

LEEDS CITY COUNCIL - Waterfront Biodiversity SPD : Reg17

Rep No	Representor	Representor comments	Officer comments	Suggested changes
Question: 01 An ecological Assessment will be required to accompany the submission of all planning applications for major development sites with a river, beck or canal frontage				
0052	English Nature	<p>English Nature suggests that the note on the requirement for ecological assessments on smaller developments could have greater emphasis. An amended sentence could read "The City Council will also require an ecological assessment for smaller developments where sensitive habitats, protected species or the function of the waterfront as a continuing wildlife corridor may be affected."</p> <p>The survey requirements stated on page 9 are fully supported. The requirement for follow up surveys where there is a gap in time between the granting of planning permission and the commencement of development is welcomed. It is hoped that this requirement will be included as a specific planning condition.</p>	<p>Support welcomed. The suggested wording clarifying when an ecological assessment will be required is accepted.</p> <p>Any requirement for further surveys would be covered by a planning condition at the planning application stage.</p>	<p>Second paragraph under guideline 1 to be amended to read: "The City Council will also require an ecological assessment for smaller developments where sensitive habitats, protected species or the function of waterways as a continuing wildlife corridor may be affected."</p>
Question: 02 Existing waterside habitats and features of value for wildlife should be retained				
0052	English Nature	Excellent. Fully supported by English Nature	Support welcomed.	No changes required.
0942	Mr A L Silson	I have no objection to the existence of wildlife habitats PROVIDED their presence does not prevent the free movement of people (and their dogs) along the canal towpath.	The SPD (guideline15) refers to the need to strike a balance between improving public access along waterways and the need to retain and provide wildlife refuge areas. Where there are existing rights of way, such as the canal towpath, any wildlife refuge areas will need to be located on the opposite bank.	No changes required.
Question: 03 New bridge crossings should be designed and located to avoid the loss of or disturbance to existing habitats or to protected species				
0052	English Nature	Excellent. Fully supported by English Nature	Support welcomed.	No changes required.
Question: 04 Where loss of habitat is unavoidable, mitigation will be required in the form of alternative habitat provision				
0052	English Nature	Excellent. Fully supported by English Nature	Support welcomed.	No changes required.

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Question: 05 New sections of engineered bank will generally not be acceptable unless essential for flood defence or safety purposes.				
0052	English Nature	Commend the approach to prevent further installations of engineered bank along the waterfronts. The illustrations of how vegetation can be incorporated into sheet piling are excellent and English Nature suggests that other innovative solutions should be included such as use of coir rolls where vegetation establishment is difficult or the addition of 'bristles' to the sheet piling below the water level.	It has not been possible to obtain appropriate illustrations of the methods suggested.	No changes proposed.
0338	British Waterways	Does this include the canal navigation? The photos do not provide a good illustration of engineered banks incorporating vegetation or colonisation of vegetation.	The guideline is intended to cover the canal navigation. The photographs provide an example of enhancement to an engineered bank. Other methods will be negotiated on a site by site basis.	No changes proposed.
0951	Environment Agency	We strongly support this section, as any culverting requires our consent. We resist culverting on conservation and other grounds and consent for such works will not normally be granted except for access crossing.	Support welcomed. The additional wording will be added to the document.	Guideline 5 Sentence to be added to fifth paragraph: "The Environment Agency will resist culverting on conservation and other grounds and consent for such works will not normally be granted except for access crossings."

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0960	Leeds Chamber Property Forum	Vegetation being introduced to sheet piling - this is a good idea provided it is carried out correctly. It is noted that 'the agency is in general, opposed to removal of natural embankments and their replacement with hard engineered structures.' A balance is required here. How did the Victorians manage major development achievements?	The SPD refers to the need to seek Environment Agency consent for works near watercourses and explains the Environment Agency's approach to applications to remove or replace natural banks. It is not the place of the SPD to influence this approach however, additional clarification has been obtained from the Environment Agency and the text will be amended accordingly.	Second paragraph under Guideline 5 to be amended to read: "The Environment Agency is, in general, opposed to the removal of natural embankments and their replacement with 'hard' engineered structures because of the adverse ecological and morphological effects that are likely to arise." Final sentence of third paragraph under guideline 5 to be amended to read: "In all cases where it is appropriate to do so adequate mitigation and compensation must be provided for the damage caused." Fifth paragraph to be amended to read: Any works to culvert or cover over a watercourse (of any kind) require the prior approval of the City Council under the Public Health Act 1936 and the Environment Agency under the terms of the Land Drainage Act 1991".
Question: 06 Existing habitats and features of value for wildlife should be protected during construction				
0052	English Nature	Fully supported by English Nature	Support welcomed.	No changes required.

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Question: 07 Provision should be made for the conservation of protected and important species				
0052	English Nature	Reference to species of principal importance for the conservation of biodiversity is in line with the guidance given within Planning Policy Statement 9. It should be noted that PPS9 refers to 'biodiversity and geological conservation interests ' in a general sense when advising that planning decisions should maintain, enhance, restore and add to such interests. English Nature suggests therefore that some reference is made to wider biodiversity as well as protected species in this guideline.	The overall aim of the SPD is to maintain and enhance biodiversity. Guideline 7 relates to protected and important species which are referred to specifically in PPS9. Whilst the SPD does include references to wider biodiversity issues it is accepted that there should be a specific reference to the need to maintain, enhance, restore or add to such interests.	Final paragraph (last sentence) under guideline 1 to be amended to read: "The submitted report should include an assessment of the likely impacts of the development; recommendations for impact avoidance and mitigation; and proposals to maintain, enhance, restore or add to biodiversity interests."
0338	British Waterways	Should the list of protected species also include white clawed crayfish?	Comment accepted.	White clawed crayfish will be added to the list of protected species in the second paragraph under guideline 7.
0951	Environment Agency	The fifth paragraph appears to be unfinished.	Comment noted and accepted.	Final sentence of fifth paragraph under guideline 7 should read: "Developments can often be delayed considerably where developers have not confirmed the absence of protected species at an early stage in their plans and formulated appropriate mitigation proposals to deal with any which have been recorded."

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0959	Scott Wilson	Broadly support this but in our experience WYE have a vast number of requests and cannot deal with information requests within the timescales required by the client. It would be worth highlighting in this section how much time should be allowed by a developer when requesting such information, so it does not delay a planning application and can be incorporated into their planning timescales.	Comment accepted.	Amend first sentence of the third paragraph under guideline 7 to read: "Developers should check with the local record centre, West Yorkshire Ecology, for known records of protected species at an early stage (allow 20 working days for data requests)."
Question: 08 Proposals to enhance the wildlife value of engineered banks and other features or structures will be encouraged where these are present within or adjacent to a development site				
0052	English Nature	Weirs are a considerable barrier to the movement of fish and other aquatic fauna, and can also have an adverse effect on river systems such as the movement of silt. The requirement for fish passes is very positive. It should be noted however, that old stone built weirs can offer some wildlife habitat for aquatic fauna, so if such weirs are to be removed and ecological assessment will be necessary and compensatory habitat provided.	It is recognised that detailed studies (including an ecological assessment) will be required prior to the removal of any weirs. However, these detailed matters lie beyond the scope of the SPD which serves as a starting point for the consideration of weir removal and provision of fish passes through the planning process.	No changes proposed.
0337	Aire and Calder Rivers Group	The two paragraphs on weirs and the Environment Agency's fish pass action plan are greatly appreciated. Their implementation will have historic consequences and will pave the way for salmon to return to the centre of Leeds after a 250 year absence. However, would it be possible to widen the scope of application of funds to cover further opportunities of installation of fish passes on the River Aire. It would be a shame if such opportunities were missed due to the wording of the SPD having been drawn too narrowly.	Support welcomed. Contributions from adjacent or related developments is a key potential source of funding towards fish pass provision. It is accepted that the SPD should seek contributions towards weir removal or fish pass provision where these are related to a development.	Amend text under guideline 8: Weirs can act as significant barriers to fish movement upstream in rivers. The River Aire Fish Pass Action Plan 2005, published by the Environment Agency, identifies priorities for the next five years for the river Aire but fish passes will also be sought where necessary on other weirs.
0338	British Waterways	This section appears to conflict with reg. pledge, mooring requirements, heritage etc. Requires consultation with British Waterways at the design stage.	This comment relates to British Waterways approach to bank maintenance and possible conflict with moorings, etc. It has been agreed with British Waterways that these details can be dealt with through consultation with British Waterways on individual planning applications where British Waterways are a statutory consultee.	No changes proposed.

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0951	Environment Agency	<p>We are particularly pleased that the issue of Fish Passes is included within the SPD. However, reference is given to the Public Realm SPD yet in that particular document does not appear to have been cross referenced or specifically listed as a potential for contribution. We would be pleased to see more linkage with respect to their issue for clarity.</p> <p>The list of Environment Agency fact sheets should also include Help Protect Bats - Guidelines for Works Affecting Watercourses.</p>	<p>It is acknowledged that clarification is required regarding the circumstances when a financial contribution towards a fish pass may be required.</p> <p>Comment regarding Protect Bats leaflet accepted. The Environment Agency has subsequently advised the City Council that references to the facts sheets (except Help Protect Bats) should be deleted.</p>	<p>Guideline 8 to be revised as indicated above below (Rep. No. 0959)</p> <p>Help Protect Bats - Guidelines for Works Affecting Watercourses' to be added under References and Further Reading.</p>

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0959	Scott Wilson	<p>It is not clear in what circumstances a developer would be expected to make enhancements to engineered walls. The description of 'within or adjacent to a development site' is too loose and open to interpretation. If a developer is not affecting an installed bank or developing on top of the bank, it is not clear why they should be required to fund such improvements. It is the Environment Agency's duty to maintain such banks and this should be reflected in the text. Text should give a lot more clarity about what sites would fall under this. Similarly for Fish Passes, it is not clear why and in what circumstances developers would be expected to contribute to such projects (Environment Agency responsibility so it should be detailed clearly why developers are expected to contribute). 'Significant development' is too loose and open to interpretation. A size limit should be placed on this, so developers know whether they will be required to contribute for their particular development.</p>	<p>It is accepted that the phrase "within or adjacent" may be open to interpretation. The wording is intended to cover circumstances where a watercourse is included as part of a development site or where a site boundary abuts a watercourse. Biodiversity enhancements related to development is supported by PPS9 and UDP policy N51.</p> <p>It is accepted that the Environment Agency's responsibilities should be reflected in the text. Clarification has been sought from the Environment Agency.</p> <p>It is accepted that the requirement for contributions towards fish pass provision needs to be made more clear. Again, contributions towards biodiversity benefits are supported by PPS9 and UDP policies N51, GP7 and CC1.</p>	<p>Guideline 8 to be amended to read: "Biodiversity enhancements will be required as part of waterside developments.</p> <p>Where a watercourse lies within or forms any part of the boundary to a development site biodiversity enhancements (in addition to any mitigation required under guideline 4) will be required as part of that development.</p> <p>The type and scale of enhancement required will vary depending on the size of the development and the habitat and features present within or immediately adjacent to the site. Examples of enhancements include:</p> <ul style="list-style-type: none"> - re-opening of culverted watercourses; - introduction of vegetation to engineered banks; - creation of meanders along canalised sections of watercourse; - provision of vegetated aquatic ledges; - removal of weirs or provision of fish passes to weirs (see below); - provision of otter holts or other lying up sites for otters; - habitat improvements for other aquatic or riparian species, such as water vole and white

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				<p>clawed crayfish; - management or planting of bankside trees, shrubs and other vegetation; - control of invasive species (see guideline 16).</p> <p>Weirs can act as significant barriers to fish movement upstream in rivers. The River Aire Fish Pass Action Plan 2005, published by the Environment Agency, identifies priorities for the next five years for the river Aire but fish passes will also be sought where necessary on other weirs.</p> <p>The City Council anticipates that biodiversity enhancements will be secured largely through planning conditions. However, where on site enhancements cannot be secured contributions will be sought for off site enhancements. Given the variety of watercourses and habitats present in the Leeds district it is not possible to provide details of how such contributions will be calculated. However, contributions will always be related in scale to the proposed development.</p> <p>Contributions may be towards projects</p>

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				<p>administered by the City Council or by other organisations such as British Waterways, the Environment Agency or Yorkshire Wildlife Trust.</p> <p>Assessing each proposal or development in relation to the storage and conveyance of water is viital. Consent is required form the Environment Agency under the Water Resources Act 1981 wherever anyone intends to carry out work on, over, under or within 8m of a designated main river. On other watercourses, known as non-main river, a Land Drainage consent will be required from the Environment Agency where works obstruct the flow of the watercourse such as a culvert, weir or flow control structure. The Environment Agency will consider each proposal individually however, there are measures that may be less likely to conflict with flood defence priorities than others. Applicants are encouraged to consult with the Environment Agency at the pre-application stage.</p> <p>Following paragraph to be added under guideline 9: Under the Water</p>

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				Resources Act 1991 and the Land Drainage Act 1991 both the Environment Agency and local authorities have permissive powers to maintain watercourses. Their jurisdiction depends on the watercourse designation as 'Main River' or 'Ordinary Watercourse'. However, responsibility for general maintenance of watercourses and their banks rest with riparian owners."
0960	Leeds Chamber Property Forum	There is reference to the City Council seeking development contributions through planning obligations for habitat enhancement works. Any contributions requested should be appropriate and consistent through the city and money well spent. Refer to comments made on Public Realm - '... so that any developer/land purchaser can take these into account when assessing development appraisals and establishing land value.'	It is not practical at this stage to identify and cost all habitat enhancement opportunities along rivers, canals and becks in the district. Contributions for habitat enhancement works will need to be negotiated on a site by site basis where such work is relevant to the development. It is accepted that the SPD should provide greater clarity regarding when contributions will be required.	Guideline 8 to be amended as above.
Question: 09 Provision should be made for the management/maintenance of existing and new waterside habitats				
0052	English Nature	The requirement for management of waterfront habitat is very much welcomed by English Nature. The appropriate management of existing habitat is just as important as the creation of new habitat.	Support welcomed.	No changes required.
0959	Scott Wilson	More clarity should be provided here. Presumably this only covers river banks that lie within a development site. The wording of the first para should be changed so that the end of the first sentence reads '...for existing and new riverbank habitat features within a development site.'	There may be circumstances where habitat is enhanced and/or created off site. The guideline is intended to secure management in these circumstances as well as when habitats are retained and/or created within a site.	First sentence of first paragraph under guideline 9 to be amended to read: "As with all on site landscape proposals there will be a requirement for a maintenance scheme for existing and new habitat features where these are retained or created, either on or off site, as part of a development."

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0960	Leeds Chamber Property Forum	The photo in the draft document illustrates plants growing out of stone walls. If weeds take over the root system will invade mortar joints eventually leading to collapsing walls. A balance is needed here with potentially planted areas being formed which are not invasive on stone walls and other structures.	Wall vegetation was identified as a habitat type in the ecological survey of the waterfront area. This vegetation has developed through natural colonisation rather than planting. The SPD does not advocate planting of stone walls but it does seek to retain existing vegetated stone walls where appropriate. Larger growing woody vegetation may cause wall instability and this would need to be managed.	No changes proposed.

Question: 10 Development should be set back from the banks of rivers, becks and canals to provide/maintain an open corridor and to allow for the retention of soft edge treatments

0038	Ramblers' Association, Leeds Group	In support of Guideline 10 as it helps to give effect to UDP Policy LT6B which seeks to secure footpath access and public rights of way along both banks of the River Aire and its major tributaries. Although the supporting text states that 'public access will not always be required or appropriate within this zone', the Ramblers Assoc (RA) does not want to see rights of way diverted away from the waterfront unless strong ecological arguments dictate otherwise. In particular, the RA does not want to see rights of way diverted along industrial estate roads.	Support welcomed. The aim of guideline 10 is to provide a buffer zone between built development and rivers, canals and becks. Guideline 15 is also relevant which deals with the balance between public access and the need to retain and provide wildlife refuge areas. The nature of the buffer zone and any associated footpaths will be dealt with on a site by site basis taking into account both ecological and public amenity issues. It is not the intention of the SPD to require diversion of existing rights of way.	As the guidelines require consideration of the balance between public access and nature conservation no changes are considered necessary to the SPD.
0052	English Nature	Reference is made to locations where formal treatments are necessary along the waterfront. In such situations it should be ensured that the other side of the canal bank or river bank is managed for wildlife, to ensure that at least one side of water body maintains a corridor of favourable wildlife habitat.	The aim of this guideline is to maintain and provide a continuous corridor of favourable wildlife habitat along waterway corridors, preferably on both sides of the waterway. Within the city centre the nature of this corridor may be more formal but the overall intention of the guideline is that these areas will still be designed to provide wildlife habitat.	No changes proposed.
0941	Mr Paul Magson	There are a number of disused railway lines around and these should be used as green corridors to link natural habitats.	The comment regarding disused railway lines is noted and the retention and enhancement of these features as wildlife corridors will be taken into account when implementing the SPD where they cross, join or are adjacent to waterfront locations.	No changes proposed.
0951	Environment Agency	The guideline requires developments to be set back, although states that this can be of varying width. Our consent is required for proposed works or structures within 8 metres of a main river or any flood defence maintained by us and this should be borne in mind by any potential developers.	It is important that the SPD is clear and that it explains relevant consent regimes.	Final paragraph under guideline 10 to be amended to read: "Consent from the Environment Agency is required for any proposed works or structures within 8 metres of a main river or any flood defence maintained by the Environment Agency."

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0960	Leeds Chamber Property Forum	Setting back development from the banks of the river canals to allow for soft edge treatments must be carefully considered and a 'balanced view' achieved. Many buildings are already built close to the edge of the river which gives a particular 'feel'. Inner city development needs to consider carefully how the edges are dealt with. Look at other European cities and their watersides before applying a 'blanket approach'.	The SPD builds on the approach set out in the Waterfront Strategy, which seeks an undeveloped public zone between development and the river and canal. The SPD does provide for flexibility and balance as it is stated that "the width and character of this zone will vary according to the location." Rivers and their banks are specifically mentioned in the European Habitats Directive as landscape features of major importance for wild flora and fauna and Member States are required to encourage the management of such features.	No changes proposed.

Question: 11 Landscape schemes should incorporate locally appropriate species to complement existing habitats and features on the site and to provide additional habitats for wildlife

0052	English Nature	The encouragement of landscape planting with stock of local provenance is commended by English Nature, and is hoped that this will be closely monitored.	The City Council is required to monitor the impact of SPDs and this will include an assessment of the effectiveness of this guideline. This may include a random sample of submitted landscape schemes.	No change proposed.
0338	British Waterways	Requires consultation with British Waterways	The City Council will consult British Waterways on all planting schemes affecting the canal and other navigable waterways.	No changes proposed.
0958	LCC Cllr Stewart McArdle	British Waterways as well as WY Ecology should be consulted when tree planting is being proposed along the waterway bank.	The City Council consults British Waterways on all developments affecting canals and other navigable waterways.	No changes proposed.

Question: 12 Green roofs will be encouraged for waterside developments

0052	English Nature	The inclusion of practical ways in which a developer can increase the biodiversity gains within a development is very useful and the addition of 'brown' roofs as well as green roofs is welcomed. The diagram on p16 may benefit from the inclusion of a picture of an artificial swift box.	Comments noted.	Illustrations of swift boxes to be included.
0960	Leeds Chamber Property Forum	Green roofs and incorporation features of value for wildlife we support, but would say that this is not just adjacent to waterside areas.	The SPD relates specifically to waterside development. The wider use of green roofs is encouraged in the Sustainable Development Design Guide (SPG10).	No changes proposed.

Question: 13 Waterside development should be designed to incorporate features of value for wildlife

0052	English Nature	The inclusion of practical ways in which a developer can increase the biodiversity gains within a development is very useful and the addition of 'brown' roofs as well as green roofs is welcomed. The diagram on p16 may benefit from the inclusion of a picture of an artificial swift box.	Comments noted.	Illustration of swift boxes to be included.
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Rep No	Representor	Representor comments	Officer comments	Suggested changes
0959	Scott Wilson	Support the principle of incorporation of features for wildlife, however there are a number of issues apparently not considered here that need to be taken into account and detailed in this section. This does not consider maintenance issues (a developer generally sells on all land once units are complete - who would maintain such features where they require maintenance?) Who will be liable in terms of public safety if it is within an accessible area? There needs to be a comment added that caveats these issues, and specifies that features of value for wildlife should be incorporated where there are not significant safety or maintenance issues.	The design of new features for wildlife will be agreed through the planning process and account will be taken of safety and future maintenance issues. It is not considered necessary to include this level of detail in the SPD.	No changes proposed.
0960	Leeds Chamber Property Forum	Green roofs and incorporation features of value for wildlife we support, but would say that this is not just adjacent to waterside areas.	The SPD relates specifically to waterside developments. The wider incorporation of features of value for wildlife is encouraged in the Sustainable Development Design Guide (SPG10).	No changes proposed.

Question: 14 Waterside developments should incorporate sustainable drainage features

0948	Yorkshire Water Services	YWS would support the inclusion of policy which: 1. requires all developers to demonstrate that the feasibility of using SuDS has been explored in the design of their development. 2. requires developers to incorporate SuDS into the design of their development where a feasibility study indicates that it would be appropriate. 3. requires the developer to ensure that there is a maintenance plan in place for SuDS where such a scheme is to be implemented as part of a planning permission.	Support welcomed. Guideline 14 encourages the use of sustainable drainage features. Detailed matters regarding sustainable drainage systems and development are covered in supplementary guidance 22 Sustainable Drainage in Leeds which deals with the issues raised in this comment.	No changes required.
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Question: 15 Careful consideration should be given to proposals for public access to waterside areas, taking into account the impact on sensitive species and habitats

0052	English Nature	Fully supported. The discussion on the balance between wildlife and public access is excellent.	Support welcomed.	No changes required.
0959	Scott Wilson	It is not clear who would be responsible for installing and paying for new bridges to maintain public access links - the inference is that the developer should pay, but the circumstances in which this would apply should be detailed (presumably only where a development requires access routes to be diverted across the river?) Public safety and liability issues are not considered and should be mentioned.	The funding of new bridges will vary according to circumstances and it is not possible to identify responsibility at this stage. It is accepted that greater clarity is required. Detailed issues such as public safety and liability are beyond the scope of the SPD and will be dealt with at the planning application stage.	Sentence to be added to final paragraph under guideline 15: "Planning obligations will be used to secure contributions for new bridges where they are required as part of a development."

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Question: 16 Measures to control the spread of invasive alien species will be required where these are present on development sites				
0052	English Nature	Reference is made to the need for a corridor wide approach to the control of invasive species and English Nature fully support this proposal. Hard work to remove such species in one location is very often hampered by a lack of management on a neighbouring site. English Nature hopes that such an approach can be initiated by the City Council and would look forward to contributing to what would be a very worthwhile project.	The City Council welcomes the support of English Nature for a corridor wide approach to the control of invasive species as any such project would require the involvement of key partners.	No changes required.
0338	British Waterways	State that a control programme may take several years.	Comment accepted.	Insert "A control programme may take several years." into third paragraph under guideline 16.
0951	Environment Agency	At guideline 16 or on page 19, we would welcome reference to our document "Guidance for the Control of Invasive Weeds In or Near Freshwater"	Comment accepted.	Environment Agency document guidance for the Control of Invasive Weeds in or Near Freshwater to be added to Bibliography
0958	LCC Cllr Stewart McArdle	The Council should have a strategy that combats the extremely invasive H. Balsam species	Guideline 16 is intended to cover all invasive species, including Himalayan balsam and this needs to be made clear in the text.	<p>The first two paragraphs under guideline 16 to be reworded as follows: A number of introduced species are causing considerable damage to habitats within the UK. Species of particular concern which are present along waterways in Leeds are Japanese knotweed, Giant hogweed and Himalayan balsam.</p> <p>Under the Wildlife and Countryside Act 1981 it is an offence to plant Japanese knotweed and Giant hogweed or to cause them to grow in the wild. At present Himalayan balsam is not covered by this legislation.</p>

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Question: C01 Other Comments				
0020	Scholes Community Forum	An excellent draft document clearly meeting SEA and SA objectives.	Support welcomed.	No changes required.
0052	English Nature	<p>The 2003 ecological survey maps provide a valuable overview of the entire corridor, which should be used as part of the strategic planning for nature conservation as required by PPS9.</p> <p>The maps produced highlight where there are habitat creation needs in order to achieve a continuous corridor of wildlife habitat and a diversity of habitat within that corridor. English Nature is pleased to see reference made to the value of the maps within the Evaluation section of the survey, and it is hoped that other LDF documents will refer to the habitat creation and connectivity requirements of the waterfront, and the necessary means by which these aspirations can be achieved.</p> <p>The 2003 survey should also be used to determine what habitat types are needed to increase the biodiversity of the corridor, in order to inform the habitat creation schemes as part of any new development along the waterfront. It is apparent, for example, that some additional species rich grassland would be beneficial to increase the invertebrate interest along the corridor, and specifically the food plants of any local biodiversity action plan species could be increased.</p>	Comments noted.	No changes required.
0058	Countryside Agency	Overall we found the documents to be comprehensive setting out the objectives, issues, policy and baseline information and a reasonable assessment of the SA appraisal of the proposals. We have no further comments to make on these documents other than the points made in the earlier rounds of consultation to which the Countryside Agency has responded.	Support welcomed.	No changes required.
0111	Barwick in Elmet & Scholes Parish Council	All Parish Councillors have noted the content of the draft document and do not feel that it applies to the Parish in question.	Comments noted.	No changes required.
0338	British Waterways	Typographical errors highlighted in the 'Background' section of the document p2. Ecological Survey, Appendix 1 cover page to include Jonathan Hart-Woods (BW), Morgan Barnard (YWT), Rosie Hinks (EA) and Louise Rutherford (York University) for clarification.	Comments accepted.	Suggested text amendments will be made.
0940	Yorkshire and Humber Assembly	WBSPD is not a document that the Assembly would wish to comment on.	No comment.	No changes required.

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0941	Mr Paul Magson	Strongly support any attempts to improve green spaces in Leeds City Centre and along the River Aire and the Canal. The centre in particular needs new parks and green spaces and action should be taken quickly to acquire suitable land before it is all developed.	The provision of new parks and green spaces is beyond the remit of the Biodiversity and Waterfront Development SPD.	No changes proposed.
0942	Mr A L Silson	I am in full agreement with the proposal to make as much as possible of the canal towpath between Armley Mills and Thwaite Mills a public right of way. A public towpath already exists on the towpath between Kirkstall and Apperley Bridge. Could a public right of way ALSO be made on the towpath so as to form a long public right of way?	The provision of new public rights of way is beyond the remit of the Biodiversity and Waterfront Development SPD.	No changes proposed.

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0951	Environment Agency	<p>1.The order of text used on p2 could give the impression that the SPD applies to the waterfront from Armley Mills to Thwaites Mills. This may lead to developers/general public not realising that it applies to all river corridors and watercourses in Leeds. This is clarified in the last paragraph. We suggest that the opening text is made clearer with an explanation of the development of the guidelines through the Waterfront Strategy. Alternatively, p4 'Status' could be brought forward ahead of 'Background.'</p> <p>2.p5 details existing policies in the UDP which under the LDF process are 'saved.' We support such policies and as such would wish for such policies to be included and updated as part of the LDF Core Strategy and Development Control Policies as they rise. We welcome the inclusion of Planning Policy Guidance 25 within the short paragraph on National Planning Policy. Relevance relates to he issues of flood risk adjacent rivers and possible mitigation on reducing flood risk, and also the compatibility of Land Use and flood zones is important in their development potential.</p> <p>3.The Environment Agency is referred to several times through the document but, is sometimes referred to as 'The Agency.' Please could we consistently be referred to as the Environment Agency (see section 5).</p>	<p>1. The comment regarding the order of the text is accepted.</p> <p>2. Comments noted.</p> <p>3. Comments noted.</p>	<p>Background section to be amended as follows: Delete first paragraph.</p> <p>Final paragraph to be amended to read: "There are a number of rivers, canals and becks in the Leeds district. The river Aire, the Leeds Liverpool canal and the Aire and Calder Navigation form a major habitat corridor running through the urban area of Leeds. Water quality, particularly in the river, has improved significantly in recent years. A major issue now for the river corridor and for other watercourses in the urban area is improving the habitat resource to maintain and increase the range of species present.</p> <p>The river Wharfe flows along the northern boundary of the district. It is the least polluted and most natural major river in West Yorkshire so it is important that any development along the river maintains and enhances this valuable natural feature.</p> <p>Waterside development provides an opportunity to achieve some of these goals through symapathetic design, implementation and management."</p>

Rep No	Representor	Representor comments	Officer comments	Suggested changes
				<p>A reference to PPG25 will be added in the National Policy section.</p> <p>The text will be amended to refer to the Environment Agency throughout.</p>
0958	LCC Cllr Stewart McArdle	<p>I hope LT6B is not simply an aspiration and that the Policy is utilised in full for all stakeholders to enjoy whilst retaining and protecting nature conservation and having regard to public safety. Monitoring and management must be conditioned and enforced.</p> <p>It would be useful to have further winter and summer time studies perhaps on a bi-annual basis.</p>	<p>Policy LT6B is a 'saved' UDP policy and therefore will continue to be a material consideration when dealing with planning applications along the major waterways in Leeds.</p> <p>It is assumed that the comment regarding winter and summer time studies refers to the ecological survey in Appendix 1. It is unlikely that resources will be available to enable regular follow up surveys.</p>	No changes proposed.
0959	Scott Wilson	<p>Overall we support the document. However, a balance must be achieved between what level of contribution can be reasonably expected from developers of waterfront land and the statutory duties and aims and objectives or other organisations (such as EA, English Nature, Leeds City Council etc).</p>	<p>Comments noted. The SPD seeks to achieve this balance by setting out what will be required from developers in terms of maintaining and enhancing biodiversity in waterfront locations.</p>	No changes required.

Rep No	Representor	Representor comments	Officer comments	Suggested changes
0960	Leeds Chamber Property Forum	<p>N8: Some urban green corridors are completely overgrown, have a feeling of being unsafe and uncared for. I am sure we would all welcome these corridors being further enhanced and improved and made safer to encourage more pedestrians and cyclists to use them.</p> <p>N39: Steps can be taken to improve the difficulty of achieving sustainable drainage when there is intensification/densification of development, as encouraged by central government. This should be a matter for further debate.</p> <p>N51: We support the enhancement of existing wildlife habitat subject to them being created in appropriate locations.</p> <p>LT6B: A balance needs to be reached between the potential conflict of securing footpath access and public rights of way along the banks of the river and canal with nature conservation interests in mind and subject to further debate to avoid the 'pendulum swinging in one direction.'</p> <p>p7: Images of an overgrown waterfront - the standard of landscaping in this area is extremely poor. These areas need to be kept maintained and at the same time encouraging wildlife. A strategy for improvement of these areas is essential. A suggestion made in the Public Realm response was to consider the formation of Business Investment Districts (BIDs) or strategic partnerships to help steer and fund such improvements.</p> <p>Apdx1: ecological survey 2003 - is a good document however, some of the areas covered and the photographs demonstrate poorly maintained areas along the waterfront and would reiterate comments made earlier. We also fully support the need to carry out Environmental Assessments but, reiterate the belief that a balance should be reached between the need for conservation and improvement, and the need to improve and intensify the developments of our City Centres.</p> <p>Further debate should take place regarding City Centre planning and improvement of waterways and would appreciate inclusion on debates taking place, as part of Leeds Chamber Property Forum.</p>	<p>The SPD expands saved policies in the adopted UDP which have been subject to public consultation. It is not proposed to amend any saved UDP policies at this stage.</p> <p>Guideline 9 encourages the management of waterside habitats which will improve both their wildlife and amenity value. Issues regarding involvement of the Leeds Chamber Property Forum in strategic city centre issues will be dealt with in the City Centre Public Realm Contributions SPD consultation statement.</p>	No changes proposed.
1729	Leeds Property Forum	<p>We fully support and endorse the comments made in Gordon Carey's letter to you of 20th March 2006. The Leeds Property Forum are fully supportive of the initiatives within the City to improve the Public Realm however, we want to see the money spent wisely and appropriately.</p>	<p>Refer to responses made to comments by Gordon Carey on behalf of the Leeds Chamber Property Forum.</p>	<p>Refer to proposed changes to Leeds Property Forum comments.</p>

Rep No	Representor	Representor comments	Officer comments	Suggested changes
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Question: N01 Do you wish to be notified of the adoption of the SPD

0020	Scholes Community Forum	Yes		
0038	Ramblers' Association, Leeds Group	Yes		
0337	Aire and Calder Rivers Group	Yes		
0948	Yorkshire Water Services	Yes		
0951	Environment Agency	Yes		
0957	Pool Parish Council	Yes		
0959	Scott Wilson	Yes		
0960	Leeds Chamber Property Forum	Yes		
1729	Leeds Property Forum	Yes		

Question: S01 Sustainability Appraisal Comments

0958	LCC Cllr Stewart McArdle	I agree that the SPD will in the main, enhance Parent Policies to the benefit of all stakeholders with the exception of those "saved" policies and SA Objectives detailed, N8, N9, N39, N49 and SA11.	The 'saved' UDP policies form part of the adopted UDP which has been subject to public consultation. The SPD cannot amend these policies. The potential conflict between the SPD and SA objective 11 is identified in the sustainability appraisal.	No changes proposed.
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Question: SA1

0038	Ramblers' Association, Leeds Group	The RA supports the document and compliments the Council on producing a comprehensive guide for waterfront development so as to maintain biodiversity and at the same time retaining public access to the waterfront wherever possible. The RA welcomes the document's expansion of the UDP policies listed, in particular Policies N8, N9 and LT6B	Support welcomed.	No changes required.
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Rep No	Representor	Representor comments	Officer comments	Suggested changes
0052	English Nature	<p>The monitoring section is rather brief and general. English Nature would have hoped to have seen the one potential conflict highlighted at 6.2 (use of brownfield land) given more consideration and a proposal made for how this potential conflict could be monitored.</p> <p>In the Overview of Links to Other Plans, Policies and Strategies, the implications for the SPD column is rather sparse. In consideration of the Leeds Waterfront Strategy, English Nature would have expected some discussion on the need for the two documents to be compatible and the potential implications from a strategy that emphasises the need to improve pedestrian access and leisure activities along the waterfront, which may conflict the aims of the Biodiversity and Waterfront Development SPD.</p>	<p>It is accepted that the monitoring section of the SA could be strengthened to include those areas where potential negative impacts have been identified.</p> <p>It is anticipated that significant conflict between the Waterfront Strategy and the Biodiversity and Waterfront Development SPD will not occur. However, any potential conflicts will be identified through monitoring of the SPD and will be addressed in subsequent reviews of both documents.</p>	<p>Additional paragraph to be added under 7.2: Monitoring the effects of the SPD will include an assessment of planning applications for waterfront sites against the guidelines in the SPD and the SA objectives. This will enable positive and negative impacts and potential conflicts to be identified."</p> <p>No further changes proposed.</p>
0099	English Heritage	<p>Although Para 3.1.3 states that the appraisal "has included an assessment of the secondary, cumulative, synergistic, short, medium and long term, permanent and temporary, positive and negative effects", the appraisal itself only appears to have considered the short, medium and long term effects of this SPD. If it has not been possible to assess the range of cumulative effects specified in the Regulations or that you have concluded there are unlikely to be any, the SA should make this explicit.</p> <p>This opinion is based on the information provided by you in the documents accompanying your letter dated 25th January 06. This does not reflect our obligation to advise you on, and potentially object to any specific development proposal which may subsequently arise from this or later versions of the plan which is the subject to consultation, and which may, despite the SA/SEA, have adverse effects on the environment.</p>	<p>The appraisal methodology did take account of the secondary, cumulative, synergistic, permanent and temporary effects over the short, medium and long term as stated in paragraph 3.1.3. For ease of presentation the tables in the appendices have been simplified to identify all of these impacts over the short, medium and long term.</p>	<p>No changes proposed.</p>

Rep No	Representor	Representor comments	Officer comments	Suggested changes
0951	Environment Agency	<p>We are pleased at the clarity of the SA and which has amended objectives following earlier consultation.</p> <p>In relation to Apdx1: Overview of Links to other Plans, Policies and Strategies, PPG25 includes Targets which are reported to ODPM on:</p> <ol style="list-style-type: none"> 1.those local authority development plans upon which the Environment Agency has commented, identifying plans which do, and do not, have flood risk statements or policies; and 2.the Environment Agency's response to planning applications, identifying cases where; <ol style="list-style-type: none"> a. the Agency sustained objections on flood risk grounds and b. final decisions, by the local planning authority or on appeal, were in line with or contrary to Environment Agency advice. <p>These are relevant to the SA & SPD.</p>	Comment accepted.	<p>PPG25 to be added to Appendix 1 to the SA - Overview of Links to Other Plans, Policies and Strategies.</p>