

General Questions about the Plans and the Leeds Local Development Framework

What are the Plans about?

The Site Allocations Plan (SAP) and Aire Valley Leeds Area Action Plans (AVLAAP) identify or 'allocate' areas of land within the Leeds district for specific types of development, such as housing, sites for Gypsies, Travellers and Travelling Showpeople, employment, retail and green space up to 2028. The plans form part of the Local Development Framework (LDF).

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 and AVLAAP 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 and AVLAAP will mean that the council accept 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 are the plans at?

The SAP and AVLAAP are published for consultation, in order for final comments to be made before the plans are submitted to the Government's Planning Inspectorate for independent examination. Earlier consultation happened during Summer 2013 for SAP when the plans were at an initial Issues and Options stage. Previous consultation on the AVLAAP was carried out in March 2011. Comments from these previous stages have been considered in preparing the publication drafts.

What happens at independent examination?

The SAP and AVLAAP documents 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?

You can only make representations on the published Site Allocations and Aire Valley Leeds Area Action Plan. You **cannot** make comments on a policy or allocation of land on the Policies Map that is already adopted (in the Core Strategy or Natural Resources and Waste Local Plan).

The Publication Draft consultation will run for a period of 8 weeks from 22nd September 2015 until 5pm on 16th November 2015.

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 and Aire Valley Leeds Area Action Plans. 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.

This is either the "Site Allocations Plan" which covers all of Leeds except Aire Valley Leeds, or the "Aire Valley Leeds Area Action Plan" which covers Aire Valley Leeds.

Question 2.2 – Which section of the Plan do your comments relate to?

Split in parts a, b, c and d - **please identify only 1 applicable part you wish to comment on.**

Part A – Comments relating to a specific site

Specify the site or designation your comment relates to.

- If you have come to the comments form via the interactive map the site details will already be filled in for you
- You can also enter a site reference. This could be a specific site reference (for HG2-1 (3026) or AV10), or a policy site reference (for example policy reference RTC1 or AVL12)

We need to know whether you agree with the proposed use of a site. You may agree with the proposed allocation in principle, but wish to make specific detailed comments e.g. you may think that a site is a good site for housing, but wish to let us know that there would be a need to improve the local highway network. Please tick either "yes" if you agree with the proposed use or "no" if you disagree with the proposed use.

You are then invited to provide details on specific themes or issues with proposed sites e.g. loss of green belt or impacts on local services. At this stage, let us know which issues you are concerned about and you will be able to provide more information in Part 3 on the themes you tick at this stage.

You can also comment on other issues by filling in the "other" box.

Once you have ticked the themes / issues you are concerned about under 2.2a, please go to part 3 of the form.

Part B – Another part of the Plan

If your comments are not about a site, but are about another part of the Plan (for example a policy or paragraph within a document such as the Site Allocations Plan, the Sustainability Appraisal or Background Paper etc.), please provide details in full, title of the document, paragraph number, diagram/map reference and other i.e. Page number and go to Part 3.

Part C – Sites previously considered and not allocated in the Plan

If your comment is about a site which has **not** been allocated or designated in the Plan, these sites are listed in the relevant background paper i.e. Housing, Employment or Green space. These sites can also be shown on the interactive map. Please quote the site reference and site address as listed in the background paper and go to Part 3

Part D – New site which has not been considered.

Where a new site is being proposed, which the council has not considered, please submit a site plan site, including site address and go to Part 3.

Part 3 – Is the Plan Sound?

For legal and procedural reasons the council needs to know why you think the Plan 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 and AVLAAP 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 or AVLAAP 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 Plan is 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, if you are objecting to the allocation of a site for housing, it is most likely that you will be commenting on whether the plan is justified. If you do not think a site can be delivered, it is most likely that you are commenting on whether the plan is effective.

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

Question 3.3.

This section relates to the themes/issues which you filled in at Q2.2a

Question 3.4

The question gives you the opportunity to tell us how to make the plan sound. If you are objecting to a particular site, your comment may be that for the plan to be sound the site should not be allocated, or you may think that the site could be developed, but that a particular issue needs to be resolved.

Part 4 – Is the Plan legally compliant?

The SAP and AVLAAP 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?
- Is the plan in compliance with the Statement of Community Involvement?
- Has the council carried out consultation consistent with the SCI?
- Has the plan been subject to sustainability appraisal?
- Is the plan in conformity with the core strategy?
- 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 not legally compliant here.

Part 5 – Taking part in the public examination

Question 5.1

The Site Allocations plan and the Aire Valley Leeds Area Action 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 and the Aire Valley Leeds Area Action 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(s).