

General Questions about the Plan and the Leeds Local Development Framework

What is the Plan about?

The Site Allocations Plan (SAP) identifies or 'allocates' areas of land within the Leeds district for specific types of development, such as housing, employment, retail and green space up to 2028. The Plan forms part of the Local Development Framework (LDF) (Local Plan). The current consultation is only inviting representations on the latest changes (the pre-Submission Changes to the Plan).

What is the Local Development Framework (LDF)?

The LDF is a collection of planning documents produced by the council to guide development in Leeds. The main LDF document is the Leeds Core Strategy.

What is the Core Strategy?

The Core Strategy is the key planning policy document within the LDF. It sets the overall vision and objectives for development in the district up to 2028. The Core Strategy is now finalised (it was adopted in November 2014) and is **not** part of this consultation. The Core Strategy has set the overall housing requirement for Leeds, the spatial strategy and strategic locations to receive allocations, along with the scale of growth that each Housing Market Characteristic Area (HMCA) will need to accommodate. The SAP has to be in step with the Core Strategy.

What does it mean if a site is allocated?

The inclusion of a site in the SAP Publication Draft (and Revised Outer North East area) will mean that the council accepts that the principle of development is in accordance with the requirements of the site allocations plan, core strategy and other planning policies.

What stage of preparation is the Plan at?

The SAP has reached the final stage prior to submission to the Government's Planning Inspectorate for independent examination. At this stage we are only inviting representations on the latest changes (the pre-Submission Changes to the Plan). Earlier consultation happened during Autumn 2016 on the revised Publication Draft for the Outer North east area only; and in Autumn 2015 for the Publication Draft for the whole District. In Summer 2013 the plan was consulted on at an initial Issues and Options stage.

What happens at independent examination?

The SAP document will be examined by a Planning Inspector to see if the proposals are positively prepared, justified, effective and consistent with national policy. These are referred to collectively as issues of 'soundness'. The Inspector will also examine matters of procedure, relationship with neighbouring authorities and appraisal of the allocations. These are referred to as issues of 'legal compliance'. This is in accordance with Regulations 19 and 20 of the Town and Country Planning (Local Development) (England) Regulations 2012.

What can I comment on?

We are **only** inviting comment on the latest changes (the pre-submission Changes to the Plan). **Only** comments related to the pre-submission changes will be considered as part of this consultation. You should not submit representations on a part of the SAP which is not the subject of a pre-submission change (#1 to #802). Previous representations have been considered and the Inspector will be sent a copy of these.

The Site Allocations Plan (SAP) Pre-Submission changes consultation will run for a period of 6 weeks from February to March 2017.

These guidance notes are intended to help you complete the response form.

Part 1 – Your details.

All respondents are required to provide their personal details in this section. It is not possible for responses to be considered anonymously. Please provide an e-mail if you have one as this saves the council money.

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

Part 2 – What comment do you wish to make

Question 2.1 - Identify the Plan you wish to comment on.

For this consultation we are only consulting on the Site Allocations Plan Pre-submission changes and therefore this box is automatically 'ticked'.

Question 2.2 – Which pre-submission change do you wish to comment on?

You can select the change you wish to comment on by typing the relevant reference number into the box. Alternatively you can select using the drop down box. The full list of changes and corresponding reference numbers is linked in this question.

PLEASE complete a separate form for each Pre-submission change you wish to comment on.

Part 3 – What comment do you wish to make about this pre-submission change?

At this final stage, we are only inviting representations on the latest changes (the Pre-Submission Changes to the Plan). Previous representations have been considered, and the Inspector will be sent a copy of these. There is no need to repeat any previous representations that you have made on the plan at this stage.

For legal and procedural reasons the council needs to know why you think the Plan is or is not appropriate. This is called "soundness" and is explained in para 182 of the [National Planning Policy Framework](#). Further information on the process of preparing and examining Local Plans against tests of soundness is available from the [National Planning Practice Guidance](#) and the [Planning Portal](#).

The tests of soundness are as follows:-

Test of Soundness	What the NPPF says	What this most commonly means?
Positively prepared	The plan should be prepared based on the Core Strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.	The Leeds Core Strategy is already adopted and its objectively assessed development (ie. the housing and employment needs of the district up to 2028) has already been established, along with the split of development between HMCAs. For the purposes of this consultation, you can comment on whether you think the SAP fits with the Core Strategy policies.

Justified	The plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.	If you think that the council has not provided enough justification / evidence to release a site for development or to discount a site, then it is likely that your comment relates to this test of soundness.
Effective	The plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities.	If you think that the council's SAP does not provide enough suitable, available or achievable and viable sites for development, including with sufficient infrastructure up to 2028, then it is likely that your comment relates to this test of soundness.
Consistent with national policy	The plan should enable the delivery of sustainable development in accordance with all the policies in the National Planning Policy Framework. If you think it does not, your comment may relate to this test.	

Question 3.1.

This question gives you the opportunity to tell us whether you think the Pre-submission change makes the Plan sound or not:

- If you think the plan is sound you should then tell us why in Q3.3.
- If you think the plan is unsound, you should then tell us which test of soundness you believe the plan fails against in Q3.2

Question 3.2.

The question gives you the opportunity to tell us which test of soundness your comment relates to based on the above information. Remember, please focus your comments on the specific change you have chosen to comment on and whether in your opinion the Plan is unsound despite the change.

Your comments can be about more than one test of soundness.

Question 3.3.

This section gives you the opportunity to set out why you think the specific change you have chosen to comment on makes the plan sound. The comments box is limited to 10000 characters, but you can also upload a maximum of three files (up to a maximum file size of 30MB) to provide evidence and supporting information necessary to support of justify your view.

Question 3.4

The question gives you the opportunity to tell us how to make the plan sound in relation to the specific change you have chosen to comment on.

Part 4 – Is the Plan legally compliant?

The SAP must be based on the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012.

In terms of legal compliance, the main issues are in relation to:

- Has the plan been prepared in accordance with the Local Development Scheme?
- Has the plan been prepared in accordance with the Planning & Compulsory Purchase Act 2004
- Has the plan been prepared in accordance with the Town & Country Planning (Local Planning) Regulations 2012?
- Is the plan in compliance with Leeds Core Strategy?
- Is the plan in compliance with the Statement of Community Involvement?
- Has the council carried out consultation with appropriate statutory bodies?
- Has the plan been subject to sustainability appraisal?
- Has the plan met the Duty to Co-operate with other bodies, including neighbouring authorities?

Question 4.1

This gives you the opportunity to tell us whether you think the Plan is legally compliant or not based on the above information. If you don't know, you may tick the "don't know" box and your comments will still be taken into account.

Question 4.2

This gives you the opportunity to tell us which test of legal compliance your comment relates to based on the above information. Remember that tests of legal compliance are related to procedural matters, rather than site specifics.

Your comments can be about more than one test of legal compliance.

Question 4.3

Tell us about why you think the plan is or is not legally compliant here. Please try to be as precise as possible using headings to break up your comments.

Part 5 – Taking part in the public examination

Question 5.1

The Site Allocations Plan will be submitted to the Planning Inspectorate for examination in public. The Inspector will be appointed by the Secretary of State for Communities and Local Government and will consider whether the Plan is sound and whether it complies with current legislation. Those who tick 'yes' will be contacted closer to the time on behalf of the Inspector. The Planning Inspector will decide the best way to hear from those who wish to take part in the examination.

Part 6 – Future updates

Question 6.1

The Site Allocations Plan will go through a stage of examination when the plan is formally submitted to the Planning Inspectorate.

Those who wish to be kept informed of the next stages need to tick the options as appropriate 'submission' and 'adoption' of the plan.

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