

WARD Networking Meeting 12 May 2012

Neighbourhood Planning

Speakers in order of first appearance

DI – Dr David Ingham, WARD Chairman

RU – Dr Rachael Unsworth, School of Geography, Leeds University

DC – Cllr Dawn Collins, Horsforth

GL – Cllr Graham Latty, Guiseley and Rawdon

DH – Dr David Hill, Kirklees Community Action Network

JT – Jackie Thompson, Private Consultant

CW – Clive Woods, WARD

SA – Stuart Andrew, MP Pudsey

RB – Robert Bamforth, Kirklees Community Action Network

GM – Greg Mulholland, MP Leeds North West

JS – Jackie Shemilt, Rawdon Billing Action Group

GB – Graham Booth, Menston Action Group

DW – David Walsh, Skipton Town Council

PD – Philip Davies, MP Shipley

DM – David Moncaster, Baildon Residents Against Inappropriate Development

PM – Penny Mares, Otley Conservation Group

GH – Geoff Hairsine, Addingham Civic Society

RD – Cllr Ryk Downs, Otley and Yeadon

BA – Cllr Barry Anderson, Adel and Wharfedale

DI – At our last networking meeting in October 2011, we examined a number of issues, including, the draft NPPF, land banking, and the biased system of developer right of appeal. Now we need to take a closer look at the core strategy in Leeds and Bradford, so that we can act positively in shaping development in our areas, as we do not have the right to veto development.

We have a particular problem in Aireborough with shaping our future, as we do not have parish councils; so we are disenfranchised, unless we form a neighbourhood forum. So neighbourhood planning is our way forward. The question then is how we want such a plan to look. So, I'd like to ask Dr Rachael Unsworth, an expert in sustainable development from Leeds University, to talk to us about her research.

PRESENTATION

RU – We do need sustainability at the fore of Planning. But, the NPPF is a curious interpretation of the idea, seeming to trade off the three elements of economic, social and environmental, rather than creating a balance.

My speciality is urban, rather than 'rural' planning, so I will talk to you about my experience and work in Leeds. There is going to be an increase in demand for city centre living, and I believe some of the assumption that current planning is based on, can be questioned. Assumption of :

- A trend to small households – is this so? Should we be encouraging this trend, or looking at other alternatives for community living?
- Suburban and rural living – not necessarily an inexorable trend
- Owner occupier – what about the growth of a private rental sector ,as we see already?
- Car ownership and use – this is likely to change with energy resources changing
- Semi-detached and detached housing – not necessarily the best type of housing for trends in living. There are others we should be looking at.

Reference: Jackie Sadek, former chair of British Urban Regeneration Association, now UK Regeneration <http://ukregeneration.org.uk/>

I question anything that models the future by trying to extend the trends of the past. We must be more visionary. It is not a question in planning of 'business as usual'. There are fundamental changes happening in the way we live, and we have to take these into account.

Then there is the question of the building industry and how that works.

Reference: Tiesdell S & Adams D, (2011) *Urban Design in the Real Estate and Development Process*
Speculative building by large volume house builders has led to minimum attention to community making. Builders build and walk away, the community doesn't matter. This would not be the case if houses were built for private rental, there would be more long term involvement by the builders/owners. You can see the way the commercial officer rental works; a model very different from volume housing. We are still not building sustainable, the criteria keep changing, and house builders are now very cynical. I have seen this myself at a recent Future of Housing Conference given by the Joseph Rowntree Foundation. The builder in question had a name beginning with P.

We need to think about more holistic, long-term development, like the Greenhouse development in Beeston. This was on a brownfield site, and it is just not true that brownfield is more expensive to develop than greenfield; Beeston is a good example. For a start, brownfield has utilities already there, with greenfield they all have to be put in.

Reference: <http://www.greenhouseleeds.co.uk/>

The planning system is not as helpful to people as it could be. Even educated people like yourselves find it hard to fathom. I am not an expert on planning, my expertise is sustainable development. And I have taken time to comment on the Leeds LDF Core Strategy as part of the Civic Trust's response. (Confidence is not enhanced by the fact that it is full of typos and careless mistakes!) which is full of many typos and careless mistakes.

DC – I understand the LDF is now being opened for re-consultation – this is in relation to the Localism Act. I heard it recently when I was asking where the process had got to. [RU made a note of this]

RU - Compared with the Leeds UDP the LDF core strategy should be a light touch; but it is very woolly. It has questionable forecast data and not enough information on trends in housing. The analysis is also very poor. For example, brownfield is not a constant, it changes as more comes forward. The population figures are dubious. Aireborough is down to take 2,300 houses, but the transport system is well over capacity – as WARD have established.

GL – With unbuilt permission already in the system, the 2,300 is now down to 1,500.

RU – Housing should be in sustainable locations. The LDF and localism both seem to support this. Leeds do plan to build in the main centres around the area [shows LDF map], but these will be challenged by local people. Where will houses be in Leeds City itself? LDF says that south of the river offers huge potential for offices, leisure uses, parkland and housing [ref para 5.1.18]. But, it is unlikely that there will be a future requirement for many large scale offices, based on current trends in working. The plan is to build 10,200 houses in the centre of Leeds, but where? The active planning policies do not include much of the area south of the river which Leeds Sustainable Development Group (LSDG) argues has substantial capacity. The development there has been in the recent past in Leeds centre is not sustainable development. To use a quote “every expense has obviously been spared in some of the building”. Many of the apartments have not even been designed with recycling services. All the building was rushed through by the Council, inundated by planning proposals and not armed with strong strategic planning for this new phenomenon.

People want to live, work and have their being, where they do not need to travel far in everyday life. Part of this is due to the fundamental changes in transports costs – and these will continue to alter how people live. People will start taking new decision based on the availability of energy and other energy costs. [Discussion of peak oil , energy and other resources eg metals].

DH – a lot of metals needed for renewable energy comes from China, and is in short supply.

JT – Can you tell us more about the research on transport and the trend to city living?

RU – You can take the Smart Growth Alliance Group in the US

[Reference: <http://www.smartgrowthamerica.org/>]

They have talked to people about the ‘quality of life’, and they have found a demand for a lifestyle that is not ‘endless suburbia’ with car transport.

Looking at the Leeds LDF core strategy again. Sustainable suburbs are not built by the volume house builders. Leeds city centre south could take more houses, and there are many brownfield areas around the city that are used for surface car parking. The LDF plans a park in city centre south, and then wants to move development down the lower Aire Valley. None of this is new in the LDF. However, a lot of city centre south Leeds is not in the planning system; there is a planning vacuum. In general city centre living has not been thought through, green space should be joined up, traffic should be slowed down. One of the key things we found in a city centre living survey was that people could not buy a pint of milk after 5pm. I also think there should be an academy school in the city centre, this would act as a catalyst. I have talked with John Townsley, the man who has turned around Morley Academy and he agrees that an academy could enhance education in Leeds, it

could drive change. [There was then a discussion about the political nature of academy schools, but Rachael's point was that the centre of Leeds needs a 'good' school.]

With good planning Leeds City Centre could take 12,000 units AND be more sustainable. There are trend setting, tested, housing developments as examples all over the UK.

[Reference : Falk N (2012) How Can Local Government, Build Sustainable Neighbourhoods]

[Example: Freiburg in Germany]

When it comes to sustainability I use the UN definition . And I will be encouraging the city council to see city centre south as potential for sustainable housing. This will help us jointly with our concerns.

QUESTION AND ANSWERS

CW – Land owners hold the power; both they and developers landbank until the land is worth more.

RU – We have not cracked the issue of a tax on land uplift. This allows developers to sit on land until it goes up in value. We do not look at how much land is held in different hands.

CW – Do companies like Bellway and Redrow get involved in city centre living. Guiseley recently lost a green field to Redrow, when Bellway had built a new estate on a brownfield site next door.

RU – City centre development has in the past mainly been done by small developers. We are trying to encourage the big house builders. But, they are not interested, they are too busy with their green fields.

JT- Can we do anything about people holding on to brownfield in the city centres like Bradford, with a hope of higher values with projects like HS2. They are currently expecting returns on this land (eg 25%) from higher values , this is way in excess of many business returns. Can developers be forced to bring forward brownfield sites they are landbanking?

RU- There should be a situation where developers either buy into the planning strategy, or get out. The Barclay Brothers own a significant site in Leeds city centre south, for example. What interest do they have in the future of Leeds? David Adams (Univ of Glasgow) argues for compulsory purchase orders (CPO) to be used more frequently and effectively to assemble coherent regeneration sites. But councils do not insist on this. Why not?

GL – They need deep pockets to do it, and they haven't got them.

SA – Under the NPPF windfall sites are now being counted in the housing allocations. In the past they have been land banked and then developers have dug up green fields. Netherfield Road, Guiseley is a case in question. A brownfield windfall came up at Crompton Parkinsons, but we were still powerless to stop the development of the greenfield next door.

RB – Windfall is an important issue. Kirklees refuses to count windfall in the LDF. NPPF does not force councils to count windfall. 85% of development in Kirklees is on brownfield, if that was counted then there would be no problem.

GL – Numbers of houses and where are important, but WHAT is just as important. Aireborough has lost a lot of employment sites, and the High Royds site has not fulfilled promises of the community facilities that were promised. So, we have a lot of new houses in the area, but no communities. I don't want to lose sight of the fact we need to create communities.

GM – It is about the kind of houses as well. The houses built on greenfield sites in this area are the more expensive family homes. Yet that is not where the housing needs are, for example more affordable homes are needed. The developers are not building what is required.

JS – I am not feeling confident about the planning system in Leeds. There seems to be an endemic lack of control, especially in areas like the SHLAA database.

RU – Planning proposals have come in thick and fast to Leeds Planning, and it was chaotic.

JS – The planners are leaving themselves wide open to challenge.

GB – We looked at the make up of the SHLAA partnerships in Bradford. This consisted of
 Bradford Planning Service (x2)
 Bradford Housing Service (x2)
 Asset Management Service
Market House Builders: Persimmon, Barrat / David Wilson, Hallam Land, Redrow
Social Housing Providers: InCommunities, Firebird, Manningham
Estate Agents: Dacre Son & Hartley
 [general intake of breath from the audience]

How can people like WARD get on to these Partnerships and represent the community?

DI – We also found the Leeds SHLAA Partnership was very similar
 Chairman, a councillor is also a self-employed planning and development consultant
 3 Developers
 3 Leeds City Planners
 1 Housing Association
 1 CPRE
 1 Member of the community
 1 member from Yorkshire Forward

JT – There are too many of the same name developers on these SHLAA partnerships. We are being stitched up nationally. MPs please take note.

SA – I spend a lot of my time on planning committees in the HoC, these days. MPs are trying to do something. My constituents tell me that they think planning is done to them. Neighbourhood Plans are at least a step forward, even if they are not perfect. When I was on Leeds Planning Committee we warned planning that if they built all the houses in Aireborough there would not be enough schools. They said that it would be OK. Then they are coming back, saying that there is a problem because there is not enough school places. Now Aireborough has a serious problem. A child on Tranmere Park has been told they have to go to school in Kirkstall, when they live next door to the local school !!! There is also the issue of where people are going to work. A really important part of this is employment.

JT – But neighbourhood plans are disingenuous. A neighbourhood forum still has to say where housing is to go, not that housing is not sustainable here. This is wrong.

SA – Colleagues from all sides of the house are working on neighbourhood planning. We are not being disingenuous. We are challenging the population figures for a start. I have used an example that Clive Woods of WARD found in the Leeds LDF, where they have used different figures.

DI – In January 2011, WARD met with MPs and we spoke about the lack of right to community appeal. We expected this to change in the NPPF. But Eric Pickles withdrew it.

GM – I was disappointed by this and asked for an amendment of an equal right of appeal for communities. At the same time Philip Davies asked for an amendment for all rights of appeal to be removed. One way or the other we hoped to get a level playing field for the community and the developers. It didn't happen.

DI – These 3 MPs have worked hard on our behalf.

DW – Local Authorities have limited pockets. Developers wear people down with constant appeal. The payback for the developer is such that they keep on and on and wear down resistance. What plans are there to limit this and stop developers frittering away Local Authority resources? There should be a case against vexatious litigation. They should be penalties against this.

GM – We were disappointed not to get the equal appeal system. Developers are now exploiting the situation. Yeadon Banks is a classic example, where the developer has now threatened to go to the European Court of Human Rights, to claim their human rights have been infringed. This is utterly absurd.

The Government has condensed the planning guidelines and this is to be welcomed. But improvements are still needed. We do need to get neighbourhood forums and planning up and running so we have a greater say. We don't have to accept these housing numbers, we don't have to take them [as red], nor should we. We are still faced with top down planning. You can challenge this now [as communities] and you should.

PD- To me there is a democratic deficit at the heart of planning, and that is the issue. When we lobby the Minister, he says it is down to the Council. So, we badger the Council and they say their hands are tied by Government. The way to solve the problem is to address this democratic deficit, preferably at the ballot box.

The Government has gone a long way with tackling issues. But they have not tackled the situation faced by Menston [who have to go to an expensive judicial review as they have not right of appeal]. It is difficult for the Government Minister to do something in cases like this because they are pushing for localism. But, for the people of Menston, Bradford is as remote as Bristol when it comes to decision making.

Kris Hopkins has said Keighley should come away from Bradford. And I agree, and want Shipley to do the same. This would go some way to address the democratic deficit.

DM – The need for houses comes from population growth. The population of the UK has gone up from 48m to 60m in my lifetime. This includes a number of people from abroad which are attracted to the UK. What about containing population, rather than trying to accommodate the increase?

PD – Good point. We are talking about tackling the supply, but maybe we should look at the demand, what steps can be taken there? I asked the Minister, how many of the 3m new houses were for immigrants, I was told 1m are. So you are right, we do need to do something. Bradford, has a rising population in the centre of the City. So to meet that population in the centre they want to build houses on the outskirts. It doesn't make sense. Especially when the houses in Menston are then brought by people from outside the area altogether, they come from areas like Craven. You cannot regenerate Bradford centre by building houses in Menston – especially when the housebuyers then shop in Leeds.

PM - Before we get carried away with 'it's all the immigrants fault', I'd like to get back to the NPPF and the presumption in favour of sustainability. The neighbourhood plans are constrained by the LDF core strategy. So what exactly is a presumption in favour of sustainable development? The neighbourhood forums can run around doing the planning and still not know if what they plan will be accepted.

RU – Our group [Leeds Sustainable Development Group, www.leeds-sdg.com], has been told that LCC will not support a neighbourhood plan for Leeds city centre south. We could do this, we have already started, but the Chief Planning Officer has told us we are 'wasting our time', and that we are a blight on the area as we are raising expectation!! He has told us nothing will happen for 15 years. I was stunned by this retort. What about the people who want to do placemaking there? This view has since been confirmed to me by the Head of City Development and the Chief Executive, who has been influenced by planning !!!!

GM – Council officers, who have said this, should be 'talked to'. You should share the correspondence with us. Council officers have to be accountable and this is unacceptable.

The NPPF and Localism Bill, especially the Localism Bill, have initiated some good things. Otley Town Council have now started a neighbourhood plan. But not all areas have a council, so neighbourhood forums have to be set up. Hilary Benn should talk about Leeds south in the HoC.

There has always been a presumption in favour of sustainable development, to be honest. [You would not presume for unsustainable development]. But we wanted to know what this meant in practice in the NPPF as it was too woolly. I've challenged this, and it is not just about houses, it is more. We have to use the increased powers we have.

RU – We've discussed this at the Leeds Property Forum, and to be honest there are lawyers rubbing their hands about all the extra work that will be coming their way with this.

PD – Is the NPPF better than before? Yes. A presumption in favour of sustainable development is better than just development. So we have to put pressure on councils to allow more local involvement. We have to put the Government's 'feet to the fire', and have to keep on at them.

SA – Ministers want to know what is happening in reality. They are asking us to report back. We need evidence to feed back and to ask the Ministers to deal with the issues raised.

DI – NPPF talks about sustainable development. But they don't define it. Can MP's get a better definition?

PD – The more specific you make a definition, the more you tie the hands of the local authority. They cannot adapt sustainability to local conditions; if they have a one size fits all definition. They

need to look at what is sustainable for each area and decide for themselves. I don't know if we want more or less definition.

RB- NPPF is better now than the draft. I could live with it now. If I could get Kirklees to abide by the NPPF I would be happy. But the issue in Kirklees is that when I have gone through their LDF it does not comply with the NPPF on around 8 key points of strategy. I would advise you to make sure Leeds complies with the NPPF.

JT – We need a stronger process for the inspectorate. At the moment you only have to have one, and they are open to all sorts of influence. This needs looking at.

PD – I am nervous about strengthen the inspectorate; the Inspectors are not democratically accountable. Menston sites [Bingley Road, Derry Hill] were taken out of green belt on the UDP by the inspectorate. There is always going to be a problem when the Local Authority wants to develop a site, and local people do not. The Government is championing localism, so does not want to get involved in these issues.

SA – We need to build evidence for how things are going. The Government are hoping that bottom up localism will reduce appeals. But it needs to see how this goes.

PM – If you have ever followed a planning appeal, you will know that the barristers have a field day when things are not clearly laid out.

CW – I have difficulty in understanding the SHLAA process in terms of the LDF. What is the constitution of the SHLAA Partnership? It is heavily weighted with developers. Isn't there a conflict of interest? Are there any minutes? Has anyone got any experience?

GH – Addingham asked for a copy of the Bradford SHLAA Partnership minutes. We were told they were confidential and commercially sensitive. [Gasps around the audience]

RD – It is frightening that developers and planners have having these conversations in private and leaving councillors out of the loop. Things like the SHLAA are happening behind the backs of councillors, behind closed doors. Councillors are being left out of this, and we represent the people.

DH – The LDFs are open to abuse in the way the system is set up. Is there any policing of the planning departments?

GL – The SHLAA panels are doing what they are doing often in ignorance of an area. That is how Parkinson's Park got in the SHLAA, they didn't know it was a Park. Now we have made strong representation to the planners they are probably going to take it out –[but, it has to be approved by the Partnership!!!]

RB – Why is the community not represented on these SHLAA partnerships. The makeup is dictated by Government requirements. But they don't demand community representation.

BA- Why did the Government keep the SHLAA. It didn't need to. It was the last Government who introduced it. The Inspectors are using the five year land supply to allow a lot of development through.

SA –[by this point PD and GM had left for other appointments] I don't have an answer to that. If it is a bottom up approach the Government wants, then the SHLAA is not needed [because it is a top down approach]. The SHLAA puts the fear of God into people who think that the land will be developed. I will go back and try and get that message across to the Minister.

DH – Is the NPPF sustainable Rachael?

RU – No. We are going to have to live in very different ways in line with the resources we have.

GL –We [Dawn Collins, myself and probably Pat Latty and Paul Wadsworth] are presenting the petition to establish a Parish Council for Rawdon to the Cief Executive, Tom Riordan next Friday., after which the process should move forward.

JT – Said that a Yorkshire Forward Document – Vision for Leeds 2011-2030 was a 'good read' . It said the economy of Leeds would rely on its green belt. RU, recommended the second edition.

Reference: <http://www.yhref.org.uk/news/future-yorkshire-and-humber-1>

DI – Closed the meeting with thanks to all those who had attended.

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