated purposes. Policy N33 sets out a series of categories of appropriate development loosely based on this but goes on to explain that any development in Green Belts must also conform with the Policies set out in Appendix 5. My intention in recommending in addition 'other development which has the same or a lesser impact on the openness of the Green Belt than does the existing use and/or building' was to include a clear reference within the Policy to the fundamental aim of Green Belts. However on further consideration I now accept that it might be taken wrongly as implying that certain proposals which went beyond those listed in PPG2 would be appropriate. As that is not my intention I now wish to withdraw from the modifications to Policy N33 the second additional category of development listed in para 079.24.

68. Under Topic 087 I recommend modifications to Policy GB7 to deal with major developed sites in the Green Belt. I wish to change my recommended wording to make it clear that it should apply to redevelopment of the listed sites. I can see no inconsistency between that and my recommendation in respect of Policy N33 which does make clear that proposals must also conform to the various 'GB' Policies in Appendix 5.

(ii) rewording Policy N33 to read :

N33: EXCEPT IN VERY SPECIAL CIRCUMSTANCES APPROVAL WILL ONLY BE GIVEN IN THE LEEDS GREEN BELT FOR:

- CONSTRUCTION OF NEW BUILDINGS FOR PURPOSES OF AGRICULTURE AND FORESTRY; ESSENTIAL FACILITIES FOR OUTDOOR SPORTS AND OUTDOOR RECREATION; ESSENTIAL FACILITIES FOR THE PARK AND RIDE SITES SHOWN ON THE PROPOSALS MAP; AND OTHER USES COMPATIBLE WITH GREEN BELT PURPOSES;
- LIMITED EXTENSION ALTERATION OR REPLACEMENT OF EXISTING DWELLINGS;
- LIMITED INFILLING AND REDEVELOPMENT OF IDENTIFIED MAJOR EXISTING DEVELOPED SITES;
- LIMITED INFILLING IN VILLAGES AND LIMITED AFFORDABLE HOUSING FOR LOCAL COMMUNITY NEEDS.
- RE-USE OF BUILDINGS, WHERE ALL THE DETAILED CRITERIA OF POLICY GB4 ARE SATISFIED;
- CHANGE OF USE OF LAND FOR PURPOSES WHICH DO NOT COMPROMISE GREEN BELT OBJECTIVES;
- CEMETERIES.

DEVELOPMENT WITHIN THE GREEN BELT WILL ONLY BE PERMITTED IF IT CONFORMS TO THE DETAILED GREEN BELT POLICIES CONTAINED IN APPENDIX 5 IN VOLUME 2.

(iii) deleting paras. 5.2.1-6 of Appendix 5 of Volume 2 and replacing them with :

5.2.1 The general policies controlling development in the countryside apply with equal force in the Green Belt but there is , in addition , a presumption against inappropriate development. National guidance on Green Belts and the control of development within them is contained in PPG 2.

(iv) rewording para 5.4.3 of Appendix 5 of Volume 2 to read :

5.4.3 The following policies reflect and amplify national guidance and address the particular problems faced in the day - to - day control of development in the Leeds Green Belt.

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(v) prefacing all paragraph numbers in Volume 2 Appendices with " A ".

106

Topic 106

N34 PROTECTED AREAS OF SEARCH

Inspector's recommendation

106.37 I recommend that the UDP should be modified as follows:

(i) the words 'suitable or preferable for it to be' in para 5.4.10 should be replaced by 'that it should be' and the words 'development will only be reconsidered' with 'allocation for development will be considered'; and

(ii) the final sentence of para 5.4.10 should be replaced with the words 'Until such a review it is intended that no development should be permitted on this land which would prejudice the *possibility* of longer term development'; and

(iii) a list of the sites that would be subject to Policy N34 should be included in the explanatory text. The following are either identified as such in the UDP or are recommended to be elsewhere in this Report:

Topic Address Gross Comments

No Area

318 Breary Lane East, Bramhope 15.4 Alloc GB AG

338 Canada Road, Yeadon 1.1 GB AG

350 Haw Lane, Yeadon 2.3 GB AG

370 Manston Lane 19.7 Alloc IGB AG

371 West of Red Hall, Swarcliffe 11.3 IGB AG

400 South of A64, Whinmoor 13.2 IGB AG *inc pt 377*

411 Whinmoor 57.7 Alloc IGB AG *inc 375, 777 & 938*

412 East of Scholes 30.4 Alloc IGB AG

413 Selby Road, Garforth 17.9 Alloc IGB AG

419 Pit Lane, New Micklefield 6.5 GB AG

438 Scholes Park Farm, Whinmoor 18.2 Alloc IGB AG

454 Moorgate, Kippax 12.0 GB UN

475 Daisy Hill, Morley 2.9 Alloc GB AG

476 Low Moor Farm, Morley 7.4 Alloc GB AG

491 Tingley Station 43.6 GB AG/UN

517 East of Churwell 2.3 GB AG *inc 540*

518 Back Green, Churwell 1.3 GB AG

523 Spring Gardens, Drighlington 9.2 GB AG

525 Westerton Road (East), West Ardsley 5.3 GB AG

527 Harwell Approach, Churwell 0.8 GB UN *links 517 & 518*

534 ro 5 New Lane, East Ardsley 0.3 GB AG *links with 539*

535 Adj 132 Bradford Road, East Ardsley 0.2 GB PD *links with 539*

539 Bradford Road, East Ardsley 13.3 GB AG

Leeds City Council Decision and Reasons

The Council accepts the Inspector's conclusions set out in paras. 106.3-36 of the Report and paras. 6-7 of the Addendum and consequently accepts the Inspector's Recommendation to modify the Plan. This will require a consequential amendment to Section 7.5 in Chapter 7 of the Plan which explains the basis on which N34 provision has been made to make this consistent with the revised N34 proposals.

Proposed Modification 5/035

Modify the Revised Draft UDP by :

(i) rewording para 5.4.10. in Chapter 5 of Volume 1 to read as follows :

5.4.10. Strategic Guidance identifies the necessity for the UDP to achieve now a definition of the Green Belt and its boundaries which will survive "well into the next century", i.e. beyond the Plan period for land use allocations (which is approximately to 2006). To ensure this necessary long term endurance of Green Belt, it is necessary to identify now land which may be required for longer term development needs. Whilst this land is not now considered appropriate for inclusion in the Green Belt, it is not considered that it should be developed during the Plan period. It must be made absolutely clear that there is no automatic assumption that this land will be developed - its suitability for allocation for development will be considered on review of the UDP. Until such a review it is intended that no development should be permitted on this land which would prejudice the possibility of longer term development.

(ii) adding a new para. 5.4.11 and a list of sites to be protected under Policy N34, as follows:

5.4.11. The following sites are protected under Policy N34 as Protected Areas of Search:

1. Breary Lane East, Bramhope
2. Canada Road, Yeadon
3. Haw Lane, Yeadon
4. Manston Lane
5. West of Wetherby Road, Red Hall
6. South of A64, Whinmoor
7. North of A64, Whinmoor
8. East of Scholes
9. Selby Road, Garforth
10. Pit Lane, New Micklefield
11. Scholes Park Farm
12. Moorgate, Kippax
13. Low Moor Farm, Morley
14. Tingley Station
15. Spring Gardens, Drighlington
16. New Lane, East Ardsley
17. Bradford Road, East Ardsley

541 Lane Side Farm, Churwell 17.5 GB AG
 542 Owers Farm, Morley 3.9 GB AG
 547 Manor House Farm, Churwell 3.0 GB AG etc
 559 Moseley Bottom, Cookridge 9.5 Alloc GB AG
 589 Church Lane, Adel 11.7 GB AG
 624 Church Close, Pool in Wharfedale 1.1 ? GB AG
 633 Hall Farm, Pool in Wharfedale 11.0 GB AG *inc 624 & 1015 GB(pt)*
 678 Hill Foot Farm, Pudsey 2.7 UN
 691 Calverley Lane, Farsley 6.5 GB AG
 698 Kirklees Knowl, Farsley 19.3 GB AG
 700 Greenland Farm, Oulton 3.8 GB AG
 701 Royds Lane, Rothwell 3.8 Alloc GB AG
 706 Pitfield Road, Carlton 5.4 GB AG
 708 Mickletown Road, Mickletown (adj H4.36) 5 ? GB AG
 745 Greenland Farm, Oulton 7.9 GB AG *see 700*
 747 Church Farm, Lofthouse 7.1 GB AG
 778 Low Moor Side, New Farnley 4.5 GB AG
 837 Green Lane/Grove Road, Boston Spa 4.0 GB AG
 839 Leeds Road, Collingham 6.7 GB AG
 843 Spofforth Hill, Wetherby 14.5 AG
 861 West Park, Boston Spa 4.2 GB AG
 889 Chapel Lane, Clifford 1.4 GB AG
 917 The Ridge, Linton 3.0 GB UN
 920 New Lane, East Ardsley 1.2 GB AG *links with 539*
 932 Main Street/Hobberley Lane, Shadwell 2.3 GB AG
 937 Red Hall Lane/Skelton Lane 20.0 IGB AG *inc 936*
 959 Wood Lane, Scholes 1.9 GB AG
 968 Park Lane, Allerton Bywater 41.0 GB AG *link 586-8*
 AG = agriculture, horticulture and grazing PD = partly developed
 (sometimes part only)
 UN = currently unused URB = in a generally built-up area D = now developed

Inspector's Addendum

6. The Council are correct in identifying a regrettable number of errors or inconsistencies in the schedules in para 106.30 and 106.37. My intention as to the inclusion of particular sites was as follows:

Topic	Site	Intended recommendation
382	Grimes Dyke, Whinmoor	Allocate under H4
475	Daisy Hill, Morley	Allocate under H4
517	East of Churwell	Leave in the Green Belt
518	Back Green, Churwell	Leave in the Green Belt
525	Westerton Road East	Leave in the Green Belt
527	Harwill Approach, Churwell	Leave in the Green Belt
534	New Lane East Ardsley	Safeguard under N34

18. Lane Side Farm, Churwell
 19. Owers Farm, Morley
 20. Manor House Farm, Churwell
 21. Moseley Bottom, Cookridge
 22. Church Lane, Adel
 23. West of Pool in Wharfedale
 24. Hill Foot Farm, Pudsey
 25. Calverley Lane, Farsley
 26. Kirklees Knowl, Farsley
 27. Greenland Farm, Oulton
 28. Royds Lane, Rothwell
 29. Pitfield Road, Carlton
 30. Mickletown Road, Methley
 31. Low Moor Side, New Farnley
 32. Green Lane/Grove Road, Boston Spa
 33. Leeds Road, Collingham
 34. Spofforth Hill, Wetherby
 35. West Park, Boston Spa
 36. Chapel Lane, Clifford
 37. The Ridge, Linton
 38. Red Hall Lane/Skelton Lane, Whinmoor
 39. Wood Lane, Scholes
 40. Park Lane, Allerton Bywater

NB: Consequent changes to the Proposals Map are contained under Local Plans' Topics.

(iii) replacing section 7.5 of Chapter 7 as follows:

7.5 LONG TERM GROWTH

7.5.1 Chapter 5 identifies the need for the UDP to establish Green Belt boundaries that will last longer than the other land use allocations of the Plan. The purpose of this is to ensure that the Green Belt boundaries defined in this Plan have a reasonable degree of permanence as required by PPG2, and at the very least will not have to be changed again when the UDP comes to be reviewed. In order to achieve this objective, it is necessary to provide sufficient safeguarded land outside the Green Belt to meet possible development needs arising after 2006.

7.5.2 In assessing long term development requirements, it is considered sufficient to look 10 years beyond the plan period to 2016. Employment land needs in this period are already catered for adequately by the allocations in this Plan (see Chapter 8). The vast bulk of development land requirements after 2006 are thus likely to come from the need for additional housing.

7.5.3 It is neither necessary nor possible to predict these needs with any great accuracy : the

	<p>745 Greenland Farm, Oulton Leave in the Green Belt 747 Church Farm, Lofthouse Leave in the Green Belt 889 Chapel Lane Clifford Safeguard under N34 932 Main Street, Shadwell Leave in the Green Belt 959 Wood Lane Scholes Safeguard under N34 1015 West of Pool Safeguard under N34 (includes 624 and 633)</p> <p>7. As far as the areas of individual sites are concerned, I indicate at para 106.30 that in the schedule which follows I include approximate areas for each site. In several cases I recommend changes to the boundaries of the sites without having available revised figures for their areas. I therefore indicate that the Council should check and where necessary revise the figures for individual sites. For that reason I do not include any figures in my formal recommendations on this Topic in para 106.37. I include them in para 106.30 merely to give some idea of their relative order of magnitude, but I accept that this may give a spurious impression of accuracy to the figures for areas included in it.</p>	<p>purpose is not to determine now the precise scale of housing need post 2006 (it will be for subsequent plans to do this), but to provide a rough guide to the amount of land that might reasonably need to be safeguarded in order to ensure the comparative permanence of Green Belt boundaries for the foreseeable future. The 1992 based DETR household projections have been used for this purpose. These projections point to a net increase of 50000 households in Leeds between 1991 and 2016. The present Plan provides land for 28500 dwellings in the period to 2006, leaving about 21500 households to be accommodated after 2006.</p> <p>7.5.4 Assuming an approximate average density of 25 dwellings per hectare, this equates to a need for 860 hectares of land. A large part of this will be expected to be met from recycled land within existing urban areas : the Government has set a national target of 60% of new housing to be built on previously used land by 2008. However for prudential reasons it is assumed that 50% of possible housing land needs 2006-16 will be met from recycled land, leaving a guideline figure of 430 hectares to be safeguarded for possible long term development needs.</p> <p>7.5.5 In fact a total of about 597 hectares of land is protected under policy N34. Although somewhat in excess of the very rough estimate of need, it should be realised that this is a gross area. The net developable area would be somewhat less and the safeguarded sites also include some that, if ever required for development, are likely to be more suitable for employment than housing use. The relatively generous provision provides some further element of flexibility. The sites have been selected generally in accordance with the criteria set out in strategic principles SP3 and SP5.</p> <p>7.5.6 It is emphasised that whether or not a particular site or area now designated under policy N34 eventually becomes acceptable for development will be judged within a review of the UDP. It is essential that its suitability for development is not pre-judged before such a review, which would take account of District-wide needs and potential supply at that time, and the relative merits of particular sites.</p>
107	<p>Topic 107 N35 PROTECTING AREAS OF GOOD AGRICULTURAL LAND</p> <p>Inspector's recommendation 107.12 I recommend that the UDP be modified as follows:</p> <p>i) as set out in those parts of PC015 which apply to paragraph 5.5.5 and N35, subject to the following minor changes in line 2 and lines 4-7 of paragraph 5.5.5 as proposed to be changed:</p> <p>line 2: delete "in the terms of" and substitute "as advised in".</p>	<p>Leeds City Council Decision and Reasons The Council accepts the Inspector's conclusions set out in paras.107.4 –11 of the Report and consequently accepts the Inspector's recommendation to modify the Plan .</p> <p>Proposed Modification 5/036 Modify the Revised Draft UDP by :</p> <p>(i) replacing " good agricultural land " with "agricultural land " in para 5.5.4 of Chapter 5 of Volume 1</p> <p>(ii) rewording para. 5.5.5 and Policy N35 in Chapter 5 of Volume 1 to read as follows :</p> <p>Agricultural Land</p>

	<p>line 4 et seq: after “require protection” delete all to “protection from development ...” and substitute “as a valuable and irreplaceable national resource for the future. Such land merits ...”</p> <p>ii) the first item in the emboldened list in paragraph 5.5.4 and the sub-heading above paragraph 5.5.5 (“good agricultural land”) should be deleted and that both be replaced by the words “agricultural land”.</p>	<p>5.5.5 Within the changing context of the agricultural economy, and as advised in PPG7, areas of the best and most versatile agricultural land (MAFF Grades 1-3a) require protection as a valuable and irreplaceable national resource for the future. Such land merits protection from development which would impoverish that resource. The development of agricultural land and buildings for alternative uses will consequently be considered in this context. Therefore:</p> <p>N35: DEVELOPMENT WILL NOT BE PERMITTED IF IT SERIOUSLY CONFLICTS WITH THE INTERESTS OF PROTECTING AREAS OF THE BEST AND MOST VERSATILE AGRICULTURAL LAND.</p>
108	<p>Topic 108 N36 CRITERIA FOR ASSESING DEVELOPMENT ON AGRICULTURAL LAND</p> <p>Inspector’s Recommendation 108.15 I recommend the following modifications to the UDP:</p> <p>i) para 5.5.6 should be modified as set out in PC015 with the addition of the following:</p> <p>The following Policy applies to all grades of agricultural land. Detailed Policies relating to agricultural land within the Green Belt are set out in Appendix 5 and to other areas of countryside within Appendix[].</p> <p>ii) the paragraph order should be changed by inserting 5.5.6 between Policies N35 and N36.</p> <p>iii) the following should be substituted for Policy N36:</p> <p>N36 PROPOSALS FOR THE CHANGE OF USE OF RURAL BUILDINGS WILL BE SUPPORTED. THEY AND PROPOSALS FOR THE DEVELOPMENT OF AGRICULTURAL LAND WILL BE ASSESSED AGAINST THE FOLLOWING CRITERIA:</p> <p>i. SEVERANCE OF FARM BUILDINGS FROM THE REST OF THE FARM WILL BE AVOIDED.</p> <p>ii. THE VIABILITY OF AN AGRICULTURAL HOLDING WILL NOT BE JEOPARDISED.</p> <p>iii. WHERE THE LOSS OF LAND WITHIN THE BEST AND MOST</p>	<p>Leeds City Council Decision and Reasons The Council accepts the Inspector's conclusions as set out in paras. 108.6-14 of the Report and consequently accepts the Inspector’s conclusion to modify the Plan.</p> <p>Proposed Modification 5/037 Modify the Revised Draft UDP by:</p> <p>(i) locating para 5.5.6 between Policies N35 and N36 and amending it as follows:</p> <p>5.5.6 The diversification of the rural economy needs to be encouraged where it will maintain the viability of agriculture, and environmental concerns safeguarded through the careful integration of environmental and economic initiatives. The development of multi-functional woodlands and the re-use and adaptation of rural buildings for appropriate economic uses are examples of how the rural economy may be diversified. The following Policy applies to all grades of agricultural land. Detailed Policies relating to agricultural land within the Green Belt are set out in Appendix 5 and to other areas of countryside within Chapter 24, Topic 819.</p> <p>(ii) replacing Policy N36 with the following:</p> <p>N36 PROPOSALS FOR THE CHANGE OF USE OF RURAL BUILDINGS WILL BE SUPPORTED. THEY AND PROPOSALS FOR THE DEVELOPMENT OF AGRICULTURAL LAND WILL BE ASSESSED AGAINST THE FOLLOWING CRITERIA:</p> <p>i. SEVERANCE OF FARM BUILDINGS FROM THE REST OF THE FARM WILL BE AVOIDED.</p> <p>ii. THE VIABILITY OF AN AGRICULTURAL HOLDING WILL NOT BE JEOPARDISED.</p> <p>iii. WHERE THE LOSS OF LAND WITHIN THE BEST AND MOST VERSATILE CATEGORY IS OTHERWISE ACCEPTABLE AND THERE IS A CHOICE OF HIGHER OR LOWER QUALITY LAND WITHIN GRADES 1-3A, LAND AT</p>

VERSATILE CATEGORY IS OTHERWISE ACCEPTABLE AND THERE IS A CHOICE OF HIGHER OR LOWER QUALITY LAND WITHIN GRADES 1-3A, LAND AT THE LOWER END OF THAT RANGE SHOULD BE TAKEN.

iv. AGRICULTURAL ACTIVITIES ON AN ADJOINING FARM WILL NOT BE HARMED.

v. REPLACEMENT FARM BUILDINGS WILL NOT BE REQUIRED.

vi. THE AMOUNT OF LAND TAKEN WILL BE NO MORE THAN IS REASONABLY REQUIRED TO MEET PROPER DEVELOPMENT STANDARDS.

vii. TRADITIONAL AGRICULTURAL LANDSCAPES, WILDLIFE HABITATS AND NATURAL FEATURES WILL BE CONSERVED.

viii. DEVELOPMENT WILL NOT INTRUDE HARMFULLY INTO THE OPEN COUNTRYSIDE.

iv) the reference to a "presumption against" reference in para 5.5.1 to non-GB land should be deleted.

v) a new paragraph 8.8 should be added to Chapter 8 referring along the following lines to the Council's support for the rural economy:

8.8 THE RURAL ECONOMY

8.8.1 Approximately two thirds of land in the administrative area of Leeds is in agricultural and other open uses. These activities contribute significantly to the prosperity of the area. Diversification of the rural economy through the development and change of use of land and buildings in the countryside will be supported where this is compatible with environmental concerns and with maintenance of the openness of the Green Belt. Policies in section 5.5 of Chapter 5 and Appendices 5 and Chapter 24 apply to the rural economy.

vi) the plan should be supplemented with more detailed policies (Appendix *) to balance economic and environmental interests within the non GB open countryside.

THE LOWER END OF THAT RANGE SHOULD BE TAKEN.

iv. AGRICULTURAL ACTIVITIES ON AN ADJOINING FARM WILL NOT BE HARMED.

v. REPLACEMENT FARM BUILDINGS WILL NOT BE REQUIRED.

vi. THE AMOUNT OF LAND TAKEN WILL BE NO MORE THAN IS REASONABLY REQUIRED TO MEET PROPER DEVELOPMENT STANDARDS.

vii. TRADITIONAL AGRICULTURAL LANDSCAPES, WILDLIFE HABITATS AND NATURAL FEATURES WILL BE CONSERVED.

viii. DEVELOPMENT WILL NOT INTRUDE HARMFULLY INTO THE OPEN COUNTRYSIDE.

(iii) replacing para 5.5.1 with the following:

5.5.1 Leeds is set within extensive countryside which is pleasant and varied in character. For a Metropolitan city, the extent of countryside is exceptionally large, approximately two thirds of the administrative area. This figure represents the protected rural area after allowing for development proposals in this Plan, and equates with the existing and proposed Green Belt and open land within which development will be restricted. Agriculture is and will remain the major user of land and will therefore be the prime influence on the physical appearance and character of the countryside.

(iv) adding a new paragraph to Chapter 8 as follows:

8.8 THE RURAL ECONOMY

8.8.1 Approximately two thirds of land in the administrative area of Leeds is in agricultural and other open uses. These activities contribute significantly to the prosperity of the area. Diversification of the rural economy through the development and change of use of land and buildings in the countryside will be supported where this is compatible with environmental concerns and with maintenance of the openness of the Green Belt. Policies in section 5.5 of Chapter 5 and Appendices 5 and Chapter 24 apply to the rural economy. The Council's Countryside Strategy provides further guidance on how environmental and economic interests are to be balanced within the non-Green Belt open countryside.

109	<p>Topic 109 N37 DEVELOPMENT IN SPECIAL LANDSCAPE AREAS</p> <p>Inspector's recommendation 109.30 I recommend that the UDP be modified as follows:</p> <p>i) by the substitution of the following for paragraph 5.5.7 and Policy N37:</p> <p>5.5.7 The countryside around Leeds shows a great diversity of landscape character, ranging from areas where that character is strong and attractive to areas where the character has been seriously depleted. Development proposals in the areas of best quality landscape must show particular regard to conservation of the landscape, but throughout the countryside as a whole the effect on landscape character will be a material consideration in determining planning applications.</p> <p>5.5.7a Countryside with high landscape value needs to be protected from visually harmful development and be maintained and improved where necessary in order to safeguard its attractive character and appearance. The most attractive areas have been designated Special Landscape Areas. Those areas have been judged to possess several of the following positive characteristics and few or none of the negative:</p> <p><i>positive factors:</i> strong structure and visual unity [arising, for example, from hedges or walls marking field boundaries], interesting topography, high scenic quality, local rarity, attractive groups of buildings, landmarks, natural or semi-natural woods, trees, hedgerows, water bodies.</p> <p><i>Negative factors:</i> untidy or derelict land, large and visually intrusive industrial buildings, other eyesores.</p> <p>A brief description of the special qualities of each of the SLAs is included in Appendix * of the plan.</p> <p>N37 IN THE DESIGNATED SPECIAL LANDSCAPE AREAS, DEVELOPMENT WILL BE ACCEPTABLE PROVIDED IT WOULD NOT SERIOUSLY HARM THE CHARACTER AND APPEARANCE OF THE LANDSCAPE. THE SITING, DESIGN AND MATERIALS OF ANY DEVELOPMENT MUST BE SYMPATHETIC TO ITS SETTING AND, WHERE NECESSARY, LANDSCAPING OF THE SITE WILL BE</p>	<p>Leeds City Council Decision and Reasons The Council accepts the Inspector's conclusions set out in paras 109.15-23 of the Report and consequently accepts the Inspector's recommendation to modify the plan.</p> <p>Proposed Modification 5/038 Modify the Revised Draft UDP by:</p> <p>(i) the substitution of the following for paragraph 5.5.7 and Policy N37:</p> <p>5.5.7 The countryside around Leeds shows a great diversity of landscape character, ranging from areas where that character is strong and attractive to areas where the character has been seriously depleted. Development proposals in the areas of best quality landscape must show particular regard to conservation of the landscape, but throughout the countryside as a whole the effect on landscape character will be a material consideration in determining planning applications.</p> <p>5.5.7a Countryside with high landscape value needs to be protected from visually harmful development and be maintained and improved where necessary in order to safeguard its attractive character and appearance. The most attractive areas have been designated Special Landscape Areas. Those areas have been judged to possess several of the following positive characteristics and few or none of the negative:</p> <p>Positive factors: strong structure and visual unity [arising, for example, from hedges or walls marking field boundaries], interesting topography, high scenic quality, local rarity, attractive groups of buildings, landmarks, natural or semi-natural woods, trees, hedgerows, water bodies.</p> <p>Negative factors: untidy or derelict land, large and visually intrusive industrial buildings, other eyesores.</p> <p>A brief description of the special qualities of each of the SLAs is included in Appendix * of the Plan.</p> <p>N37 IN THE DESIGNATED SPECIAL LANDSCAPE AREAS, DEVELOPMENT WILL BE ACCEPTABLE PROVIDED IT WOULD NOT SERIOUSLY HARM THE CHARACTER AND APPEARANCE OF THE LANDSCAPE. THE SITING, DESIGN AND MATERIALS OF ANY DEVELOPMENT MUST BE SYMPATHETIC TO ITS SETTING AND, WHERE NECESSARY, LANDSCAPING OF THE SITE WILL BE REQUIRED.</p> <p>5.5.7b Maintenance and enhancement of the landscape character and distinctiveness of the Leeds countryside is an objective which applies throughout the district, not just in the designated Special Landscape Areas. In considering any proposals for development in the countryside, wherever located, it is necessary to have regard to the impact which development may have upon landscape character. Therefore:</p>
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REQUIRED.
5.5.7b [as in PC016]

N37A [as in PC016]

ii) Volume 2 of the UDP should include an Appendix listing the SLAs and including a brief description of their individual special characteristics.

N37A ALL NEW DEVELOPMENT OR CHANGE IN LAND USE WITHIN THE COUNTRYSIDE SHOULD:

- i) HAVE REGARD TO THE CHARACTER OF THE LANDSCAPE IN WHICH IT IS SET, AND MAINTAIN PARTICULAR FEATURES WHICH CONTRIBUTE TO THIS;
- ii) WHERE APPROPRIATE, CONTRIBUTE POSITIVELY TO RESTORATION OR ENHANCEMENT OBJECTIVES BY INCORPORATION OF SUITABLE LANDSCAPE WORKS.

(ii) inserting a new Appendix XX in Volume 2 of the Plan as follows:

APPENDIX XX - SPECIAL LANDSCAPE AREAS IN THE LEEDS AREA (Numbers refer to Map XX (Plan M/5/101) in Appendix XX).

1. Hawksworth Moor

A ridge of well-structured pastureland of small walled and hedged fields rising gently westwards to the wilder area of Hawksworth Moor. It is crossed by several walled lanes and offers good long-distance views over Wharfedale and Airedale. Hawksworth Moor occupies the western part of the area and is the most extensive area of heather moorland in Leeds, as well as the highest ground (340m A.O.D.). In the eastern part of the area, the unspoilt and historic Hawksworth village lies just south of the top of the ridge. The well treed grounds of High Royds Hospital occupy a shelf of flattish land in the north-east corner of the area. South-west of Hawksworth the attractive valley of the Jum Beck descends the slope to the Gill Beck. Positive factors: Strong structure and visual unity, topography, scenic quality, local rarity (moorland), attractive groups of buildings, trees, hedgerows, water bodies. Negative factors: A prominent white former sanatorium complex bordering High Royds Hospital. The area is abutted on the south, west and north by the Bradford District Special Landscape Area.

2. Otley Chevin

Extending westwards from Pool-in-Wharfedale and Bramhope, this part of the SLA occupies the southern slopes of the Wharfe Valley and affords fine views across the valley to Nidderdale, Farnley Moor and Leathley Moor. The steepest slopes, including the Chevin Forest Park, are heavily wooded and include unique rock formations. The remainder consists mainly of a fairly intact field pattern with walls or hedges and mature trees. Scattered farmsteads and houses occupy the north-facing slopes north of the Chevin woodlands and the A660, south of the disused railway line. Positive factors: strong structure and visual unity, interesting topography, high scenic quality, local rarity, attractive groups of buildings, landmarks, natural or semi-natural woods, trees, hedgerows. Negative factors: none.

3. Wharfe Valley southern slopes

This part of the SLA occupies the southern escarpment slopes of the Wharfe Valley and the valley floor extending to the River, extending from Pool-in-Wharfedale in the west to Collingham

in the east. It is characterised by steep north-facing escarpment slopes with scattered woodlands descending to the flat but well-treed arable land south of the river. There are fine long distance views across the valley from many lanes and other viewpoints on the crest of the escarpment. The Harrogate-Leeds railway viaduct north of Bramhope, the wooded outlier of Rawden Hill near Weardley are attractive elements in many views. At Harewood the wooded parkland, Grade I on the English Heritage Register of Parks and Gardens, spills over into the valley and includes the historic ruins of Harewood Castle. Positive factors: strong structure and visual unity, interesting topography, high scenic quality, attractive groups of buildings, landmarks, natural or semi-natural woods, trees, hedgerows. Negative factors: none.

4. Linton/Wetherby

This area includes the distinctive washland landscape of Wetherby Ings which with the river cliff to the north defines the southern limits of the town. The washland extends up-river to the south and is occupied by grazing fields and Wetherby Golf Course which incorporates an attractively tree-grown disused railway embankment. This part of the SLA is overlooked by public viewpoints on the steeply rising ground either side of the valley floor. The rising land north and west of the river includes the well-wooded valley of Northgate Lane and the wooded parkland at Linton Spring, and offers fine views of the Wharfe Valley and of the villages of Linton and Collingham. Positive factors: strong structure and visual unity, interesting topography, high scenic quality, local rarity, attractive groups of buildings, landmarks, natural or semi-natural woods, trees, hedgerows, water bodies. Negative factors: none

5. Wetherby/Boston Spa

This area is bisected by the winding course of the River Wharfe in a narrow, well wooded gorge. Wetherby Grange Park and Thorp Arch Park are well-treed, and the wooded Hills at Gunter Wood and Crowcroft Bank are prominent and attractive features. The eastern edge of the area is defined by a wooded disused railway cutting. Positive factors: strong structure and visual unity, interesting topography, high scenic quality, local rarity, attractive groups of buildings, natural or semi-natural woods, trees, hedgerows, water bodies. Negative factors: timber yard buildings east of Park Hill Farm.

6. Golden Acre/Eccup

Well-kept agricultural land dotted with farmsteads, small woodlands and shelterbelts.. Several golf courses lie along the southern fringes but have a wooded moorland character which fits well into the locality. The wooded parkland of Golden Acre Park, Fish Pond Plantation and the Adel Dam nature reserve are complemented by attractive water bodies. The attractive Eccup Beck valley is dominated by the broad expanse of Eccup Reservoir. Positive factors: strong structure and visual unity, high scenic quality, attractive groups of buildings, landmarks, natural or semi-natural woods, trees, hedgerows, water bodies. Negative factors: none.

7. Harewood

The high quality landscape of Harewood Park is Grade I on the English Heritage Register of Parks and Gardens. Positive factors: strong structure and visual unity, interesting topography, high scenic quality, local rarity, attractive groups of buildings, landmarks, natural or semi-natural woods, trees, hedgerows, water bodies. Negative factors: none.

8. Collingham/East Keswick/Bardsey/Scarcroft/Thorner/Shadwell

This part of the SLA is typified by a series of ridges and valleys running eastwards into the Scarcroft/Bardsey/East Keswick becks which in turn feed into a tributary of the Wharfe. The series of rolling ridges allow attractive middle- and long-distance views along the valleys and north-east out of the Leeds area. The scattered villages are located mainly on the higher ground though Thorner, Bardsey and Collingham descend into the valley bottoms. The field structure is largely intact, and small woodlands are located on the steeper valley sides. The southern part of the area includes several golf courses, some of which complement and enhance the local landscape character and some of which include inappropriate planting. Towards the west there are only small hamlets and farms, and the landscape is more open in character. Positive factors: strong structure and visual unity, interesting topography, high scenic quality, attractive groups of buildings, natural or semi-natural woods, trees, hedgerows, water bodies. Negative factors: none.

9. Bramham

The landscape of this area is dominated by several large-scale woodlands such as Black Fen and Lady Wood, which tend to truncate long-distance views, but also contains many smaller woods and shelterbelts, and well-maintained walls and hedges. The steep sides of the various narrow valleys are generally wooded. The core of the Bramham Park estate is Grade I on the English Heritage Register of Parks and Gardens. Positive factors: strong structure and visual unity, interesting topography, high scenic quality, local rarity, attractive groups of buildings, landmarks, natural or semi-natural woods, trees, hedgerows, water bodies. Negative factors: none.

10. Parlington/Becca

This area extends between the Magnesian Limestone villages of Barwick and Aberford, and consists almost entirely of 19th century country estates including Parlington, Becca, and Potterton, which contain typical large-scale woodland blocks, shelterbelts and parkland trees, together with well-maintained agricultural landscapes. The topography reflects the presence of the Cock Beck and its various tributary valleys. The wooded ancient earthworks of Becca Banks and The Ridge add to the attractiveness of the area. Positive factors: strong structure and visual unity, interesting topography, high scenic quality, local rarity, attractive groups of buildings, natural or semi-natural woods, trees, hedgerows, water bodies. Negative factors: none.

11. Ledsham/Ledston

The major, southern, part of this area consists of undulating well-structured farmland on the Magnesian Limestone, dissected by several small dry valleys (in two of which sit the attractive villages of Ledsham and Ledston). The landscape is dominated by the high-quality well-wooded parkland landscape of Ledston Park, Grade II on the English Heritage Register of Parks and Gardens. The southern slopes, descending to the Aire Valley, afford dramatic long-distance views over Fairburn Ings and South Yorkshire. Further north, the quality of the landscape derives from the large woodlands interspersed with open fields on the ridge east of the A1, and the Grade II registered grounds of Lotherton Hall. Positive factors: strong structure and visual unity, interesting topography, high scenic quality, local rarity, attractive groups of buildings,

landmarks, natural or semi-natural woods, trees, hedgerows. Negative factors: none.

12. Temple Newsam

Well-wooded parkland, golf course and agricultural land with a strong structure and enjoying panoramic views of the Aire Valley. This area includes the whole of Temple Newsam Park (the core of which was originally designed by Capability Brown and now Registered Grade II by English Heritage), small-scale fields with fine hedgerow trees between the park and Colton, and areas of open-cast coal mining now restored to a high standard and now in agricultural use. Positive factors: strong structure and visual unity, high scenic quality, local rarity, attractive groups of buildings, landmarks, natural or semi-natural woods, trees, hedgerows, water bodies. Negative factors: short views of motorway, long-distance views of industrial buildings.

13. Swillington/Leventhorpe

Two adjacent parkland estates with mature trees, woodlands pastures and wetlands, with a strong relationship to their Aire Valley setting. Positive factors: strong structure and visual unity, high scenic quality, attractive groups of buildings, natural or semi-natural woods, trees, hedgerows, water bodies. Negative factors: none.

14. Methley Park

The core of this area is the well-wooded Methley Park estate, a 19th Century landscape designed around the now-demolished Methley Hall. The area extends eastwards to Methley Conservation Area centred on the attractive village green. Between the park and Watergate is an area of low-lying fields with a very strong pattern of hedgerow trees though the hedges themselves have largely vanished. North of Methley Lane is an area of pasture and small hedged fields, with trees following Oulton Beck. Positive factors: strong structure and visual unity, high scenic quality, local rarity, attractive groups of buildings, natural or semi-natural woods, trees, hedgerows, water bodies. Negative factors: none.

15. Oulton Park/Springhead Park

Oulton Park is an almost intact early 19th century park designed by prominent landscape designer Humphrey Repton and registered Grade II* by English Heritage and currently in use as a golf course. Springhead Park is based on the steep-sided valley of Oulton Beck, with mature trees and woodlands. Both parks play an important role in visually separating Rothwell from Woodlesford/Oulton. Positive factors: strong structure and visual unity, high scenic quality, local rarity, attractive groups of buildings, landmarks, natural or semi-natural woods, trees, hedgerows, water bodies. Negative factors: none.

16. East Ardsley

An area of undulating agricultural land centred on the axis of a tributary of the Hey Beck, containing several mature woodlands and the major water body of Ardsley Reservoir, and enjoying long-distance views to the south. This area constitutes the best landscape in the Morley area. Positive factors: strong structure and visual unity, interesting topography, local rarity, natural or semi-natural woods, trees, hedgerows, water bodies. Negative factors: views of motorway.

17. Fulneck/Tyersal/Troydale/Cockersdale

This area is based on the steep slopes of the Fulneck, Cockersdale and Pudsey Beck valleys. The dramatic topography is complemented by a strong pattern of hedges and walls, with many hedgerow trees and some woodlands on the steeper slopes. This area overlooks and is contiguous with the Tong-Cockersdale area in Bradford District, also designated as Special Landscape Area. Positive factors: strong structure and visual unity, interesting topography, high scenic quality, natural or semi-natural woods, trees, hedgerows, water bodies. Negative factors: none.

18. Woodhall/Calverley/Cragg Wood/Hunger Hills

The whole of this area is characterised by a well-maintained field pattern of walls, hedges, trees and substantial woodlands, with steep lanes following small valleys and connecting the farms, hamlets and small villages which punctuate the landscape. South of Calverley and Rodley Lane is an area of rising land reaching its highest point at Woodhall Hills, which providing extensive views over the surrounding countryside and towards both cities of Leeds and Bradford. The western fringe falls away to the steep, partially wooded, valley slopes of Fagley Beck. North of Calverley a narrow belt of fields is separated from the River Aire and the canal by the extensive Calverley Wood, while further east there are uninterrupted views northwards across the valley. North of the flat valley bottom the land rises again to the A65 which affords spectacular views of the whole valley. Around the heavily wooded Victorian residential estate of Cragg Wood the large stone houses are largely hidden in the trees. North of the A65 the open slopes extend between Horsforth and to the high viewpoint of Hunger Hills. Positive factors: strong structure and visual unity, interesting topography, high scenic quality, attractive groups of buildings, landmarks, natural or semi-natural woods, trees, hedgerows, water bodies. Negative factors: industrial area visible west of Calverley Bridge (but not in SLA).

110

Topic 110

N38 DEVELOPMENT ON WASHLANDS AND FLOODPLAINS

Inspector's recommendation

110.5 I recommend that the UDP be modified as follows :

i) as set out in PC017 subject to the deletion of the word "NORMALLY".

ii) by an amendment to the Key to the Proposals Map to read "WASHLANDS", and the NRA's amended boundaries of the washlands to be incorporated, as shown on the 5 plans appended to O/14073.

iii) as set out in PC297.

Leeds City Council Decision and Reasons

The Council accepts the Inspector's conclusions set out in paras. 110.2-4 of the Report and consequently accepts the Inspectors recommendation to modify the Plan.

Proposed Modification 5/039

Modify the Revised Draft UDP by:

(i) amending para 5.5.8 and Policy N38 to read:

5.5.8 DoE Circular 30/92 ("Development and Flood Risk") indicates that Development Plans should provide the policy context for development in flood risk areas. The National Rivers Authority (NRA) has identified those washland areas within Leeds which provide for the essential storage of floodwater. These areas are shown on the Proposals Map. The views of the NRA will be sought on all proposals for these areas and Policy N38 will apply. Other areas at risk of flooding which are not considered by the NRA to provide essential storage of floodwater have not been identified on the Proposals Map:

N38: DEVELOPMENT, INCLUDING CHANGES OF USE, WILL NOT BE PERMITTED

		<p>ON WASHLANDS IDENTIFIED ON THE PROPOSALS MAP, UNLESS:</p> <ul style="list-style-type: none"> i. ALTERNATIVE FLOODWATER STORAGE CAN BE PROVIDED; ii. THE PROPOSAL WOULD NOT MATERIALLY DETRACT FROM THE FUNCTION OF THE WASHLAND/FLOODPLAIN; iii. THERE WOULD BE NO SERIOUS RISK TO THE PROPOSED DEVELOPMENT OR USE FROM FLOOD DEBRIS OR POLLUTION. <p>(ii) amending the Key to the Proposals Map to read "WASHLANDS", and amending the boundaries of the washlands on that plan (Plans M/5/102-107).</p> <p>(iii) amending the Glossary to include an entry reading:</p> <p style="padding-left: 40px;"><u>Washland</u></p> <p style="padding-left: 40px;">Area of floodplain where water is stored in time of flood. The floodplain comprises all land adjacent to a watercourse over which water flows at time of flood, or would flow but for the presence of flood defences where they exist. The limits of floodplain are defined by the peak water level of an appropriate return period event on the watercourse. On non-tidal rivers, this will normally be the greater of the 1 in 100 year return period flood or the highest known water level.</p>
111	<p>Topic111 DR DRAINAGE (PROPOSED POLICY)</p> <p>Inspector's recommendation 111.3 I recommend that the UDP be modified as set out in PC004.</p>	<p>Leeds City Council Decision and Reasons The Council accepts the Inspector's conclusions set out in para. 111.2 of the Report but rejects the Inspectors recommendation to modify the Plan as set out in PC004 as this is in conflict with his recommendations for Topics 21, 144, 267 and 969 which modify Policy GP5 in a manner that differs from the wording in Proposed Change 004, excluding any reference to surface or underground waters.</p> <p>Proposed Modification 5/040 See Topic 021</p>
112	<p>Topic 112 N40 ENVIRONMENTAL IMPS ON THE URBAN FRINGE</p> <p>Inspector's recommendation 112.8 I recommend modification of the UDP as set out in PC018 and PC019 but subject to the following alterations:</p> <p>i) para 5.5.11: in PC18 insert "(Revised)" after "PPG2" and delete "and Consultation ... 1994" from first sentence, retain "planning" in first clause of last sentence and add "(Revised)" after "PPG7" in line 9.</p>	<p>Leeds City Council Decision and Reasons The Council accepts the Inspector's conclusions set out in paras.112.5-7 of the Report and para. 69 of the Addendum and consequently accepts the Inspectors recommendation to modify the Plan.</p> <p>Proposed Modification 5/041 Modify the Revised Draft UDP by:</p> <p>(i) amending para 5.5.11 to read</p> <p>5.5.11 As detailed in Section 5.4, extensive areas of Leeds M.D. are Green Belt and are</p>

	<p>ii) in PC19, add the words "PLANNING AND" before "MANAGEMENT" in line 1 of Policy N40.</p> <p><u>Inspector's Addendum</u></p> <p>69. My intention in para 112.8i is to recommend a form of words for para 5.5.11 which differs from both PC18 and LCCIC/67. I can see no reason to mention the latter under these circumstances.</p>	<p>subject to controls consistent with this designation which reflect Government advice contained in PPG2 (Revised). Within the context of Green Belt designation, a particular issue which needs to be addressed within the UDP is the relationship between countryside and the adjoining urban edge. This relationship is complex, with often blurred distinctions between urban and rural areas. The characteristics of these areas of "urban fringe" include land use conflicts and environmental problems which threaten the amenity of the areas and the viability of agriculture. Within Leeds MD, urban fringe areas are almost entirely within the Green Belt. The need to adopt a positive approach towards the planning and management of these areas is acknowledged in PPG7 (Revised), with the objective of securing environmental improvements and the beneficial use of the land itself, and allowing increased and managed public areas, resulting in increased amenity for the residents of urban areas</p> <p>(ii) amending Policy N40 to read:</p> <p style="padding-left: 40px;">N40: IN THE URBAN FRINGE, SUPPORT WILL BE GIVEN TO MANAGEMENT INITIATIVES TO SECURE ENVIRONMENTAL IMPROVEMENTS, THE BENEFICIAL USE OF LAND, AND INCREASED PUBLIC ACCESS WHERE THIS CAN BE APPROPRIATELY MANAGED. PRIORITY WILL BE GIVEN TO THE AREA DEFINED ON THE PROPOSALS MAP.</p>
113	<p><u>Topic 113</u> N41A PHASED PROGRAMME FOR THE WOODLAND STRATEGY</p> <p><u>Inspector's Recommendation</u> 113.3 I recommend that the UDP be modified as set out in PC020.</p>	<p><u>Leeds City Council Decision and Reasons</u> The Council accepts the Inspector's conclusion set out in paras. 113.2-3 of the Report and consequently accepts the Inspector's recommendation to modify the Plan.</p> <p><u>Proposed Modification 5/042</u> Modify the Revised Draft UDP by:</p> <p>(i) replacing Policy N41A with the following:</p> <p style="padding-left: 40px;">N41A THE PHASED PROGRAMME FOR THE FOREST OF LEEDS FOCUSES INITIALLY UPON THE URBAN FRINGE PRIORITY AREA IDENTIFIED IN POLICY N40. DEVELOPMENT OF THE FOREST OF LEEDS WILL BE PURSUED WHERE OPPORTUNITIES AND RESOURCES PERMIT TO MAINTAIN AND EXTEND AN INTEGRATED WOODLAND FRAMEWORK.</p>
114	<p><u>Topic 114</u> N41B DEVELOPING LINKED WOODLAND INFRASTRUCTURE</p> <p><u>Inspector's Recommendation</u> 114.3 I recommend that the UDP be modified as set out in PC020.</p>	<p><u>Leeds City Council Decision and Reasons</u> The Council accepts the Inspector's conclusion set out in para. 114.2 of the Report and consequently accepts the Inspector's recommendation to modify the Plan.</p> <p><u>Proposed Modification 5/043</u> Modify the Revised Draft UDP by:</p> <p>(i) replacing Policy N41B with the following:</p>

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N41B WHERE THE SCALE AND LOCATION OF DEVELOPMENT PROVIDES SUITABLE OPPORTUNITIES TO DEVELOP THE FOREST OF LEEDS, PLANNING OBLIGATIONS AND OTHER MECHANISMS WILL BE PURSUED WHEN APPROPRIATE.

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115	<p>Topic 115 N42 RETENTION AND ENHANCEMENT OF VISITOR ATTRACTIONS</p> <p>Inspector's Recommendation 115.3 I recommend that no modification be made to the UDP.</p>	<p>Leeds City Council Decision and Reasons The Council accepts the Inspector's conclusion set out in para. 115.2 of the Report and consequently accepts the Inspector's recommendation not to modify the Plan.</p> <p>Proposed Modification 5/044 None.</p>
117	<p>Topic 117 N44 COMMERCIAL LEISURE DEVELOPMENT IN THE COUNTRYSIDE</p> <p>Inspector's Recommendation 117.6 I recommend that the UDP be modified by the replacement of para 5.5.18 and Policy N44 as follows:</p> <p>i) 5.5.18 [as set out in LCCIC/68]</p> <p>N44 PROPOSALS FOR LEISURE DEVELOPMENT IN THE COUNTRYSIDE WILL ONLY BE ACCEPTED IF: I. IN GREEN BELT AREAS, THEIR SCALE AND INTENSITY IS COMPATIBLE WITH GREEN BELT POLICY OBJECTIVES; AND ii. THEY PROMOTE OPPORTUNITIES FOR LEISURE AND RECREATION FOR THE COMMUNITY AT LARGE; AND iii. THEY MAINTAIN OR POSITIVELY ENHANCE THE CHARACTER OF THE COUNTRYSIDE (FOR EXAMPLE BY IMPROVING THE ENVIRONMENT OF DERELICT OR DESPOILED LAND).</p>	<p>Leeds City Council Decision and Reasons The Council accepts the Inspector's conclusions set out in paras. 117.3-5 as set out in the Report and consequently accepts the Inspector's recommendation to modify the Plan.</p> <p>Proposed Modification 5/045 Modify the Revised Draft UDP by:</p> <p>(i) replace para 5.5.18 and Policy N44 with the following:</p> <p>5.5.18 Leisure development in the countryside has an important economic role to play, but needs to be balanced with wider countryside policy objectives relating to amenity and in Green Belt areas, to Green Belt objectives. As a consequence:</p> <p>N44: PROPOSALS FOR LEISURE DEVELOPMENT IN THE COUNTRYSIDE WILL ONLY BE ACCEPTED IF:</p> <p>i. IN GREEN BELT AREAS, THEIR SCALE AND INTENSITY IS COMPATIBLE WITH GREEN BELT POLICY OBJECTIVES; AND ii. THEY PROMOTE OPPORTUNITIES FOR LEISURE AND RECREATION FOR THE COMMUNITY AT LARGE; AND iii. THEY MAINTAIN OR POSITIVELY ENHANCE THE CHARACTER OF THE COUNTRYSIDE (FOR EXAMPLE BY IMPROVING THE ENVIRONMENT OF DERELICT OR DESPOILED LAND).</p>
118	<p>Topic 118 N45 CRITERIA FOR MINERAL WORKING PROPOSALS</p> <p>Inspector's Recommendation 118.24 I recommend that the UDP be modified as follows: i) as set out in PC190 and PC191; and ii) the written explanation should be modified to explain why policies for deep mined coal have not been brought forward; and iii) the last sentence of para 5.5.20 of Volume I should be modified by including the term "can" between "effects" and "include".</p>	<p>Leeds City Council Decision and Reasons The Council accepts the Inspectors conclusions set out in paras 118.13-118.23 of the Report and consequently accepts the Inspectors recommendations to modify the Plan. The revision to para 5.5.19 below is a composite incorporating changes arising from Topic 119.</p> <p>Proposed Modification 5/046 Modify the Revised Draft UDP by :</p> <p>(i) replacing para 6.1.2 and adding a new para 6.1.7 to Vol 2 Appendix 6 as follows :</p> <p>6.1.2 The City Council will impose planning conditions appropriate to the potential impact of operations on the environment and local communities and to ensure a high standard of restoration commensurate with the intended after-use of the site. The City Council will</p>

		<p>consider any evidence available from applicants and operators as to how well the proposed methods of management, restoration and aftercare of a site are likely to work in practice, for example, by reference to the way a similar site is currently being managed or how restoration and aftercare have been achieved. This information will be taken into account in determining the planning application.</p> <p>6.1.7 In addition to proposals to extract energy minerals, which are considered in the Policies following, proposals for the development of renewable energy resources may be advanced. These will in general be supported the City Council, in accordance with the principles of the Green Strategy and the securing of sustainable development. However, since the likely incidence within the Plan period of proposals in Leeds to develop renewable energy resources such as wind or water power will be small, proposals will be assessed against normal development control considerations, reflected in Policy GP5, and Government guidance, in particular that contained in PPG22 - Renewable Energy."</p> <p>(ii) adding to para 5.5.19 in Volume 1 Chapter 5 as follows:</p> <p>...However, policies for the working of coal by deep mining have not been included because the likelihood of such proposals being put forward is considered to be remote.</p> <p>(iii) amending para, 5.5.20 in Volume 1 Chap. 5 as follows :</p> <p>5.5.20 Within the District, demand exists for the extraction by opencast methods of prove coal deposits. It is therefore an important UDP objective to balance the impact of these pressures on the environment. The positive benefits of opencasting, such as stimulating economic activity, the reclamation of derelict land and the provision of after uses for recreation and nature conservation, need to be assessed in the context of the undoubted negative environmental effects. These detrimental effects can include noise and dust, visual intrusion and the generation of often large volumes of heavy traffic.</p>
119	<p>Topic 119 N46 EXTRACTION OF SAND AND GRAVEL</p> <p>Inspector's recommendation 119.22 I recommend that the UDP be modified as set out in PC022 and i) that the explanatory text to Policy N46 set out figures on the apportionment and the planned provision so that it is clear that West Yorkshire and Leeds in particular are planning to meet their share of the regional aggregates requirement; and ii) that the explanatory text should explain the reasons why no specific polices are included on limestone and sandstone workings.</p>	<p>Leeds City Council Decision and Reasons Council accepts the Inspectors conclusions set out in para 119.1-119.21 of the Report and consequently accepts the Inspectors recommendation to modify the Plan.</p> <p>Proposed Modification 5/047 Modify the Revised Draft UDP by:</p> <p>(i) replacing Policy N46 in Vol 1 Chapter 5 and adding to the explanatory text as follows:</p> <p>N46: THE COUNCIL, IN CONJUNCTION WITH OTHER WEST YORKSHIRE METROPOLITAN DISTRICT COUNCILS, WILL ENCOURAGE THE RECYCLING OF MATERIALS, AND ENDEAVOUR TO MAINTAIN A LANDBANK OF PERMITTED RESERVES OF SAND AND GRAVEL, AND ALSO MAINTAIN ITS CONTRIBUTION TO ITS SHARE OF THE REGIONAL APPORTIONMENT ON THE ADVICE OF THE YORKSHIRE AND</p>

		<p>HUMBERSIDE REGIONAL AGGREGATES WORKING PARTY, UNLESS EXCEPTIONAL CIRCUMSTANCES PREVAIL, IN ACCORDANCE WITH NATIONAL GUIDANCE AND CONTAINED IN MPG6 "GUIDELINES FOR AGGREGATES PROVISION IN ENGLAND". PROPOSALS FOR EXTRACTION OF SAND AND GRAVEL WILL ONLY BE ACCEPTED IF THEY SATISFY THE DETAILED MINERALS POLICIES CONTAINED IN APPENDIX 6 IN VOLUME 2.</p> <p>5.5.26a Policies for aggregates that apply specifically to limestone and sandstone (crushed rock) have not been included because neither of these materials are of a constructional quality in Leeds that puts them in great demand. Representations have not been received to allocate additional sites or land, existing permissions are substantial and the material is generally readily available from elsewhere in West Yorkshire For sand and gravel Leeds contains a substantial resource of mineral of economic quality. The Regional Sub Apportionment for sand and gravel to West Yorkshire undertaken by the Regional Aggregates Working Party in accordance with MPG6 is 3.5 million tonnes over 7 years, meaning that a landbank of permissions equating to 7 year's production should be maintained. As at 1 Jan 2000 the landbank in West Yorkshire comprises an estimated maximum 3.26 million tonnes. The allocation of a site at Midgeley Farm Otley provides the potential to add 1.6 million tonnes to the landbank.</p>
128	<p>Topic 128 N47 WASTE TRANSFER, RECYCLING AND RECOVERY PLANTS</p> <p>Inspector's recommendation 128.13 I recommend that the UDP be modified as follows i) Policy N47 should be replaced with the following: PROPOSALS FOR WASTE RECYCLING COLLECTION FACILITIES, WASTE TRANSFER OPERATIONS AND WASTE RECYCLING PROCESSING FACILITIES TO RECOVER AND SEPARATE WASTE MATERIALS WILL BE ENCOURAGED WHERE DETRIMENTAL ENVIRONMENTAL ASPECTS CAN BE MINIMISED. ii) that the last sentence of paragraph 5.5.28 be modified by including the words "facilities and" after "provision of"; and iii) that the word 'PROCESSING' be added to the title of paragraph 7.2 between 'WASTE RECYCLING' and 'SITES'.</p>	<p>Leeds City Council Decision and Reasons The Council accepts the Inspectors conclusions set out in 128.6-128.12 of the Report and consequently accepts the Inspectors recommendation to modify the Plan but points out that where the Inspector has referred to para 5.5.28 and para 7.2 in his recommendations the Council understands that para 5.5.27 and para 7.2 of Volume 2 are being referred to.</p> <p>Proposed Modifications 5/048 Modify the Revised Draft UDP by :</p> <p>(i) replacing Policy N47 in Vol 1 Chapter 5 as follows :</p> <p style="padding-left: 40px;">N47 PROPOSALS FOR WASTE RECYCLING COLLECTION FACILITIES WASTE TRANSFER OPERATIONS AND WASTE RECYCLING PROCESSING FACILITIES TO RECOVER AND SEPARATE WASTE MATERIALS WILL BE ENCOURAGED WHERE DETRIMENTAL ENVIRONMENTAL ASPECTS CAN BE MINIMISED.</p> <p>(ii) amending the last sentence of paragraph 5.5.27 in Vol 1 as follows :</p> <p>5.5.27 As a consequence the UDP seeks to adopt a positive land use view to the provision of facilities and sites for waste recycling and disposal.</p> <p>(iii) amending paragraph 7.2 by revising the heading in Vol 2 Appendix 7 as follows:</p> <p style="text-align: center;">POLICIES FOR SCRAP YARDS, WASTE RECYCLING, PROCESSING SITES AND</p>

		WASTE TRANSFER STATIONS
129	<p>Topic 129 N48 IDENTIFICATION OF SITES FOR LANDFILL OPERATIONS</p> <p>Inspector's Recommendation 129.76 I recommend that the UDP be modified as follows:</p> <p>i) as set out in PC024 subject to the substitution of the following for Policy N48A: N48A: THE COUNCIL WILL SEEK TO SECURE FACILITIES FOR THE DISPOSAL OF INERT WASTES IN THE AREAS OF SEARCH SHOWN ON THE PROPOSALS MAP WHICH ARE CONVENIENTLY LOCATED AND ACCESSIBLE TO POTENTIAL USERS.</p> <p>ii) that Areas of Search for land disposal of inert wastes be retained but that they should be refined as explained above and as recommended under Topics 319, 414, 620, 826 and 827; and</p> <p>iii) that background information on future waste disposal arisings, disposal capacities, potential and strategies be included in the reasoned justification to Policy N48.</p>	<p>Leeds City Council Decision and Reasons The Council rejects the Inspector's conclusions set out in paras 129.71-76. of the Report and consequently rejects the Inspectors recommendation to modify the Plan for the following reason. Due to significant changes in planning guidance and taxation affecting the treatment and disposal of inert waste materials it is considered to be no longer appropriate to include the Policies recommended by the Inspector as the amounts of material required to be disposed of has reduced, with a much greater emphasis on recycling and re-use. At the first stage of the Review of the UDP the Council proposes to comprehensively review waste policies as advised in PPG10. Accordingly the Council propose a different modification based on Proposed Change 24.</p> <p>Proposed Modification 5/049 Modify the Revised Draft UDP by :</p> <p>(i) amending para 5.5.30 as follows:</p> <p>5.5.30 However, the very problematical issues raised by landfill sites, and the continued environmental problems implied for the south of the District, where the vast majority of landfill sites are located, is a significant concern. The City Council will seek to redress the current locational imbalance of landfill operations which result in the continued loss of amenity to residents in South Leeds and in detrimental effects from District-wide transport movements, by encouraging proposals advanced in other parts of the District.</p> <p>(ii) replacing Policy N48 in Vol 1 by the following:</p> <p>N48A: TO REDRESS THE CONCENTRATION OF EXISTING AND PROSPECTIVE LANDFILL OPERATIONS IN SOUTH LEEDS, THE CITY COUNCIL WILL ENCOURAGE PROPOSALS TO BE ADVANCED FOR THE DISPOSAL OF INERT WASTES IN ALL AREAS OTHER THAN SOUTH LEEDS.</p> <p>N48B: IN DETERMINING SPECIFIC PROPOSALS IN ACCORDANCE WITH POLICY N48A OR ELSEWHERE, THE PROXIMITY OF OTHER LANDFILL SITES AND MINERAL EXTRACTION SITES IN THE LOCALITY, DURATION OF THOSE OPERATIONS AND CUMULATIVE EFFECTS UPON RESIDENTS OF FURTHER ACTIVITIES WILL BE TAKEN INTO ACCOUNT. DEVELOPMENT WILL NOT NORMALLY BE PERMITTED WHICH IS CONTRARY TO:</p> <p>i. DETAILED WASTE DISPOSAL POLICIES CONTAINED IN APPENDIX 7 IN VOLUME 2; AND</p> <p>ii. POLICY N35, WHICH SEEKS TO PROTECT THE INTERESTS OF THE BEST AND MOST VERSATILE AGRICULTURAL LAND.</p>

		(iii) deleting areas of search for waste disposal sites from the Proposals Map (see Topics 319, 414, 620, 826 and 827).
137	<p>Topic 137 N49 NET DEPLETION OF WILDLIFE OR HABITAT RESOURCES</p> <p>Inspector's recommendation 137.4 I recommend that the UDP be modified by the addition of a reference in para 2.4.3 to any extant Air Quality Management Area action plans.</p>	<p>Leeds City Council Decision and Reasons The Council accepts the Inspector's conclusions set out in paras. 137.2-4 of the Report , and consequently accepts the Inspector's recommendation . However , since no Air Quality Management Areas have been designated , no modification to the Plan is necessary.</p> <p>Proposed Modification 5/050 None.</p>
138 /139	<p>Topic 138 N50A DEVT ADVERSELY AFFECTING SSSI'S OR LNR'S</p> <p>Topic 139 N50B DEV'T ADVERSELY AFFECTING SEGI'S OR LNA'S</p> <p>Inspector's recommendation 138.26 I recommend that the UDP be modified as follows: i) by the replacement of paras 5.6 and Pols N50A and B with the following: 5.6.9 The value of particular sites and areas for nature conservation is recognised through designation within particular categories:</p> <p>Sites of Special Scientific Interest (SSSIs) are of national or international importance for nature conservation and these comprise the most precious habitats in the District. The interests of nature conservation will prevail over all but the most exceptional needs for development of such sites.</p> <p>Sites of Ecological or Geological Interest (SEGIs) are of particular importance within the West Yorkshire context.</p> <p>Local Nature Reserves (LNRs) are of special interest within the District and some include areas that are also SSSIs. The City Council has a legal interest in LNRs and can thus offer protection through their ownership or control as well as through the planning process.</p> <p>Leeds Nature Areas (LNAs) are of lesser, though still significant, scientific importance to the District as a whole and are of particular value in parts of the city where residents would otherwise have little opportunity to enjoy and learn about wildlife close to their homes.</p> <p>5.6.x The location of these sites is shown on the Proposals Map and they are listed in Appendix 8 of Volume 2. The following</p>	<p>Leeds City Council Decision and Reasons The Council accept the Inspector's conclusions set out in paras 138.9-25 of the Report save for two points. The potential confusion that may result from the use of abbreviations LNR and LNA has not manifested itself in the context of the day to day working of relevant Council departments with applicants, interest groups and the general public and consequently it is the view of the Council that there is no need to change the abbreviations. Secondly , whilst the principle is accepted that there should be a distinction drawn between sites which have a nature conservation value and those which merely have the potential to be of nature conservation value , in practice all the sites designated LNA in the RDUDP as proposed to be amended are held by the Council to be already of substantive nature conservation value . Furthermore the Inspector did not identify any such sites Hence no sites are considered to be of simply potential nature conservation value , and thus there is no need for a policy or for a designation for this class. However the Council recognise that the definition of LNA's in Vols. 1 and 2 needs to be amended to make clear the Council's approach . The Council therefore accepts most of the recommendations made by the Inspector but rejects those in relation to these two points.</p> <p>Proposed Modification 5/051 Modify the Revised Draft Plan by:</p> <p>(i) replacing para 5.6.9 of Chapter 5 of Volume 1 with the following :</p> <p>5.6.9 The value of particular sites and areas for nature conservation is recognised through designation within particular categories:</p> <p>Sites of Special Scientific Interest (SSSIs) are of national or international importance for nature conservation and these comprise the most precious habitats in the District. The interests of nature conservation will prevail over all but the most exceptional needs for development of such sites.</p> <p>Sites of Ecological or Geological Interest (SEGIs) are of particular importance within the West Yorkshire context.</p> <p>Local Nature Reserves (LNRs) are of special interest within the District and some include areas that are also SSSIs. The City Council has a legal interest in LNRs and can thus</p>

planning policies aim to protect these sites from development which would significantly reduce their interest for nature conservation. Such harm can be direct or indirect and can arise from air, noise and water pollution and from drainage as well as from physical works to the site or nearby land. In some cases it will be possible to reduce the impact of development acceptably through the imposition of appropriate conditions and, rarely, the public benefit of development may outweigh the nature conservation value of the site. Occasionally it may be possible to replace a LNA with a site of equivalent interest, provided it is equally accessible to local residents. In general the more important a site is for nature conservation or the greater the likely impact of development, the less likely it will be to be acceptable.

5.6.y In addition to sites of substantive nature conservation value, there is land within urban areas which the Council intends should be developed for wildlife, within the plan period, so that residents beyond walking distance of established sites can enjoy such space. These sites are listed in Appendix 8 and shown on the Proposals Map as Potential Leeds Nature Areas (PNAs) and will be safeguarded for such use pending their improvement.

N50A DEVELOPMENT WILL NOT BE PERMITTED WHICH WOULD SERIOUSLY HARM, EITHER DIRECTLY OR INDIRECTLY, THROUGH ANY MEANS, A SSSI, LNR, SEGI OR LNA.

IN CONSIDERING DEVELOPMENT PROPOSALS FOR ANY OF THE ABOVE NATURE SITES, THE NEEDS OF THE DEVELOPMENT AND THE REQUIREMENTS OF NATURE CONSERVATION WILL BE EXAMINED. IN PARTICULAR ACCOUNT WILL BE TAKEN OF:

i THE EXTENT AND SIGNIFICANCE OF POTENTIAL DAMAGE TO THE NATURE CONSERVATION INTEREST;

ii THE EXTENT TO WHICH THAT DAMAGE COULD BE REDUCED BY IMPOSING CONDITIONS ON A PLANNING PERMISSION;

iii THE IMPORTANCE OF THE PROPOSED DEVELOPMENT TO THE LOCAL, REGIONAL OR NATIONAL INTEREST;

iv IN THE CASE OF A LNA, WHETHER A REPLACEMENT SITE OF EQUIVALENT NATURE CONSERVATION INTEREST CAN BE PROVIDED WITHIN THE SAME LOCALITY.

offer protection through their ownership or control as well as through the planning process.

Leeds Nature Areas (LNAs) are sites of local or District – wide importance for the enjoyment, study or conservation of wildlife, geological features and landforms. They are of particular value in parts of the city where residents would otherwise have little opportunity to enjoy and learn about wildlife close to their homes.

The location of these sites is shown on the Proposals Map and they are listed in Appendix 8 of Volume 2. The following planning policies aim to protect these sites from development which would significantly reduce their interest for nature conservation. Such harm can be direct or indirect and can arise from air, noise and water pollution and from drainage as well as from physical works to the site or nearby land. In some cases it will be possible to reduce the impact of development acceptably through the imposition of appropriate conditions and, rarely, the public benefit of development may outweigh the nature conservation value of the site. Occasionally it may be possible to replace a LNA with a site of equivalent interest, provided it is equally accessible to local residents. In general the more important a site is for nature conservation or the greater the likely impact of development, the less likely it will be to be acceptable.

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i THE EXTENT AND SIGNIFICANCE OF POTENTIAL DAMAGE TO THE NATURE CONSERVATION INTEREST;

ii THE EXTENT TO WHICH THAT DAMAGE COULD BE REDUCED BY IMPOSING CONDITIONS ON A PLANNING PERMISSION;

iii THE IMPORTANCE OF THE PROPOSED DEVELOPMENT TO THE LOCAL, REGIONAL OR NATIONAL INTEREST;

iv IN THE CASE OF A LNA, WHETHER A REPLACEMENT SITE OF EQUIVALENT NATURE CONSERVATION INTEREST CAN BE PROVIDED WITHIN THE SAME LOCALITY.

(ii) amending para.8.1.2 in Appendix 8 of Volume 2 of the Plan to read as follows :

8.1.2. ...

LNA's - Leeds Nature Areas

	<p>N50B POTENTIAL LEEDS NATURE AREAS WILL BE SAFEGUARDED FOR THE ENJOYMENT OF NATURAL SPACE PENDING THEIR IMPROVEMENT FOR NATURE CONSERVATION.</p> <p>ii) in Appendix 8 para 8.1.2, the section on LNAs should be amended to delete all after "landforms";</p> <p>iii) a new section "Potential Leeds Nature Areas" should be added below LNAs in para 8.1.2 and the remainder of the "LNA" para ("In neighbourhoods ... homes.") should be subsumed there, with the insertion of "substantive" before "natural interest"</p> <p>iv) the Proposals Map and schedule of LNAs should be amended to rename those LNAs not of current substantive nature conservation value as "PNAs - potential Leeds Nature Areas".</p> <p><u>Inspector's Addendum</u> Topic 138 - Policy N50A 70. I include the words 'local, regional or national interest' in my recommended modification to this Policy to ensure that explicit consideration should be given to these possibly different types of concern. There is no need to include them under (i) as the designation of the site in question as respectively a SSSI, LNR, SEGI or LNA will in itself indicate the likely extent of its nature conservation interest. This would be set out fully in the new para 5.6.9 which I recommend earlier.</p>	<p>are sites of local or District – wide importance for the enjoyment, study or conservation of wildlife, geological features and landforms. They are of particular value in parts of the city where residents would otherwise have little opportunity to enjoy and learn about wildlife close to their homes.</p>
140	<p><u>Topic 140</u> N51 ENHANCING WILDLIFE HABITATS THROUGH NEW DEV'T</p> <p><u>Inspector's recommendation</u> 140.4 I recommend that the UDP be modified as set out in PC025.</p>	<p><u>Leeds City Council Decision and Reasons</u> The Council accepts the Inspector's conclusions set out in para 140.3 of the Report and consequently accepts the Inspector's recommendation to modify the Plan.</p> <p><u>Proposed Modification 5/052</u> Modify the Revised Draft Plan by :</p> <p>inserting a new para. 5.6.11 to read as follows :</p> <p>5.6.11 The extent of any proposed buffer zones between new developments and any one of the existing sites of nature conservation interest needs to be both appropriate to the potential impact of the new development on that nature conservation interest, and relative to the sensitivity of the habitats and species which comprise that interest. The following policies are therefore applicable:</p>
141	<p><u>Topic 141</u> N52 ENHANCING WILDLIFE HABITATS THROUGH RECLAMATION</p>	<p><u>Leeds City Council Decision and Reasons</u> The Council accepts the Inspector's conclusions set out in para 141.3 of the Report and consequently accepts the Inspector's recommendation not to modify the Plan.</p>

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Inspector's recommendation

141.4 I recommend that no modification be made to Policy N52.

Proposed Modification 5/053

None.

143	<p>Topic 143 ENAS POLICY FOR ENVIRONMENTAL ASSESSMENT OF NEW DEVELOPMENT</p> <p>Inspector's Recommendation 143.6 I recommend that para 4.3.7 of the UDP be replaced with the following:</p> <p>4.3.7 In certain circumstances development proposals may raise the likelihood of significant impact on the environment which needs thorough-going examination. The Town and Country Planning (Assessment of Environmental Effects) Regulations 1988 (as amended in 1992 and 1994) define in two schedules the types of project for which Environmental Assessment (EA) will be required. Obligatory projects are listed in Schedule 1, whilst Schedule 2 includes discretionary projects. An EA will need to be conducted for a Schedule 2 project where it is likely to give rise to significant environmental effects and the project is of more than local importance, where it is on a smaller scale but on a site of a particularly sensitive or vulnerable nature, or where it has unusually complex and potentially adverse environmental effects.</p>	<p>Leeds City Council Decision and Reasons The Council accepts the Inspector's conclusions as set out in paras. 143.3-5 of the Report and consequently accepts the Inspector's recommendation to modify the Plan, with the addition of some updating to reflect new regulations. Note: the Inspector refers to the replacement of a paragraph that was not part of the deposit Plan.</p> <p>Proposed Modification 5/054 Modify the Revised Draft UDP:</p> <p>adding a new para 4.3.7 to Chapter 4 Volume 1 as follows:</p> <p>4.3.7 In certain circumstances development proposals may raise the likelihood of significant impact on the environment which needs thorough-going examination. The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999, define in two schedules the types of project for which Environmental Assessment (EA) will be required. Obligatory projects are listed in Schedule 1, whilst Schedule 2 includes discretionary projects. An EA will need to be conducted for a Schedule 2 project where it is likely to give rise to significant environmental effects and the project is of more than local importance, where it is on a smaller scale but on a site of a particularly sensitive or vulnerable nature, or where it has unusually complex and potentially adverse environmental effects.</p>
144	<p>Topic 144 SUST POLICY REQUIRED FOR SUSTAINABLE DEVELOPMENT</p> <p>Inspector's Recommendation 144.10 I recommend that the UDP be modified as follows:</p> <p>i) the revisions to section 2.3 arising from RPG12 should include a starred point [at para 2.3.1] as follows: to make best use of the available resources and encourage the efficient use of energy</p> <p>ii) the following should be added to Chapter 3: SG4: to ensure that development is consistent with the principles of sustainable development - the Council will apply the principles of sustainability in implementing the UDP so that development will meet the needs of the present without compromising the ability of future generations to meet their own needs.</p> <p>iii) a new para 3.1.6a and Policy BD5a should be added to Appendix 3 as follows:</p> <p>3.1.6a The Council's Green Strategy and Strategic Goal 4 of this UDP</p>	<p>Leeds City Council Decision and Reasons The Council accepts the Inspector's conclusion as set out in para. 144.4-9 of the Report and consequently accepts the Inspector's recommendation to modify the Plan.</p> <p>Proposed Modification 5/055 Modify the Revised Draft Plan by:</p> <p>(i) including an additional starred point at para 2.3.1 to read:</p> <p style="padding-left: 40px;">* to make best use of the available resources and encourage the efficient use of energy</p> <p>(ii) adding a new Strategic Goal SG4 in Chapter 3 in Volume 1 as follows:</p> <p style="padding-left: 40px;">SG4 to ensure that development is consistent with the principles of sustainable development</p> <p style="padding-left: 40px;">- the Council will apply the principles of sustainability in implementing the UDP so that development will meet the needs of the present without compromising the ability of future generations to meet their own needs.</p> <p>(iii) adding a new paragraph 3.1.6a and Policy BD5A in Appendix 3 of Volume 2 as follows:</p>

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	<p>seek to secure development which is sustainable and this includes using materials and site layouts which conserve energy and water resources:</p> <p>BD5A: THE DESIGN OF ALL DEVELOPMENT SHOULD MAXIMISE OPPORTUNITIES TO CONSERVE ENERGY AND WATER RESOURCES AND USE MATERIALS APPROPRIATE TO THOSE AIMS.</p>	<p>3.1.6a The Council's Green Strategy and Strategic Goal 4 of this UDP seek to secure development which is sustainable and this includes using materials and site layouts which conserve energy and water resources:</p> <p>BD5A: THE DESIGN OF ALL DEVELOPMENT SHOULD MAXIMISE OPPORTUNITIES TO CONSERVE ENERGY AND WATER RESOURCES AND USE MATERIALS APPROPRIATE TO THOSE AIMS.</p>
145	<p>Topic 145 RENG RENEWABLE ENERGY</p> <p>Inspector's recommendation 145.5 I recommend that the UDP be modified by the incorporation of the following new Policy under the "Environment" Chapter together with the necessary reasoned justification:</p> <p style="text-align: center;">PROPOSALS FOR THE DEVELOPMENT OF RENEWABLE ENERGY RESOURCES WILL IN GENERAL BE SUPPORTED IN ACCORDANCE WITH THE PRINCIPLES OF THE GREEN STRATEGY AND THE SECURING OF SUSTAINABLE DEVELOPMENT. THEY WILL BE ASSESSED AGAINST POLICY GP5 AND NATIONAL PLANNING GUIDANCE.</p> <p>Inspector's Addendum</p> <p>71. The justification for the Policy on renewable energy that I recommend under para 145.5 should indicate the importance of utilising such sources of energy in terms of national policy and of the Council's Green Strategy. As I explain in para 145.4, I accept that at present only general guidance can be given, with the aim of reviewing and expanding it as further knowledge and experience are gained. This point should also be made, but I can see little need for a lengthy justification or introduction to a Policy which would be largely self-explanatory. It could best be placed at the end of the Chapter in a separate section dealing with the conservation of resources.</p>	<p>Leeds City Council Decision and Reasons The Council accepts the Inspector's conclusions set out in paras. 145.2-4 of the Report and in para 71 of the Addendum, and consequently accepts the Inspector's recommendation to modify the Plan.</p> <p>Proposed Modification 5/056 Modify the Revised Draft UDP by:</p> <p>(i) including a new section – 5.7 Renewable Energy.</p> <p>(ii) including a new Policy N54 as follows:</p> <p style="text-align: center;">N54 PROPOSALS FOR THE DEVELOPMENT OF RENEWABLE ENERGY RESOURCES WILL IN GENERAL BE SUPPORTED IN ACCORDANCE WITH THE PRINCIPLES OF THE GREEN STRATEGY AND THE SECURING OF SUSTAINABLE DEVELOPMENT. THEY WILL BE ASSESSED AGAINST POLICY GP5 AND NATIONAL PLANNING GUIDANCE.</p> <p>(iii) including the following as justification to Policy N54:</p> <p>5.7.1 Renewable energy is produced from natural and renewable sources, such as the wind, falling water, the sun and combustible agricultural or industrial wastes. Using these repeatable sources of energy does not deplete the earth's stock of resources, nor does it pollute the environment. To that end renewable energy is being promoted by the Government as an alternative to conventional non-renewable fossil fuels, such as oil, coal and gas which raise carbon levels and can exacerbate the 'greenhouse effect'.</p> <p>5.7.2 Renewable energy sources tend to have a lower energy output than fossil fuels, and can thus require more land, more physical development, or more bulk handling of fuel for a given energy return. However, greater diversity and self-sufficiency as well as technological innovation is making renewable energy increasingly realistic as a energy supply. Many renewable energy projects have unusual siting requirements, reflecting the particular locations in which renewable energy resources arise, including hilltops, rivers and farmland. While development at such locations can be constrained by development plan policies, regard for potential of renewable energy sources in the District will be given.</p>

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		<p>5.7.3 The Lancashire and Yorkshire Renewable Energy Planning Study (July 1997) revealed potential within the District for the following types of renewable energy:</p> <ul style="list-style-type: none"> - Landfill Gas and Biogas, - Municipal and Industrial Waste, - Biomass (including short rotation coppice), - Solar Energy, including regard to passive solar design in new buildings, and - Small Scale Hydro Power <p>There is a presumption in favour of the development of these types and sources of renewable energy in the District. Others may become known during the duration of the Plan as technology and information improves. To that end regard will also be given to other justified potential renewable energy sources. The Council will continue to adopt a pro-active approach to renewable energy sites and types.</p>
147	<p>Topic 147 PROPOSED NEW POLICY : REDUNDANT PUBLIC UTILITY BUILDINGS.</p> <p>Inspector's recommendation 147.3 No change recommended</p>	<p>Leeds City Council Decision and Reasons The Council accepts the Inspector's conclusions set out in paras 147.2 of the Report and consequently accepts there is no need to modify the Plan</p> <p>Proposed Modification 5/057 None</p>
944	<p>Topic 944 N28 PROT. OF HISTORIC PARKS AND GARDENS</p> <p>Inspector's recommendation 944.4 I recommend that the UDP be modified by the substitution of the following for the first sentence of Policy N28:</p> <p>HISTORIC PARKS AND GARDENS ON THE ENGLISH HERITAGE REGISTER WILL BE AFFORDED PROTECTION FROM ANY DEVELOPMENT WHICH WOULD MATERIALLY HARM THEIR HISTORIC INTEREST.</p>	<p>Leeds City Council Decision and Reasons The Council accepts the Inspector's conclusions set out in para 944.4 of the Report and consequently accepts the Inspector's recommendations to modify the Plan.</p> <p>Proposed Modification 5/058 Modify the Revised Draft UDP by:</p> <p>amending the first sentence of Policy N28 to read :</p> <p>N28 HISTORIC PARKS AND GARDENS ON THE ENGLISH HERITAGE REGISTER WILL BE AFFORDED PROTECTION FROM ANY DEVELOPMENT WHICH WOULD MATERIALLY HARM THEIR HISTORIC INTEREST.</p>



LEEDS UNITARY DEVELOPMENT PLAN

**THE CITY COUNCIL'S RESPONSE TO
THE INSPECTOR'S REPORT AND
PROPOSED MODIFICATIONS**

**SCHEDULE OF MODIFICATIONS
NOT ARISING FROM THE
INSPECTOR'S REPORT**

ISSUE

THE REASONS FOR THE COUNCIL'S DECISION AND CONSEQUENT MODIFICATIONS TO THE PLAN

PC 13

Issue

Greenspace and Playing Fields in Green Belt.

Leeds City Council Decisions and Reasons

Modify the RDUDP to clarify that Green Belt policies apply to playing fields in the Green Belt.

Proposed Modification 5/059

Modify the Revised Draft UDP by:

- i. adding the following to the end of para. 5.4.2.:

The Green Belt defined under Policy N32 is depicted on the Proposals Map as all land falling inside the thick, dark green line and washed over with light green. In the circumstances where allocations are made within the Green Belt of Greenspace, Proposed Greenspace and Protected Playing Pitches (allocated under Policies N1, N5 and N6 respectively), these are not washed over with light green for practical map printing reasons. These allocations remain subject to the full range of Green Belt policies in the UDP .



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**THE CITY COUNCIL'S RESPONSE TO
THE INSPECTOR'S REPORT AND
PROPOSED MODIFICATIONS**

**SITE PLANS OF THOSE
MODIFICATIONS WHICH CAN
NOT BE IDENTIFIED ON THE
PROPOSALS MAP**

**To view a Site Plan, open the file
with the file name the same
as the Plan Number in the folder
entitled "Site Plans" on the CD**