

OULTON AND WOODLESFORD NEIGHBOURHOOD PLAN

Report to Leeds City Council of the Independent Examination

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1. Executive Summary

1. I was appointed by Leeds City Council with the support of Oulton and Woodlesford Neighbourhood Forum to carry out the independent examination of the Oulton and Woodlesford Neighbourhood Plan.
2. I undertook the examination by reviewing the Plan documents and written representations, and by making an unaccompanied visit to the Neighbourhood Area.
3. I consider the Plan to be an adequate expression of the community's views and ambitions for Oulton and Woodlesford. It is based on an effective programme of public consultation which has informed a Vision to 2033 supported by six Objectives to be achieved through six Key Themes and 16 planning policies dealing with issues distinct to the locality. There is a commitment to supporting delivery of the Plan which also considers more than 30 other projects and aspirations outside the scope of this examination. The Plan is supported by a Consultation Statement and Basic Conditions Statement and has been screened to determine whether full Strategic Environmental and Habitats Regulations Assessments are required. There is supporting evidence provided and there is good evidence of community support and the involvement of the local planning authority.
4. I have considered the 10 separate representations made on the submitted Plan and the representations from statutory environmental bodies on the Strategic Environmental Assessment and Habitats Regulations Assessment screening reports. These are addressed in this report as appropriate.
5. Subject to the recommended modifications set out in this report I conclude that the Oulton and Woodlesford Neighbourhood Plan meets all the necessary legal requirements, including satisfying the Basic Conditions. I make a number of additional optional recommendations.

6. I recommend that the modified Plan should proceed to Referendum and that this should be held within the Neighbourhood Area.

2. Introduction

7. This report sets out the findings of my independent examination of the Oulton and Woodlesford Neighbourhood Plan. The Plan was submitted to Leeds City Council by Oulton and Woodlesford Neighbourhood Forum as the Qualifying Body.

8. I was appointed as the independent examiner of the Oulton and Woodlesford Neighbourhood Plan by Leeds City Council with the agreement of Oulton and Woodlesford Neighbourhood Forum.

9. I am independent of both Oulton and Woodlesford Neighbourhood Forum and Leeds City Council. I do not have any interest in any land that may be affected by the Plan. I possess the appropriate qualifications and experience to undertake this role.

10. My role is to examine the Neighbourhood Plan and recommend whether it should proceed to referendum. A recommendation to proceed is predicated on the Plan meeting all legal requirements as submitted or in a modified form, and on the Plan addressing the required modifications recommended in this report.

11. As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the Basic Conditions, the Plan must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State; and
- contribute to the achievement of sustainable development; and
- be in general conformity with the strategic policies of the development plan in the area; and
- be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations, including the Conservation of Habitats and Species Regulations 2017.

12. I am also required to make a number of other checks under paragraph 8(1) of Schedule 4B of the Town and Country Planning Act 1990.

13. In undertaking this examination I have considered the following documents as the most significant in arriving at my recommendations:

- the submitted Oulton and Woodlesford Neighbourhood Plan
- the Basic Conditions Statement
- the Consultation Statement
- Strategic Environmental Assessment and Habitats Regulations Assessment screening reports (2017, 2019)
- the relevant parts of the development plan comprising Leeds City Council's Core Strategy (2014), Core Strategy Selective Review (2019), Site Allocations Plan (2019) and Natural Resources and Waste Local Plan (2013)
- representations made on the submitted neighbourhood plan
- relevant material held on the Oulton and Woodlesford Neighbourhood Forum and Leeds City Council websites
- National Planning Policy Framework (2019, 2021)
- Planning Practice Guidance
- relevant Ministerial Statements

14. The Oulton and Woodlesford Neighbourhood Plan was submitted in March 2021 and the National Planning Policy Framework (February 2019) applies for the majority of my examination. A revised National Planning Policy Framework was published on 20 July 2021. This has had no material impact on my examination of the Plan. References to the National Planning Policy Framework have been updated to reflect the recent revision.

15. No representations were received requesting a public hearing and having considered the documents provided and the representations on the submitted Plan I was satisfied that the examination could be undertaken by written representations without the need for a

hearing. I was also mindful of support for this in the context of current Government guidance on social distancing.

16. I carried out an unaccompanied visit to the Neighbourhood Area on a weekday during May and in accordance with Government guidance at the time that *“Where site visits are required or necessary, they should be undertaken in line with the Government’s guidance on social distancing and safety requirements”* (Written Ministerial Statement, Virtual working and planning – Responding to Covid-19 Restrictions, 13 May 2020). I visited the main locations addressed in the Plan, including the two village centres, the local and smaller green spaces and green corridors, each of the views identified as important, the three site allocations, local footpaths and a selection of the community facilities and non-designated heritage assets.

17. Throughout this report my recommended modifications are bulleted. Where modifications to policies are recommended they are highlighted in **bold** print with new wording in “speech marks”. Modifications are also recommended to some parts of the supporting text. These recommended modifications are numbered from M1 and are necessary for the Plan to meet the Basic Conditions. A number of modifications are not essential for the Plan to meet the Basic Conditions and these are indicated by [square brackets]. These optional modifications are numbered from OM1.

18. Producing the Oulton and Woodlesford Neighbourhood Plan has clearly involved significant effort over many years led by the Steering Group. The process began in 2011 and is informed by significant community involvement. There is evidence of good collaboration with Leeds City Council and this will continue to be important in ensuring delivery of the Plan. The evident commitment of all those who have worked so hard over such a long period of time to prepare the Plan is to be commended and I would like to thank all those at Leeds City Council and Oulton and Woodlesford Neighbourhood Forum who have supported this examination process.

3. Compliance with matters other than the Basic Conditions

19. I am required to check compliance of the Plan with a number of matters.

Qualifying body

20. Oulton and Woodlesford Neighbourhood Forum was designated by Leeds City Council as the Qualifying Body for the Oulton and Woodlesford neighbourhood area on 15 July 2014. It was re-designated on 2 November 2020 for a further five years. This re-designation is mentioned in the Basic Conditions Statement but is not addressed in the Plan.

- OM1 – [Include details of the re-designation of Oulton and Woodlesford Neighbourhood Forum in the final Plan]

Neighbourhood Area

21. I am satisfied that the Plan relates to the development and use of land for a designated neighbourhood area which comprises the area of Oulton and Woodlesford Neighbourhood Forum and was agreed by Leeds City Council on 15 July 2014.

22. A map of the neighbourhood area is included in the Plan as Map 1. This is not of sufficient quality that the detailed location of the boundary can be determined. A map of appropriate quality is available online.

- OM2 - [Provide a link to a suitable map which clearly depicts the boundary of the neighbourhood area at an appropriate scale]

Land use issues

23. I am satisfied that the Plan's policies relate to relevant land use planning issues.

Plan period

24. The period of the neighbourhood plan runs to 2033 and this aligns with the period of the Plan's Vision. The Plan's cover shows a start date of 2020 which conflicts with the Plan's header that shows a start date of 2021.

- M1 – Show the period of the Plan as 2021-2033 throughout the document

Excluded development

25. The neighbourhood area is traversed by the Government's preferred route for HS2. This is a "nationally significant infrastructure project" as defined by section 14, Planning Act 2008 which means it is "excluded development" as defined by section 61K, Town and Country Planning Act 1990. Neighbourhood plans may not make policy provisions for excluded development. The Plan includes two policies relating to HS2 and I address this later in Section 7 of my report. Otherwise I am satisfied that the neighbourhood plan makes no provisions for excluded development.

4. Consultation

26. I have reviewed the Consultation Statement, its Appendices and relevant information provided on the Oulton and Woodlesford Neighbourhood Plan website. This provides a clear record of the extensive consultation process that has been undertaken, dating back to the community's consideration of the Localism Act 2010 in October 2011.

27. The public consultation process has been based on clear aims and a logical approach to the different engagement methods available. These included a website, public meetings, questionnaires, newsletters and walk-in sessions. Social media has been used in the latter stages of the Plan's preparation. Participation levels have been good with meetings over 100 people, a Forum membership of over 480, more than 400 questionnaires returned and the participation of over 400 people in the drafting of the Plan's policies. The consultation process included specific initiatives to reach local organisations and the make information available at locations used by the local community, including local post offices. There is a good range of responses by both age and gender to the questionnaires, including under 19s.

28. The Plan was subject to Regulation 14 consultation in 2018 and this was promoted through various channels, including a consultation questionnaire delivered to every household which was also made available online. Printed copies of the draft plan were made available at various locations. Key stakeholders were contacted directly by email or post. There was strong support for the Plan's policies and Objectives and 98% agreed with the Vision.

29. There is evidence of the consultation including the required statutory and other consultees. Over 160 responses were received and there is good evidence of considered analysis of the responses and subsequent amendments being made to the Plan.

30. 10 separate representations have been made on the submitted Plan including from individuals, statutory bodies, developer representatives, and a voluntary group. All the representations have been considered and are addressed as appropriate in this report.

31. I am satisfied with the evidence of the public consultation undertaken in preparing the Plan over a long period of time. The Plan has been subject to wide public consultation at different stages in its development. The participation rates have been good. The process has allowed community input to shape the Plan as it has developed and as proposals have been firmed up. The development industry and the local planning authority have been engaged through the process.

5. General comments on the Plan's presentation

Vision Statement and Objectives

32. I have reviewed the Plan's Vision 2033 statement and the six Key Objectives that inform the 16 policies in the Plan. The Vision seeks a mutually beneficial relationship between the two villages in the neighbourhood providing for a range of services and educational, recreational and working opportunities. It seeks high quality open space and countryside and places a particular emphasis on the canal corridor. The Vision supports quality and diversity in the housing stock. This approach reflects the feedback received through consultation and is carried through into the Plan's Key objectives. It is supportive of sustainable development.

33. The policies are distinguished from the rest of the Plan by the use of tinted boxes and unique identifying codes. I am satisfied they are clearly differentiated from other aspects of the Plan.

Other issues

34. The Plan includes references to a number of documents which comprise the evidence base. This is supported by an Appendix listing some but not all of the referenced documents. Different names are sometimes used to refer to the same document, such as the "*Community Design Statement*" and the "*Oulton and Woodlesford Design Statement*" (which have been confirmed as being the same document) and the "*Local Housing Assessment*" and the "*Housing Market Assessment*" (also understood to be the same document). Some of the evidence base relates to documents used to support development of the Local Plan for Leeds and the report prepared by arc⁴ is identified as being a "*draft*" in Appendix 5. The majority of the evidence base documents are not made available on the Forum's website and the lack of availability of the arc⁴ report in particular is a concern to some consultees. I comment on the adequacy of the evidence base in relation to individual policies where relevant.

- OM3 – [Include all the evidence base documents used in the Plan in a revised Appendix using accurate and consistent titles and consider providing links via a

section of the Forum’s website which brings together all the documents in the Plan’s evidence base into a single location]

35. The Plan includes a number of Maps and these are of varying quality in the printed Plan. Where they do not provide sufficiently accurate boundaries or locations for a number of Plan policies I make recommendations in relation to the individual policies. It would be helpful if larger, high resolution copies were available, including links to where they are available online.

- OM4 – [Provide higher quality, larger scale maps where recommended and a link alongside each map to a high resolution, online version]

36. Map 5 is titled “*Oulton & Woodlesford Neighbourhood Development Plan Policies Map*” and it is located in the middle of the Section 3.4 on the “Green Environment”. The map is very selective in its depiction of those policies with a spatial expression and a number of those shown relate to the Local Plan, including definition of the two Conservation Areas and the boundary of the Special Landscape Area. The Plan’s policies relating to green space designations, development sites and identified views are not depicted and the Map should be located where it relates to all Plan policies.

- M2 – Relocate Map 5 to the beginning of Section 3 and extend its scope to include all policies with a spatial expression, subject to providing the clarity of presentation necessary, within the Plan and/or in a high resolution version available online.

37. The Plan is well set out and presented with a clear Contents and an appropriate hierarchy of headings. There are some inconsistencies in the numbering of sections, the titling of Appendices and the page numbers for later appendices. The wording of the Key Objectives on page 14 is not carried through consistently in their reproduction at the beginning of each of the policy sections. The Plan is inconsistent in its references to Leeds City Council.

- OM5 - [In the Contents:
 - Correctly number subsections 1.1 to 1.4
 - Be consistent in the titling of appendices 1, 2, 3a and 3b
 - Correct the page numbers for appendices 3b, 4 and 5 and be consistent in the titling of appendices on page 68]
- OM6 – [Be consistent in the wording of the Key Objectives in the “*Objectives addressed*” provided at the beginning of each Policy section
- OM7 – Be consistent in referring to the local planning authority as Leeds City Council]

38. The Plan makes a number of inaccurate references to wrongly numbered Appendices throughout the text. Examples include referencing Appendix 3 and not Appendix 2 in Policy DBE3 and Appendix 3 not Appendix 4 in paragraph 3.3.1. Where this results in the Plan not meeting the Basic Condition I make recommendations relating to the individual policies.

- OM8 – [Correct references to the appendices throughout the Plan so the correct numbering is used]

39. The Plan’s drafting anticipates an Examination and appropriate changes to the explanatory text will be needed in the production of a revised version for the referendum.

- OM9 – [Make appropriate drafting changes to reflect the evolution of the Plan in the version to go to referendum]

6. Compliance with the Basic Conditions

National planning policy

40. The Plan is required to “*have regard*” to national planning policies and advice. This is addressed in the Basic Conditions statement which relates the Plan’s policies to the National Planning Policy Framework (NPPF) (February 2019). A new National Planning Policy Framework was published just before the examination was completed. This had no material impact.

41. The Basic Conditions statement provides a table that tests compatibility of each of the Plan’s policies with relevant sections of the National Planning Policy Framework and Planning Practice Guidance. It concludes that the “*Neighbourhood Plan has been prepared with regard to national policies as set out in the National Planning Policy Framework*”.

42. The assessment provided is relatively limited and generally comprises a description of the purpose of the Plan policy. Nevertheless this does serve to demonstrate that consideration has been given to national planning policy.

43. I address some conflicts with national planning policy in my consideration of individual policies and recommend some modifications. There are also some areas where the drafting of the Plan’s policies needs to be amended in order to meet the National Planning Policy Framework’s requirement for plans to provide a clear framework within which decisions on planning applications can be made. The policies should give a clear indication of “*how a decision maker should react to development proposals*” (paragraph 16). It is also important for the Plan to address the requirement expressed in national planning policy and Planning Practice Guidance that “*A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.*” (NPPG Paragraph: 041 Reference ID:

41-041-20140306). The Plan's policies do not always meet these requirements and a number of recommended modifications are made as a result.

44. Generally, I conclude that the Plan has regard to national planning policy and guidance but there are exceptions as set out in my comments below. These cover both conflicts with national planning policy and the need for some policies to be more clearly expressed and/or evidenced.

45. I am satisfied that the Plan meets this Basic Condition other than where identified in my detailed comments and recommended modifications to the Plan policies.

Sustainable development

46. The Plan must "*contribute to the achievement of sustainable development*". This is addressed in the Basic Conditions statement by an assessment of each Plan policy against each of the three dimensions of sustainable development set out in national planning policy. This results in a rating on a scale which ranges from "*very positive*" to "*very negative*".

47. The assessment acknowledges some negative impacts from new building and transport infrastructure and there are a significant number of policies with a neutral economic impact. It is acknowledged that the assessment "*does not provide an exhaustive analysis*" and it is relatively broad brush. Nevertheless I am satisfied that the overall contribution of the Plan to sustainable development is positive and I am satisfied that the Plan meets this Basic Condition.

Development plan

48. The Plan must be "*in general conformity with the strategic policies of the development plan*". There are instances where the documents comprising the development plan are incorrectly referenced, such as to a "*revised*" Sites Allocation Plan on page 29.

49. The Basic Conditions Statement addresses this by providing a comment on the conformity of each Policy against all relevant strategic policies in the development plan. This commentary identifies the majority of Plan policies as supporting the Core Strategy. A

small number of differences in emphasis are identified and justified in terms of the evidence supporting the Plan. These matters are addressed my assessment of the individual policies below.

50. Leeds City Council made representations on the consultation draft Plan but did not make any representations on the submitted Plan. When requested it informed me that it considered the Plan to be in general conformity although it considers there to be *“a degree of tension with policies within the Core Strategy”* on which it had submitted views at an earlier stage.

51. I am satisfied the Plan meets this Basic Condition other than where identified in my detailed comments and recommended modifications to the Plan policies.

- OM10 – [Provide correct references to the Development Plan Documents throughout the Plan.]

Strategic Environmental Assessment

52. The Plan must be informed by a Strategic Environmental Assessment if it is likely to have significant environmental effects. Leeds City Council published a Screening Report in November 2017 that concluded *“it is considered unlikely that any significant environmental effects will arise as a result of the Oulton and Woodlesford Neighbourhood Plan”* and that a full Strategic Environment Assessment was not required.

53. Environment Agency and Historic England agreed with this conclusion. Natural England did not initially express a view and when asked by Leeds City Council stated only that *“there is unlikely to be significant effects on nationally or internationally designated sites as a result of the plan”*. This comment relates more to the Habitats Regulations Assessment requirement than Strategic Environmental Assessment. Nevertheless Natural England did not disagree with the conclusion of the Screening Report and I note that the view in its representations on the submitted plan that *“Natural England does not have any specific comments on this draft neighbourhood plan”*.

54. The Screening Report assessed the draft Plan as provided in August 2017. I have considered whether the subsequent changes made to the Plan and to the Local Plan might reasonably result in a different conclusion being reached were the assessment to be repeated and invited Leeds City Council to comment. I agree with Leeds City Council's response that *"the SEA and HRA screening assessments undertaken on the 2017 version of the Plan and prior to Regulation 14 are sufficient for the Plan as submitted"*.

55. I conclude that the Plan meets this Basic Condition.

Habitats Regulations Assessment

56. The Plan must be informed by a Habitats Regulations Assessment if it is likely to lead to significant negative effects on protected European sites. Leeds City Council published a Screening Report in November 2017 that concluded *"the Oulton and Woodlesford Neighbourhood Plan is unlikely to give rise to any significant environmental effects or have significant effects on a European site."* Natural England shared the view relating to the Plan's likely impact on internationally designated sites but it did not provide a conclusive view on the Assessment. A further Screening Report was provided in June 2019 to address the outcome of relevant EU Court of Justice rulings. This concluded that the Plan did not give rise to any relevant issues. Natural England did not offer a view on this. While it is disappointing that no conclusive view on the Habitats Regulations Assessments has been provided by Natural England I am satisfied that all appropriate steps were taken to secure one. I also note that Natural England has indicated it has no comments to make on the submitted Plan.

57. I conclude that the Plan meets this Basic Condition.

Other European obligations

58. The Plan must be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations. The Basic Conditions Statement asserts that this is the case and cites the consultative manner in which the Plan has been prepared. I am satisfied that the Plan has appropriate regard to the rights and freedoms guaranteed under the ECHR and to the Equality Act 2010. No contrary evidence has been presented. There has been

adequate opportunity for those with an interest in the Plan to make their views known and representations have been handled in an appropriate and transparent manner with changes made to the Plan.

59. I conclude that the Plan meets this Basic Condition.

7. Detailed comments on the Plan policies

60. This section of the report reviews and makes recommendations on each of the Plan's policies to ensure that they meet the Basic Conditions. I make comments on all policies in order to provide clarity on whether each meets the Basic Conditions. Some of the supporting text, Appendices, policy numbering and Contents will need to be amended to take account of the recommended modifications.

Housing

61. **Policy H1a** – This seeks a minimum provision of smaller homes as part of major housing development.

62. The Policy is supported by reference to the preferred housing mix supporting Policy H4 in the Leeds Core Strategy which comprises targets of 10% one bedroom and 50% two bedroom homes. The Policy combines the targets for one and two bedroom homes which results in greater flexibility for applicants. The approach is supported by the Local Housing Assessment for Oulton and Woodlesford which concludes the area has a “*high proportion*” of three bedroom homes and a “*lower proportion*” of one and two (and five) bedroom homes.

63. The preferred housing mix supporting Policy H4 in the Leeds Core Strategy is for all housing developments regardless of their size. Policy H1a is more restrictive in relating only to major development. This would have the effect of reducing the opportunities for providing more smaller homes contrary to the Policy intention. The Policy is described as “*inflexible*” in representations from Johnson Mowat on behalf of Hallam Land Management. I share the view that there is no evidence supporting a more inflexible approach to the size of development and consider the policy drafting to be otherwise sufficiently flexible in recognising that achieving the preferred housing mix will not be appropriate in all circumstances. The definition of “*major development*” as “*more than 10 units*” is also inconsistent with national planning policy where it is defined as “*10 or more homes*”.

64. Policy H1a does not meet the Basic Conditions

- **M3 – Amend Policy H1a to delete “containing more than 10 units”**

65. **Policy H1b** – This seeks provision of a minimum 20% of new homes in major developments being affordable and that these should be pepper-potted and preferably provided on site.

66. The Policy is supported by references to the Leeds Core Strategy where Policy H5 of the Core Strategy Selective Review sets a minimum target of 15% affordable homes being provided on-site based on evidence of need. The Plan references a Local Housing Assessment for the neighbourhood prepared by arc⁴ as providing evidence for increasing the target for affordable homes in the neighbourhood area to 20%. This report is also referenced in Appendix 5 (with an incorrect date) but it has not been submitted alongside the Plan. A copy is located on the Forum’s website as a supporting document to the consultation on the pre-submission draft. I share concerns expressed by Johnson Mowat on behalf Hallam Land Management of about the availability of this report and it should be included within the Evidence Base as recommended in OM3.

67. The Local Housing Assessment identifies that in Oulton and Woodlesford *“selling prices are significantly higher than the benchmark prices for the Rothwell, the Outer South HMCA and the City of Leeds as a whole”* but also that there are fewer households in housing need than in Leeds as a whole. There is no clear link between the evidence provided and the increase in the affordable housing target from 15% to 20% and this is raised as an objection by Johnson Mowat on behalf of Hallam Land Management. I conclude that the Policy is not *“supported by appropriate evidence”* as required by national Planning Practice Guidance.

68. The approach to affordable homes being provided on-site in section c) of the Policy departs significantly from that in Policy H5 of the Leeds Core Strategy which permits off-site provision only where it can be *“robustly justified”*. This is also the approach in national planning policy (paragraph 63, NPPF). The supporting text indicates the Policy intention is

not to weaken support for affordable homes being provided on-site although this is the effect of the Policy as drafted.

69. The Policy is intended to apply to major development. As with Policy 1a the supporting text references the definition of *“major development”* in national planning policy as being *“any development above a threshold of 10 units or on a site of 0.5 hectares and above”*. This is carried through into the Policy applying to development of *“more than 10 units”*. The Policy does not reference the size threshold and the definition is not that provided in the Glossary to the National Planning Policy Framework. This defines major housing development as *“10 or more homes”*. Leeds’ Core Strategy Selective Review uses the same definition.

70. The remaining part of the Policy seeking to ensure that affordable homes are pepper-potted does not go significantly further than the existing requirement in Policy 5 of the Leeds Core Strategy that affordable homes *“should be suitably integrated throughout a development site”*.

71. Consequently I conclude that Policy H1b does not meet the Basic Conditions and that those elements which would be appropriate for retaining in the Policy are already addressed in Policy H5 of the Leeds Core Strategy. The National Planning Policy Framework states that development plan policies should *“serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area”* (paragraph 16). I recommend deletion of Policy H1b.

- **M4 – Delete Policy H1b and make appropriate modifications to the supporting text**

72. **Policy H2** – This establishes a series of design and related criteria for new housing development.

73. The Policy is supported by visual evidence of the variety of housing design in the neighbourhood. The supporting text includes references to Leeds City Council discouraging use of generic housing designs in its residential design guidance which is adopted

Supplementary Planning Guidance. It also references a “*Community Design Statement*” which is understood to be the Oulton and Woodlesford Design Statement referenced in Appendix 5. There is also support from the Conservation Area Appraisal and Management Plans prepared for both Oulton and Woodlesford.

74. The Policy drafting selectively references a caption commenting on “*Open Plan Anywhere Suburbia*” in the residential design guidance for Leeds and does not reference the Oulton and Woodlesford Design Statement. There is no definition of “*Open Plan Anywhere Suburbia*” which means the Policy lacks necessary clarity. This is best addressed by referencing both the Supplementary Planning Guidance and the Oulton and Woodlesford Design Statement. This will also address the unduly restrictive approach that limits residential development to single storeys, terraces or apartments. Providing they are clearly referenced it is not necessary to repeat the contents of the Design Statement or the Conservation Area Appraisals in the Plan.

75. The Policy goes wider than design considerations to address parking standards, environmental performance, security, prior community consultation and development phasing.

76. Section b) makes changes to the parking standards set by Leeds City Council. These are provided in a Supplementary Planning Documents *Street Design Guide* (2009) and *Parking* (2016) and these are to be replaced by a *Transport* Supplementary Planning Document (SPD) currently in draft following consultation. The Plan compares its proposed parking standards to the consultation draft but not to extant policy which is more restrictive in relation to visitor parking provision being “*provided at a rate of 1 space per 5 units*”. The proposed parking standards are considerably more generous than those currently in force or proposed in the consultation draft SPD. This is justified on the basis of the provision in the area’s most recent large development and a general statement about the “*likelihood of car ownership and multi-occupancy continuing to rise*”.

77. National planning policy sets out a range of considerations to be taken into account when setting local parking standards (NPPF, paragraph 107). These need to be addressed in

seeking to depart from the existing parking standards and there is no evidence that this has been done. On request I was informed that the evidence used to support the approach was simply based on “*a visual survey of parking provision on a recently completed development within the neighbourhood area*” and views expressed through public consultation. I share concerns expressed by Johnson Mowat on behalf of Hallam Land Management about this departure from existing standards without adequate justification. This part of Policy H2 does not meet the Basic Conditions.

78. Section c) addresses the importance of security considerations by referencing “*Secured by Design principles*”. Secured by Design is a police security initiative and it is referenced in Appendix 5. The approach is provided in a series of Design Guides rather than a set of principles.

79. Section d) seeks “*high standards of insulation*” and for development to conform to the “*Passive House Standard of near carbon neutrality*”. This is a demanding approach and no definition of “*high standards*” is provided which makes the Policy ambiguous. There is no reference provided for the “*Passive House Standard*” or evidence provided to justify it in the supporting text and it is not referenced in Appendix 5. The Passivhaus Standard also relates to more than carbon and is one of a number of standards relevant to environmental performance. National planning policy is that “*any local requirements for the sustainability of buildings should reflect the Government’s policy for national technical standards*” (NPPF, paragraph 154) and the Plan can support but not require development to deliver higher voluntary standards.

80. Section e) supports pre-application discussions with the local community and Neighbourhood Forum. It includes an expectation that this will result in a “*pre-application design code*” and that subsequent changes should result in further public discussion. The intent of section e) is supported in national planning policy which encourages “*early discussion*” and states that applications that can demonstrate it “*should be looked on more favourably*” (NPPF, paragraph 132). Nevertheless, the content goes beyond the scope of land use policy and is prescriptive in its approach. I recommend that a majority of the wording is provided in the supporting text.

81. Section f) supports development in “*small phases*”. No definition of “*small*” is provided although the supporting text makes reference to the Forum’s strong support for limiting the size of individual developments to 40 units. This is on the basis of consultation feedback and there is no supporting evidence base for such a prescriptive view. The Policy drafting is on the basis that phasing is necessary “*in order to*” achieve a series of desired outcomes. The lack of definition of what constitutes a small phase makes the Policy unclear and there is no evidence supporting the need for phasing to secure the identified outcomes in all cases. Planning Practice Guidance already supports the use of conditions to secure a phased approach where this is necessary and this may relate to circumstances other than those provided in the draft Policy. I share concerns expressed by Johnson Mowat on behalf of Hallam Land Management about this aspect of the Policy. This section of Policy H2 does not meet the Basic Conditions.

82. As drafted it is unclear that all the criteria in Policy H2 should be considered.

83. Policy H2 does not meet the Basic Conditions.

- **M5 – In Policy H2**
 - **Insert “all” before “*the following*” in the first line**
 - **Replace second sentence of section a) with “Residential development should have regard to the *Neighbourhood for living* Supplementary Planning Document and the Oulton and Woodlesford Design Statement (or their successors)**
 - **Delete the last two sentences of section b)**
 - **Replace “*principles*” with “guidance” in section c)**
 - **Replace section d) with “Support for developments which meet the voluntary Passivhaus or equivalent standard”**
 - **Move the last three sentences of section e) into the supporting text**
 - **Delete section f)**

- OM11 – [Delete reference to “*limiting the size of individual developments to 40 units*” on page 22 as part of changes to the supporting text consequent on the recommended modifications to the plan]

84. **Policy H3** – This identifies a number of considerations to inform development of each of three sites allocated in the Leeds Site Allocations.

85. The Plan does not make provision for any new allocated sites. The Policy relates to three sites identified by Leeds City Council which are included in the Site Allocations Plan adopted in July 2019. Leeds City Council confirmed that there are currently no planning applications or development activity associated with any of the sites. None of the sites are among those remitted for further consideration following a High Court challenge to the Site Allocations Plan. It would aid clarity of the Plan if the sites were identified on the Policies Map and/or supported by a link to the relevant part of the Site Allocations Plan. The supporting text should be updated to reflect adoption of the Site Allocations Plan. The capacity of site reference MX2-14 on page 28 should also be amended to 25 dwellings in line with the adopted Site Allocations Plan. This is notwithstanding the intention of the Policy to support an increase in capacity.

86. Two of the sites relate to potential mixed use development and the Plan should recognise this by locating and identifying the Policy other than in relation to housing development. The considerations raised in the Policy go wider than design principles to include preferred land uses. The Policy drafting is relatively loose and flexible in its approach.

87. Policy H3 meets the Basic Conditions although I recommend a number of Optional Modifications.

- OM12 – [Amend Policy H3 to:
 - Replace “*Design principles*” with “*Development considerations*” in the title and “*considerations*” in the first line

- Renumber and relocate the Policy in a section of the Plan separate to 3.1 Housing]
- OM13 – [Amend the capacity of Site MX2-14 to 25 dwellings on page 28]
- OM14 – [Include the location of the sites on the Policies Map and/or provide a link to the relevant part of the Site Allocations Plan]

Design of the built environment

88. **Policy DBE1** - This applies some design principles to all development in the neighbourhood area.

89. The Policy is supported by references to the existing Conservation Area Appraisal and Management Plans and the Design Statement adopted as Supplementary Planning Guidance in 2014. There is strong support for good design evident from the community consultation.

90. There are two Conservation Areas in the neighbourhood area where development is already subject to legal requirements and national and development plan policies reflecting the desirability to preserve and enhance their character or appearance. I have considered whether sections b) and c) are consistent with national planning policy for *“avoiding unnecessary duplication of policies that apply to a particular area”* (NPPF, paragraph 16) and have concluded there is some additional merit in referencing the locally specific Conservation Area Appraisal and Management Plans. The policy requirement in section b) to *“endeavour to”* preserve and enhance the Conservation Areas and in section c) to *“protect”* gardens in Conservation Area are not consistent with national planning policy.

91. Section d) recognises the importance of mature trees regardless of whether they are in a Conservation Area. As drafted it is a combination of a descriptive statement and a policy requirement which lacks the clarity necessary for planning policy. The drafting of the Policy is weaker than that already provided by Policy LAND 2 of the Leeds Natural Resources and Waste Local Plan (2013) which states that *“Where removal of existing trees is agreed in order to facilitate approved development, suitable tree replacement should be provided on a minimum three for one replacement to loss”*.

92. The final part of the Policy relates to development proposals demonstrating how they address the design guidance for each of 15 character areas as provided in the Oulton and Woodlesford Character Areas Assessment in Appendix 1. The Character Areas relate to the large majority of the built up part of the neighbourhood area. The Policy could be more clearly drafted to clarify it is only appropriate to development within a character area as identified in the assessment. The content of Appendix 1 is presented as aspirational and is not appropriate as a policy requirement. A map providing the boundary to each character area is provided in Appendix 1. This provides details of only 12 character areas whereas 15 are listed in the Policy and addressed in the text in Appendix 1. The map is not reproduced with the clarity needed to identify the precise boundaries of each character area. It is not necessary to list the character areas within the Policy. The Policy drafting should be clear that all the considerations should apply.

93. Policy DBE1 does not meet the Basic Conditions

- **M6 – Amend Policy DBE1 to:**
 - **Replace “*endeavour to preserve and enhance*” with “take into account the desirability of preserving or enhancing” in section b)**
 - **Replace section c) with “Development proposals should take into account the desirability of preserving or enhancing gardens in Conservation Areas”**
 - **In section d)**
 - **Insert “which” after “streets”**
 - **Delete “. These”**
 - **Replace “lost” with “loss is unavoidable”**
 - **Replace “by three trees on a like for like basis” with “like for like on a minimum three for one basis”**
 - **Add “and” to the end of the penultimate subsection**
 - **Replace the final section relating to Character Areas with “Where appropriate, development proposals should demonstrate how they have regard to the design guidance for the relevant character areas identified in the Oulton and Woodlesford Character Areas Assessment (Appendix 1).”**

- M7 – Provide a higher quality, larger scale Character Area map (ideally with a link to a high resolution, online version) which addresses all 15 character areas and provides clarity as to their exact boundaries

94. **Policy DBE2** – This supports development which strengthens the village centre in Oulton and commercial centre in Woodlesford.

95. The Policy is informed by considerations that the neighbourhood area lacks a cohesive centre and that there are opportunities to make improvements to the public realm. This assessment is consistent with the Leeds Core Strategy which classifies both Oulton and Woodlesford as villages at one end of the settlement hierarchy. Neither has a “*Local Centre*” designation. There is clear community support for the policy’s intentions.

96. The Policy defines two areas of focus - Woodlesford Commercial Centre and Oulton Village Centre. These are depicted on the Policies Map and the extent of Oulton Village Centre is described in the Policy. The locations shown on the Policies Map are not consistent with those described in the Policy. Woodlesford Commercial Centre is described as being on Church Street but shown as being on Aberford Road. The Village Centre is described as being on Aberford Road but shown as being on Church Street. The Village Centre is defined as Oulton Village Centre but is located in Woodlesford. There is limited evidence supporting the definition of these areas. I am nevertheless satisfied that their definition is sufficiently rigorous on the basis of my visit to the area and the broad brush nature of the policy approach. The precise boundaries cannot be determined from the map provided. From my visit the boundary on Church Street should be defined as being between the two junctions with Beechwood. The location of the centres should be identified by use of maps rather than solely by a description within the Policy. It is unclear why one centre is described as “*commercial*” and the other as a “*village*” centre especially when Policy BE1 describes them both as “*village centres*”.

97. The Policy is positively worded and recognises the introduction of Use Class E. Its encouragement of defined uses within Use Class E is not inappropriate although all changes

of use within Use Class E are permitted development. The Policy drafting should be clear that all the considerations should apply.

98. Policy DBE2 meets the Basic Conditions subject to the following recommended modifications:

- **M8 – Amend Policy DBE2 by:**
 - adding “*and*” to the end of section f)
 - replace “*from the Calverley Road/Aberford intersection through to Clown House (former Ritz Cinema – see Map 5 (page 54))*” with “(see Map ?)”
 - replace “*commercial centre*” with “*village centre (see Map?)*” in the second paragraph

- M9 – Provide a higher quality, larger scale map (ideally with a link to a high resolution, online version) depicting the geographical extent of both Village Centres with correct names and reference this Map in Policy DBE2. Provide a physical description of the location of the two village centres in the supporting text.

99. **Policy DBE3** – This provides policy considerations for development affecting a range of identified non-designated heritage assets.

100. The Policy is supported by evidence of the importance of a range of non-designated heritage assets, including their relationship with a majority of the area’s listed buildings. Appendix 2 (incorrectly identified as Appendix 3 in the Policy and supporting text) provides details of a significant number of non-designated heritage assets identified through the preparation of the Plan and it is noted that this is based on Historic England’s guidance.

101. Appendix 2 comprises a description of the historic significance of locations and specific buildings supported by a Table which identifies each of 56 assets by street, name/number and type. 14 assets are additionally accorded a classification in accordance with Historic England’s guidance. A majority of the assets in the Table are referenced only briefly in the descriptive text and a number are not addressed at all. It is stated that the

assets are presented in “*groupings – streets, yards, courts and other types of space*” but no groupings are evident in the information provided. The overall approach is confusing and results in ambiguity as to what comprises a non-designated heritage asset. It is unclear how it has followed Historic England’s guidance for the relatively small number of assets where this has been addressed. I was not provided with any further evidence or additional clarity when requested. Neighbourhood planning has an important role to play in identifying local heritage assets where these can be supported by appropriate evidence. Overall, I conclude, however, that there is a lack of sufficient evidence supporting identification of the non-designated heritage assets included in Appendix 2. Such assets continue to be recognised as important in the Leeds Core Strategy (policy P11) and national planning policy. The Plan could include a project to identify non-designated heritage assets in the Area.

102. Policy DBE3 does not meet the Basic Conditions.

- **M10 – Delete Policy DBE3**
- OM15 – [Consider including a project in Section 4.0 to identify non-designated heritage assets in the Area for inclusion in a future review of the Plan or as the basis for seeking their inclusion by Leeds City Council in a Local List]

Community services and facilities

103. **Policy CF1** – This identifies 12 community facilities where proposals for a change of use will need to meet additional policy considerations.

104. The Policy is supported by a description of each of the identified facilities in Appendix 4 (incorrectly identified as Appendix 3 in the supporting text). The facilities are also identified on the Policies Map. Appendix 4 includes three schools and Midland House which are not included in the Policy. The value of the schools is addressed in Policy CF3 and I was informed that the omission of Midland House was an oversight. The Policies map identifies only 10 of the 16 community facilities included in Appendix 4 and the identifying letters used on the Policies Map and in the Appendix are not consistent. It is also important to distinguish the facilities addressed in the Policy from the three schools which are not

considered community facilities for the purposes of the Policy. The negative wording in terms of what “*will only be permitted*” is inappropriate and it should be clear that the Policy only addresses changes of use that impact significantly on the community function which is being provided by the facility. There is support for the approach in the consultation feedback.

105. Policy CF1 does not meet the Basic Conditions

- **M11 – Replace the opening paragraph of Policy CF1 as follows “Development proposals involving a change of use which has significant adverse impacts on the following community facilities should demonstrate that reasonable efforts have been made to secure their continued use for current purposes and/or equivalent alternative provision is made.”**
- **M12 – Amend Policy CF1 to include Midland House in the list of community facilities**
- M13 - Locate the community facilities identified in Policy CF1 accurately on the Policies Map and distinguish them from the three schools included in Appendix 4

106. **Policy CF2** – This provides policy considerations when considering proposals for new or improved sporting facilities.

107. The Policy is supported by reference to details of sporting and recreation facilities in Appendix 4 (incorrectly identified as Appendix 5 in the supporting text). There is particular support for replacing Rothwell Recreation Centre.

108. The Policy lacks necessary clarity as a result of the drafting and as a result Section c) does not flow from the introductory line. The drafting in relation to Rothwell Recreation Centre can also clarify the support for additional facilities presently lacking in the neighbourhood area. It should be clear that all considerations apply.

109. Policy CF2 does not meet the Basic Conditions.

- **M14 – Amend Policy CF2 to:**
 - **Replace section c) with “Make every effort to ensure that the disruption of services is minimised to the community and users where existing facilities are improved or enhanced; and”**
 - **Replace “*this should provide an opportunity to provide*” with “the provision of additional” in the last sentence**

110. **Policy CF3** – This supports improved educational facilities.

111. The Policy is informed by community support for each of the three schools in the neighbourhood area and a desire for an improved public library function. It is positively worded.

112. Policy CF3 meets the Basic Conditions.

Green environment

113. **Policy GE1a** – This designates 18 Local Green Spaces and establishes the policy approach to new development.

114. The Policy is supported by an assessment of local green spaces against the criteria set out in national planning policy in Appendix 3a (incorrectly identified as Appendix 4a in the Policy and supporting text). Each Local Green Space is identified on a large scale map in Appendix 3a and collectively in Map 2. The Policy identifies 18 Local Green Spaces and Appendix 3a and Map 2 identify 17 Local Green Spaces. Within Appendix 3a the numbering of the Local Green Spaces in the summary table is often different to that in the maps. Two of the Local Green Spaces in the Policy are identified as Smaller Green Spaces in the Appendices – Albert Road allotments and Sydney Street allotments. The land flanking Aire and Calder Canal and River Calder is included in Map 2 and Appendix 3a as Local Green Space but is not included in the Policy. This confusion is unhelpful and is noted by some respondents to the Plan although I do not consider it to fundamentally undermine the

Policy. I have confirmed with the Neighbourhood Forum that the intention is for the Policy to designate the 17 Local Green Spaces in Appendix 3a and Map 2.

115. The evidence supporting designation of each of the Local Green Spaces is relatively limited and I have carefully considered the merits of each location including through a visit. I am confident that each proposal is reasonably close to the local community and none of them comprise an excessively extensive tract of land. The two largest – Water Haigh Park and Oulton Hall Park - are clearly defined and contained areas. There is some evidence for each proposal on its local significance and this was consistent with my site visits. I am also content that the distinction between Local Green Spaces and Smaller Green Spaces is a reasonable one in terms of the contribution they make. I note that a number of the proposed Local Green Spaces are recognised through other planning and historic designations although I am satisfied that there is additional benefit in their designation.

116. Given the relatively limited evidence supporting designation I share concerns expressed by Johnson Mowat on behalf of Arbor Homes Ltd and Arbor Construction Ltd that part of the proposed Land flanking Aire and Calder Navigation and River Aire Local Green Space is a site allocation for housing in the adopted Site Allocations Plan (HG1-400). National planning policy is that *“designating land as Local Green Space should be consistent with the local planning of sustainable development”* (NPPF, paragraph 99) and in this instance the onus is therefore on the Plan’s evidence base to justify the change in planned use. No evidence is provided to justify this significant change and the Plan also acknowledges the site allocation. On requesting further information I was informed that this overlap was *“erroneous”* and the Forum was content for the area of the site allocation to be removed from the Local Green Space.

117. Each Local Green Space is supported by a large scale map showing the area designated. For the majority this provides clarity as to the boundary of the Local Green Space although this is difficult with Oulton Hall Park and Land flanking River Aire and Calder Navigation and River Aire due to the map scale. The detailed boundary of Water Haigh Park Local Green Space needs to be consistent with the other Local Green Spaces and exclude public roads and the railway. Map 2 shows land outside the neighbourhood area being

designated as Local Green Space with both Water Haigh Park and the Land flanking Aire and Calder Navigation and River Calder. The mutual boundary of these two significant designations is also unclear in Map 2 and would benefit from further clarification.

118. The Land flanking Aire and Calder Canal and River Calder appears to be incorrectly named as it is the River Aire that runs along the northern edge of the neighbourhood area and the River Calder is not present in any part of the neighbourhood area. The watercourse is also called a Navigation rather than a Canal. The area of this proposed Local Green Space shown in Appendix 3a of 0.4ha appears to be an underestimate.

119. I have also considered whether the number of Local Green Spaces being proposed for the neighbourhood area is appropriate. There is strong support for Local Green Spaces evidence from the public consultation and a number of green spaces were considered and rejected as meeting the criteria. National Planning Practice Guidance is also clear that *“Whether to designate land is a matter for local discretion”* (NPPG Paragraph: 013 Reference ID: 37-013-20140306).

120. As well as designating Local Green Spaces the Policy states that *“development will be ruled out unless there are special circumstances, equivalent to national policy on Green Belt”*. This is not consistent with national planning policy which states *“Policies for managing development within a Local Green Space should be consistent with those for Green Belts”* (NPPF, paragraph 103) and Green Belt policy references *“inappropriate”* development and *“very”* special circumstances (NPPF, paragraph 147).

121. Policy GE1a does not meet the Basic Conditions.

- **M15 – Amend Policy GE1a to:**
 - **replace the opening paragraph with “The following areas are designated as Local Green Spaces where inappropriate development will not be approved except in very special circumstances:”**

- delete the area of site allocation HG1-400 in the adopted Leeds Site Allocation Plan from the proposed Land flanking Aire and Calder Navigation and River Aire Local Green Space
 - add “Land flanking Aire and Calder Navigation and River Aire” and delete “Albert Road allotments” and “Sydney Street allotments” to the list of locations designated as Local Green Spaces
- M16 – Amend the boundary of Water Haigh Park Local Green Space to exclude the operational land occupied by the railway and Eshald Lane and clarify the relationship with the boundary with the Land flanking Aire and Calder Canal and River Aire Local Green Space. Ensure no area of Local Green Space relates to land outside the neighbourhood area
 - M17 – Rename “Land flanking Aire and Calder Canal and River Calder” as “Land flanking Aire and Calder Navigation and River Aire” throughout the Plan, its Appendices and evidence base

122. **Policy GE1b** – This identifies 22 sites as Smaller Green Spaces with a protective policy approach.

123. The Policy is supported by an assessment in Appendix 3b (incorrectly identified as Appendix 4b in the Policy and supporting text) against the same criteria as Local Green Spaces. It is notable that the majority are valued because of the positive contribution to the form and setting of development, including where they are integral to the original design.

124. Each Smaller Green Space is identified on a large scale map in Appendix 3b and collectively in Map 3. The Policy identifies 22 Smaller Green Spaces and Appendix 3b and Map 3 identify 24 Smaller Green Spaces as they include Albert Road allotments and Sydney Street allotments which appear incorrectly in Policy GE1a. Within Appendix 3b the identifying letters in the summary table are not always consistent with the site reference that accompanies the large scale map of each proposed site or the identifying letters in Policy GE1b and Map 3.

125. The Policy drafting includes descriptive text and references the Forum’s intentions. It is also negatively worded in stating what will be “resisted”. Planning policy is for the purposes of informing decision on planning applications. Policies should generally be positively worded.

126. I visited each of the proposed Smaller Green Spaces and am content that they are appropriate for designation as proposed with the following exceptions:

- Midland Street – The triangular area along the Midland Street elevation of 2 Claremont Street is now located behind a fence and offers no visual amenity. It serves as a bin store and is disconnected from the public realm.
- Holmsley Walk- The two circular areas to the west offer no visual amenity and are almost entirely paved over. One is occupied by a single dead tree and the other is used for parking cars. That part of the designation with a boundary common with the Holmsley Field Lane Small Green Space offers limited public benefit and serves primarily as almost private amenity space. It appears that the proposed boundary includes some private land associated with the homes. I am content with the designation of the land north of a line between the two building corners as shown and with the remaining Holmsley Walk designations.



127. The detailed maps in Appendix 3b are generally suitable for showing the boundary of the designated area, with the exception of Gipsy Lane where the location is unclear because of the large scale. I note that Roberts Street is incorrectly located in the Midland Street/Claremont Street/Roberts Street designation map and should run between the two designated areas.

128. I note that despite being identified as “*Smaller*” Green Spaces the area of a number of those included in Policy GE1b (e.g. Albert Road Allotments, Pickpocket Lane) is greater than some of the Local Green Spaces in Policy GE1a (e.g. Midland Street, Oulton War Memorial). This diminishes the clarity of the Policy although I do not consider it to be so significant as to prevent it meeting the Basic Conditions. I suggest an alternative name for Smaller Green Spaces is considered.

129. Policy GE1b does not meet the Basic Conditions.

- **M18 – Amend Policy GE1b to:**
 - **replace the opening paragraph with “The following areas are designated as Smaller Green Spaces where development proposals should respect the contribution they make to the character and appearance of the street scene:”**
 - **Add “Albert Road allotments” and “Sydney Street allotments” to the list of Smaller Green Spaces**

- M19 – Make amendments to the boundaries of the Smaller Green Space designations for Midland Street and Holmsley Walk and to the map for Gipsy Lane as recommended
- M20 - Amend Policies GE1a & GE1b, Maps 2 & 3 and Appendices 3a and 3b to provide consistent naming and numbering/lettering of Local Green Spaces and Smaller Green Spaces and correct references to the relevant Appendices
- M21 – Provide sufficiently high quality, large scale maps (ideally with a link to a high resolution, online version) depicting the geographical extent of each Local Green Space and Smaller Green Space

- OM16 – [Consider an alternative name for Smaller Green Spaces which reflects their role and recognises that some of those designated are larger than some Local Green Spaces listed in Policy GE1a]

130. **Policy GE2a** – This identifies and protects the functioning of two Green Corridors

131. The Policy is supported by a brief description of the location of two Green Corridors, some photographs of the “*many*” Green Corridors and details of the Leeds Habitat Network. The boundaries of both are shown on the Policies Map although this is not at a scale or resolution adequate to determine the detailed boundaries. The supporting text incorrectly locates the Aire and Calder Navigation/River Aire Green Corridor as running through the west of the neighbourhood area. On request it was confirmed that the Aire and Calder Navigation/River Aire Green Corridor boundary is as defined in the Unitary Development Plan. The location of the other Green Corridor is coincident with the Special Landscape Area designated by Leeds City Council. Details of these designations are not provided. There is limited additional evidence as to the significance of the two Green Corridors although I am satisfied that the evidence behind both the Leeds Habitat Network and the Special Landscape Area designation is adequate. As drafted the Policy would restrict even insignificant disruption of the functioning of a Green Corridor and is too restrictive.

132. Policy GE2a does not meet the Basic Conditions.

- **M22 – Amend Policy GE2a to:**
 - **Delete “, page XXX”**
 - **Insert “significant” before “disruption”**
- M23 – Amend the supporting text to:
 - Replace “*west*” with “north east” in paragraph 3.4.3
 - Delete “*many*” in the caption on page 51 and identify which Green Corridor is depicted in each of the five photographs
 - Reference the designation by Leeds City Council of the Special Landscape Area and the Aire and Calder Navigation/River Aire Green Corridor boundaries in the UDP

- M24 – Provide:
 - sufficiently high quality, large scale maps (ideally with a link to a high resolution, online version) depicting the geographical extent of each Green Corridor
 - references for the Leeds Habitat Network and the Special Landscape Area in the evidence base in Appendix 5

133. **Policy GE2b** – This establishes policy criteria for the contribution of development proposals to green infrastructure.

134. The Policy is supported by details of the Leeds Habitat Network. The Policy drafting is unclear in places, including references to *“identified deficits”* for which no more information is provided. On request I was informed that the Site Allocations Plan Green Space Background Paper (2015) identified a deficit of Outdoor Sports (0.18ha) and Amenity (0.35ha) for Rothwell Ward. This should be referenced as providing the evidence base. The Policy is overly restrictive to require porous surfaces to be provided in all cases. The approach to tree loss lacks a reference to Policy LAND 2 in the Leeds Natural Resources and Waste Local Plan which supports replacement of unavoidable tree loss on a minimum of three for one (rather than 1:3) basis. It is unclear that all the policy considerations apply to all development proposals.

135. Policy GE2b does not meet the Basic Conditions.

- **M25 – Amend Policy GE2b to:**
 - **Insert “Providing” at beginning of the first bullet replace “Provision of” with “Providing” at beginning of the fourth bullet and “Provide” with “Providing at beginning of the last bullet**
 - **Replace “deemed inevitable” with “unavoidable” and “1:3” with “minimum of three for one” in the third bullet**
 - **Replace “wherever” with “where” in the fourth bullet**
 - **End the first four bullets with semicolons and add “and” to end of fourth bullet**

- M26 – Make reference to the Site Allocations Plan Green Space Background Paper (2015) as the evidence for the “*identified deficits*” in the Plan area
- M27 – Make reference to Policy LAND 2 in the Leeds Natural Resources and Waste Local Plan in support for the three for one replacement of unavoidably lost trees

136. **Policy GE3** – This identifies 15 sets of important views to be respected.

137. The Policy is supported by Map 6 (incorrectly referenced as Map 5 in the Policy) showing the location and direction of each view. In some cases the view relates to more than one location. Map 6 identifies them as “*Key Views*” and the Policy identifies them as both “*key*” and “*important*”. A brief description of what is significant about each view is provided in the Policy. There is evidence of public support for their protection.

138. The Policy additionally supports development proposals respecting and maintaining all key views identified in the Design Statement and Conservation Area Appraisals. The Design Statement describes the significance of many views although these are not specifically identified or located on a map. The Oulton Conservation Area Appraisal and Management Plan identifies eight key views and panoramas and the Woodlesford Conservation Area Appraisal and Management Plan identifies seven key views and panoramas. There are some views identified in the Conservation Area Appraisal and Management Plans that are not identified in Policy GE3 and some key views in Policy GE3 not identified in the Conservation Area Appraisal and Management Plans. Two of the views are either partially or completely located just outside the neighbourhood area.

139. The description of the significance of each view is brief and the location map general in their depiction. It is not possible to determine the angle or depth of the view identified. Nevertheless, the Policy drafting is not unduly restrictive. I consider the two views located outside the neighbourhood area to be appropriate given their location on the border and that the entirety of their significance lies within the neighbourhood area.

140. I visited each of the identified views and am generally satisfied that they are appropriate with the following exceptions:

- View a – The instance of this view from Fleet Lane is looking inward to the village and not out to the surrounding countryside and should be deleted
- View b – The instances of this view from Fleet Lane are dominated by a new housing development constructed since the Oulton Conservation Area Appraisal and Management Plan was published. The view is not of the Conservation Area and the view of St John’s Church spire is limited and not significant enough to warrant special consideration. These two instances should be deleted.
- View f – This view is wrongly located and described. It is from rather than to the significant tree and looks away from rather than down Oulton Lane. The view is not included in the Woodlesford Conservation Appraisal and Management Plan. It should be deleted.

141. Policy GE3 does not meet the Basic Conditions.

- **M28 - Amend Policy GE3 to:**
 - **Replace “*Appraisals*” with “*Appraisal and Management Plans*”**
 - **Delete “*illustrated*”**
 - **Replace “*Map 5*” with “*Map 6*”**
 - **Replace “*important*” with “*key*” in the second paragraph**
 - **Delete the instances of Views a) and b) identified (including from Map 6) and delete View f)**

142. **Policy GE4** – This supports development proposals which improve pedestrian and other non-motorised access and links.

143. The Policy is supported by a map showing a range of different existing pedestrian routes and bridleways. There is strong evidence of support for protecting and enhancing footpaths from the public consultation.

144. The scope of the Policy is much wider than implied by its *“Improve access to Public Rights of Way”* title. It addresses improvement to existing routes as well as supporting safe access to them from new development. It also addresses use by pedestrians, cyclists and horse riders and Map 7 includes routes beyond those designated as Public Rights of Way (including permissive routes). I agree with representations from Leeds Local Access Forum that the Policy should reference Map 7. The benefits of the Policy extend beyond residents to everyone moving around the neighbourhood area. The Policy will not be relevant to all development taking place in the neighbourhood area and the first paragraph duplicates references to safe access. It is unclear whether all considerations in the second paragraph apply.

145. Policy GE4 does not meet the Basic Conditions.

- **M29 – Amend Policy GE4 to:**
 - **Change title to “Improve non-motorised access”**
 - **Replace the first sentence with “New development proposals should, where appropriate, provide safe non-motorised access to link up with existing (see Map 7) or proposed footpaths and other routes and provide access to bus stops and other village facilities.”**
 - **Replace “A new” with “New” at beginning of second paragraph**
 - **End the first two bullets of the second paragraph with semi colons and add “and/or” to the end of the second bullet**

- M30 – Make subsequent changes to title of Section 3.4.5 and Map 7 to recognise the scope of the Policy and the inclusion of routes not designated as Public Rights of Way

Business and economy

146. **Policy BE1** – This supports particular types of development in the two identified village centres.

147. I have made recommendation relating to the naming and location of the two centres in relation to Policy DBE2 and the Policy should reference the map recommended to be provided rather than Map 5.

148. The last part of the Policy encourages development supporting the visitor/tourist economy in “*canal corridor locations*”. This was confirmed on request as corresponding to the Aire and Calder Navigation/River Aire Corridor and this lies outside the village centres. I recommend that the Policy is modified to provide greater clarity.

149. Policy BE1 does not meet the Basic Conditions:

- **M31 - Amend Policy BE1 to:**
 - Replace “*identified in Policy DBE2 and illustrated on Map 5*” with “(see Map ?)”
 - Replace section c) with a freestanding paragraph which reads “**Appropriate proposals which encourage the development of a local visitor/tourism economy, particularly in the Aire and Calder Navigation/River Aire Corridor, are welcomed**”

High Speed Rail

150. The Plan seeks to address the implications of the preferred route of HS2 passing through the neighbourhood area. The timing of HS2 is uncertain and if it were to proceed it may not be completed till after the Plan period. The supporting text is incorrect in describing HS2 as a Nationally Significant Infrastructure Project to be consented through a Development Consent Order. HS2 is authorised through a Hybrid Bill procedure.

151. **Policy HSR1** – This seeks the developer of HS2 to develop a sustainable development policy and engage with local stakeholders to identify regeneration opportunities.

152. **Policy HSR2** – This seeks the promoter and nominated developer to seek designs that contribute to sustainable development and that are informed by public engagement.

153. HS2 is “*excluded development*” for the purposes of neighbourhood planning under section 61K of the Town and Country Planning Act 1990 (as amended). Neither Policy addresses matters within the scope of a neighbourhood plan. The intentions of both policies are positive and on request it was confirmed that “*Policies HSR1 and HSR2 set out the Forum’s aspirations as a preferred way of working with HS2 through the development / construction phases and operational phases should the project go ahead*”. It is appropriate for these aspirations to be included in the Plan in Section 4.0

154. Policies HSR1 and HSR2 relate to excluded development and cannot be included in the Plan.

- **M32 – Delete Policies HSR1 and HSR2**
- M33 – Make consequential changes to the supporting text, including to correctly describe the status of HS2 and how it is authorised, and consider the inclusion of aspirations relating to HS2 in Section 4.0

8. Recommendation and Referendum Area

155. I am satisfied the Oulton and Woodlesford Neighbourhood Plan meets the Basic Conditions and other requirements subject to the modifications recommended in this report and that it can proceed to a referendum. I have received no information to suggest other than that I recommend the referendum area matches that of the Neighbourhood Area.