

Leeds City Council
 Yorkshire Green NSIP - Written Response to ExA Questions

Q	Question	Answer
Q1.1.2	Development Plan policies referred to in Local Impact Reports For any Development Plan policies referred to in Local Impact Reports or other submissions, the relevant local authorities are requested to submit copies of those policies in PDF format (not web links).	Please refer to Appendix A below.
Q1.2.2	Cumulative effects: inter-project assessment Table 18.9 of [APP-090] contains a shortlist of developments for consideration in the inter-project assessment. Locations are depicted on ES Figure 18.1 [APP-194]. Table 18.4 of [APP-090] states that the shortlisted developments were agreed with relevant local authorities. a) Do the local authorities agree with the plans and projects shortlisted for inclusion within the cumulative effects assessment (ES Chapter 18 [APP-090])? b) Can the local authorities confirm whether they are aware of any other plans or projects that have come to light since August 2022 that should be included in the shortlist of developments for consideration in the inter-project assessment?	Not relevant because there are no shortlisted developments located within Leeds. None are expected.
Q2.0.3	Dust control measures In [RR-014] and [RR-020] concerns are raised regarding the potential dust impacts on Lumby. Residential areas also lie in relatively close proximity to the location of other proposed Works. Whilst the Code of Construction Practice [APP-095] contains some control measures neither Requirement 5 nor Requirement 6 of the dDCO [AS-011] contain the specific requirement for a Dust Management Plan to be submitted. In the absence of such a Plan are the measures set out in [APP-095] likely to be sufficient?	Good construction practice measures for air quality, including dust emissions, are referenced at the applicant's section 3.10 (Document 5.3.3B ES Chapter 3 Appendix 3B - Code of Construction Practice) [APP-095]. These measures are likely to be appropriate in reducing the likelihood of significant environmental effects. That said, in the absence of any specific Requirement and for enforceability reasons, it is considered prudent for a Dust Management Plan to be submitted by the applicant, having specific regard to the protection of residential amenity, highway safety, agricultural use and ecology within Leeds.
Q3.3.3	Mitigation of lighting effects on nocturnal fauna Para 3.2.1 of the BMS [APP-097] specifies that a lighting design for the project would decrease the potential displacement effects of lighting on light-sensitive nocturnal fauna. Paras 4.6.2, 4.7.2 and 4.9.3 explain how this would minimise effects on bats, badgers and otters respectively. The lighting scheme secured under Requirement 6(1)(d) of the dDCO [AS-011] must accord with the BMS. The BMS	Leeds City Council consider that the headline principles outlined in the BMS are acceptable, subject to their enforcement under Requirement 6(1)(d) of the dDCO.

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	outlines some headline principles such as minimising usage / light spill and using the most appropriate wavelengths. In the absence of a draft or outline version of the lighting scheme, does the BMS [APP-097] contain sufficient practical detail about how lighting design should minimise effects on light-sensitive nocturnal fauna?	
Q4.3.2	Reasonable alternatives and necessity of land and rights. Are any of the Councils in their roles as the Local Planning Authority and the Highway Authority aware of: a) Any reasonable alternatives to the CA or the TP which is sought by the Applicant? b) Any areas of land or rights that the Applicant is seeking the powers to acquire that you consider would not be needed?	a) No. b) No.
Q4.4.7	Land required for visibility splays. If not covered in your SoCG with the Applicant, confirm whether you are content with the visibility splays set out in the Table Construction Traffic Management Plan (CTMP) [APP-099], Table 3.3.	Access nos. AP36, AP37 and AP38 located on Warren Lane Leeds are not contained in Table 3.3. The applicant and Leeds City Council agree that changes to these accesses are not required and this is referred to at ID 3.21.4 within the SoCG (draft version 1, ref. YG-DCO-071 at Volume 8, Document 8.5.4).
Q5.1.6	<u>Article 5</u> : Limits of Deviation, sub-para (4)(a) and (4)(b): Parameter Plans. Are you content that the parameter plans, contained within the Design Drawings [APP-064] provide the level of information you would require for approving future post-consent applications?	Yes
Q5.1.15	Article 12: Application of the 1991 Act In your capacity as the highways authorities and utility companies which might have apparatus in streets, do you have any comments on the powers conferred under article 12 as proposed?	No
Q5.1.16	Article 13: Power to alter layout, etc. of streets While this power is limited to those streets listed in the appropriate Schedules, it is potentially wide with authorisation potentially being given to any street within the Order Limits, subject to the need for consent from the street authority. This	a) Article is acceptable. b) As above

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	<p>consent is subject to a 'guillotine' clause, with consent being deemed as given if the undertaker is not notified of the decision within 28 days.</p> <p>a) Provide your views on this article, if not set out elsewhere, or signpost where a response can be found.</p> <p>b) If you are not content with drafting as proposed, set out your reasons why and propose alternative drafting in response to this question, or signpost where you have provided that if included elsewhere.</p>	
Q5.1.19	<p>Article 14: Temporary stopping up of streets, cycle tracks and public rights of way</p> <p>a) Are you content with the wide nature of the powers authorising alteration and use as a temporary work site within the Order Limits?</p> <p>b) If not, propose alternative drafting in response to this question or signpost where you have provided that if included elsewhere.</p> <p>c) Are you satisfied that the information contained in Schedule 8, together with the Rights of Way Management Plan [APP-100] would provide you with sufficient information in your role as street authority?</p>	<p>a) Yes</p> <p>b) As above</p> <p>c) Yes.</p>
Q5.1.30	<p>Article 45: Traffic Regulation</p> <p>Article 45 and Schedule 14 of the dDCO [AS-011] relate to traffic regulation. Question: Are you content with the wording of Article 45 paragraph (8) whereby the traffic authority is deemed to have granted consent if it fails to notify the undertaker within 28 days of receiving an application for consent under paragraphs (1) and (2) of Article 45?</p>	<p>Yes</p>
Q5.2.2	<p>Other associated development</p> <p>The list a) to u) at the bottom of page 50 and on page 51 of the dDCO [AS-011] sets out other works and activities for which consent is sought as associated development. Do you consider the breadth of these works to be proportionate and sufficiently precise so as to be understood in your role as local planning</p>	<p>Yes. The breadth of these works are considered to be proportionate and sufficiently precise.</p>

	authority? If not, specify any items for which you consider that the wording should be refined, and explain why you take this view.	
Q5.4.3	Requirement 1: Pre-commencement works Bearing in mind that Requirement 6 would not apply to pre-commencement activities, do you consider the definition of activities comprising 'pre-commencement works' in Requirement 1(1) to be sufficiently clear and precise? If not, specify which items in the list (a) to (n) require tighter definition and explain why you take this view.	We consider that Requirement 1(1) should include 'Construction Traffic Management Plan', given that (h) and (l) are likely to include HGV traffic which requires traffic management along public highways.
Q5.4.5	Requirement 4: Stages of authorised development A number of the Requirements use the commencement of 'stages' of the authorised development as a control mechanism. a) Is it sufficiently clear to you what a 'stage' means in this context? b) Are you content with the drafting and practical application of Requirement 4? c) Should the written scheme be subject to approval by the relevant planning authorities? d) Should any amendments to the written scheme be subject to an approval process? e) Should there be a requirement to notify the relevant planning authorities when each stage is commenced and completed, as was the case in the parallel Requirement in the Richborough Connection Order (2017)?	a) The definition of a 'stage' is defined at Requirement 1(1), in Schedule 3 of the dDOC. However, what development will take place under each stage of the authorised development is unclear. b) Yes, assuming that no LPA approval and only notification is required. c) Unsure, it would depend on the content of each stage. d) Unsure (as above). e) Yes, to enable progress to be tracked and triggers for other Requirements to be clear.
Q5.4.7	Requirement 8: Landscaping and mitigation planting a) Are you satisfied with the split that the Applicant has applied to areas that have been included for outline landscape mitigation strategies (Overton Substation, Monk Fryston Substation and Tadcaster CSECs) and those other areas where reinstatement planting is not identified and would be subject to future approvals by the relevant planning authority, which would be in accordance with the Arboricultural Impact Assessment ExQ1 (AIA) [APP-102]	a) Yes b) No. c) Recommend that permanent landscape works should be completed and retained in perpetuity via a maintenance condition and to ensure any failures are replaced within a 5 year period.

	<p>to [APP-104] as set out in dDCO Requirement 8. The Applicant confirmed this is the case at ISH1.</p> <p>b) Do you consider the permanent landscape works, which would be based on the outline landscape mitigation strategies to be adequately secured?</p> <p>c) If not, what further information do you consider is required?</p> <p>d) Are you satisfied that the information in the AIA provides you with the information that you would need to consider and approve the mitigation planting scheme for areas outside the outline landscape mitigation strategy areas?</p> <p>e) What else might be useful if not?</p> <p>f) Are there any other geographic areas where you consider outline plans should be provided?</p> <p>g) Are there any exemplar planting types/ situations which you consider should be provided?</p> <p>h) Are you content with the proposed five years for the maintenance regime as set out in sub-para 8(2)(c)?</p>	<p>d) Yes, in the main.</p> <p>e) An up-to-date Tree/ Vegetation Survey based on a topographical plan. Including spot heights, RPA's and canopy extents, with an accompanying report and tree schedule in accordance with sections 4.4.4.6 of BS 5837:2012.</p> <p>f) Unsure.</p> <p>g) Oak.</p> <p>h) Yes.</p>
<p>Q5.4.9</p>	<p>Requirement 9: Implementation of landscaping and mitigation planting</p> <p>a) If not provided elsewhere, set out comments you may have on the wording of Requirement 9.</p> <p>b) Are you satisfied that five years is sufficient for replacement planting to be undertaken?</p>	<p>a) Nothing to add.</p> <p>b) Yes.</p>
<p>Q5.4.10</p>	<p>Requirement 10: Retention and protection of existing trees</p> <p>a) Do the items listed in Requirement 10(2) as forming the contents of the Tree and Hedgerow Protection Strategy (THPS) provide sufficient detail for the Councils to discharge this Requirement? If not, specify what additional details you would expect to see provided as part of the THPS.</p> <p>b) Would links to the Arboricultural Impact Assessment (AIA) Report's [APP-102] to [APP-104] embedded environmental measures and mitigation or provision of an Outline THPS assist?</p>	<p>a) Yes if based on an up-to-date Tree/ Vegetation Survey, as identified in the answer to Q5.4.7(e) above.</p> <p>b) Yes.</p>
<p>Q5.5.5</p>	<p>Schedule 4: views of future discharging authorities</p>	<p>a) Please provide a definition for 'undertaker' and 'requirement consultee' in the dDCO.</p>

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	<p>a) Set out your views on Schedule 4, covering (but not limited to): the proposed timescales for decisions provided for under paras 1(1), 1(3), 1(4), 2(2) and 3 of this Schedule; whether Requirements may be discharged in parts, and if so, how fees should be payable; the acceptability of the proposed appeal provisions set out at paragraph 3; and other points raised for the Applicant to consider above.</p> <p>b) If you do not agree with the wording in this Schedule set out your reasons and any suggested amendments to the wording of this article.</p>	<p>b) N/A.</p>
<p>Q7.0.4</p>	<p>Level of detail of information where site-specific infrastructure is proposed</p> <p>a) Do you consider that the Applicant has provided sufficient detail in areas where site-specific infrastructure is proposed?</p> <p>b) If not, what else do you consider is required?</p>	<p>a) No.</p> <p>b) Location of compounds and storage areas within Leeds.</p>
<p>Q8.0.1</p>	<p>Green Belts, Planning Statement [APP-202].</p> <p>The Applicant has made the case for the proposed development in the York and Leeds Green Belts in its Planning Statement in relation to the NPS [APP-202], Sections 7.3, the National Planning Policy Framework (NPPF) [APP-202], Section 7.4 and the local planning context [APP-202], Appendix C. It appears from your RRs [RR-018], [RR-018], [RR-032], [RR-034] that you disagree with the Applicant's differentiation between overhead line (OHL) work in the Green Belts and substation and CSEC work in Green Belt in terms of whether they are inappropriate development and also whether it would conflict with the purposes of land in Green Belt [APP-202], page 90 to 91. Whilst acknowledging this information is likely to be provided in your Local Impact Report(s) (LIR) and/ or SoCG(s), to assist the ExA's Green Belt balancing exercise, you are asked to ensure your views on the following are provided in response to this question if not included elsewhere.</p>	<p>Leeds City Council has not disagreed with the applicant's differentiation between overhead line work and substation/CSEC work within the Green Belt. Please refer to para. 15 of Leeds City Council's Local Impact Report and ID 3.25.3 of the SoCG (draft version 1, ref. YG-DCO-071 at Volume 8, Document 8.5.4).</p>
<p>Q8.1.2</p>	<p>Green Infrastructure policies</p>	<p>Figures 3.10 to 3.12 are located outside of the Leeds district, so no comment.</p>

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	<p>a) Are you content that the outline landscape mitigation strategies when detailed post-consent [APP-164], Figure 3.10 to 3.12 would meet relevant green infrastructure Local Plan policies?</p> <p>b) If not set out what is required to meet those policies.</p>	
<p>Q10.0.2</p>	<p>Effects of permanent loss of agricultural land. ES Chapter 11 [APP-083], Table 11.26 concludes that the Proposed Development would give rise to moderate adverse effects on agriculture as a result of the permanent loss of between 5 to 20 hectares of Agricultural Land Classification (ALC) Grades 2 to Subgrade 3b. Do you agree that these effects would be of moderate significance? If not, why not?</p>	<p>Yes, within the Leeds district. Please refer to paras. 27 and 28 of Leeds City Council's Local Impact Report and ID 3.9.1 – 3.9.4 of the SoCG (draft version 1, ref. YG-DCO-071 at Volume 8, Document 8.5.4).</p>
<p>Q11.4.1</p>	<p>Ongoing work on detailed aspects of the landscape and visual mitigation.</p> <p>You said you want further information as to how the Applicant intends to address the mitigation of adverse effects on landscape and visual receptors (significant or not significant) and that you would welcome the opportunity to continue to work with the Applicant on detailed aspects of the landscape and visual mitigation, to ensure an appropriate response in keeping with local landscape character [RR-018], [RR-019], [RR-032], [RR-034].</p> <p>If not set out elsewhere:</p> <p>a) Explain what further information is required, including clarification for long-term maintenance and management.</p> <p>b) Is this dialogue continuing during the Examination and if so what if any additional information do you anticipate submitting/ or expect the Applicant to submit?</p> <p>c) Are there mechanisms set up for this to continue post-consent if the Order is consented?</p>	<p>Leeds City Council did not raise this comment, so no reply is required.</p>
<p>Q14.0.3</p>	<p>Traffic Management: Abnormal Loads.</p> <p>In the joint Local Authorities' RR [RR-018], [RR-019], [RR-032] and [RR-034] reference is made to the likely requirement that some large items delivered to the site will be classed as abnormal loads</p>	<p>a) As part of the final planning application</p> <p>b) Consultation should be carried out as part of the planning application</p>

<p>and discussion with the Local Highway Authority will be required. The ExA also notes that an Abnormal Indivisible Load Assessment has been provided in Annex 3F.1 of the Construction Traffic Management Plan (CTMP) [APP-099]. Having regard to this:</p> <p>a) When is it envisaged that such discussions will take place?</p> <p>b) What mechanism will there be for public consultation and notification regarding the timing and routing of abnormal loads beyond that set out in Section 3.6 of [APP-099]? To Local Highway Authorities:</p> <p>c) Are you content with the measures set out in the CTMP or should an Outline Abnormal Loads Management Plan be submitted into this Examination in order to provide more detailed information on this matter?</p>	<p>c) Yes.</p>
<p>Q14.0.4 Potential requirement for further off-site highway works. The joint Local Authorities' RR [RR-018], [RR-019], [RR-032] and [RR-034] advise that "other site locations near Shipton may require further investigation with junction widening expected on East Lane and Corban Lane. Corban Lane at present has a 7.5 tonnes weight limit".</p> <p>a) Can you clarify more precisely the locations where additional highway improvement works might be required and in so doing whether these locations are within or outside the Order limits of the Proposed Development? If they are outside the Order limits then how can the ExA be confident that there would be an appropriate mechanism in place to ensure that the additional improvement works are undertaken?</p> <p>b) Can the Local Highway Authorities clarify whether it is their view that without such improvements, the development would result in unacceptable highway safety or would significantly affect the performance of the highway network?</p> <p>c) If you consider that these additional highway works are essential to avoid significant harmful effects, can you explain your assessment of the likely effects if they were not done.</p>	<p>Leeds City Council did not raise this comment, so no reply is required.</p>

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	d) Can you explain the reasons why there is a weight restriction limit on Corban Lane and how this might impact on the Applicant's routeing strategy for construction and operational traffic?	
Q14.0.9	<p>Public Rights of Way Management Plan</p> <p>Table 12.12 of ES Chapter 12 [APP-084] states that the Public Rights of Way Management Plan (PRoWMP) would include a commitment to condition surveys of PRoWs on affected sections before, during and after construction to support reinstatement of the PRoW postconstruction to the same condition or better. To the Applicant:</p> <p>a) Can the PRoWMP can be revised to provide clarity of the commitment to reinstate PRoWs, including confirmation of the expected location, timing/ frequency of condition surveys, who the results would be reported to, and the timescales for reinstatement (if required) post-construction and the ongoing monitoring and, if required, maintenance of restored PRoWs? To Local Highway Authorities:</p> <p>b) Do you consider that there is sufficient clarity in the PRoWMP regarding the expected locations, timing and frequency of condition surveys and timescales for reinstatement work (if required) post-construction to adequately secure this commitment?</p>	<p>a) LCC PRoW team were consulted and had no comments.</p> <p>b) As above</p> <p>c) As above.</p>

APPENDIX A: LCC'S ADOPTED DEVELOPMENT PLAN POLICIES OF RELEVANCE:

POLICY P10: DESIGN

New development for buildings and spaces, and alterations to existing, should be based on a thorough contextual analysis and provide good design that is appropriate to its location, scale and function.

New development will be expected to deliver high quality inclusive design that has evolved, where appropriate, through community consultation and thorough analysis and understanding of an area. Developments should respect and enhance existing landscapes, waterscapes, streets, spaces and buildings according to the particular local distinctiveness and wider setting of the place with the intention of contributing positively to place making, quality of life and wellbeing.

Proposals will be supported where they accord with the following key principles;

- (i) The size, scale, design and layout of the development is appropriate to its context and respects the character and quality of surrounding buildings; the streets and spaces that make up the public realm and the wider locality.
- (ii) The development protects and enhances the district's existing, historic and natural assets, in particular, historic and natural site features and locally important buildings, spaces, skylines and views,
- (iii) The development protects the visual, residential and general amenity of the area through high quality design that protects and enhances surrounding routes, useable space, privacy, air quality and satisfactory penetration of sunlight and daylight,
- (iv) Car parking, cycle, waste and recycling storage should be designed in a positive manner and be integral to the development,
- (v) The development creates a safe and secure environment that reduces the opportunities for crime without compromising community cohesion,
- (vi) The development is accessible to all users.

POLICY P11: CONSERVATION

The historic environment, consisting of archaeological remains, historic buildings townscapes and landscapes, including locally significant undesignated assets and their settings, will be conserved and enhanced, particularly those elements which help to give Leeds its distinct identity:

- the Victorian and Edwardian civic and public buildings, theatres, arcades, warehouses and offices within the City Centre and the urban grain of yards and alleys,
- the nationally significant industrial heritage relating to its textile, tanning and engineering industries, including its factories, chimneys and associated housing,
- its legacy of country houses, public parks, gardens and cemeteries,
- the 19th century transport network, including the Leeds and Liverpool Canal,

Development proposals will be expected to demonstrate a full understanding of historic assets affected, including any known or potential archaeological remains. Where appropriate, heritage statements assessing the significance of assets, the impact of proposals and mitigation measures will be required to be submitted by developers to accompany development proposals,

Innovative and sustainable construction which integrates with and enhances the historic environment will be encouraged,

Conservation-led regeneration schemes will be promoted. Priorities for new schemes will be in Regeneration Priority Programme Areas, but schemes outside these areas may also be considered where the historic environment offers potential as a catalyst for the wider regeneration of the area,

The Council maintains a register of historic assets at risk to help it prioritise action and will seek to impose planning conditions or obligations for their repair and refurbishment where appropriate. Where appropriate, the City Council will use the provisions of the planning acts to secure repairs,

Enabling development may be supported in the vicinity of historic assets where linked to the refurbishment or repair of heritage assets. This will be secured by planning condition or planning obligation,

POLICY P12: LANDSCAPE

The character, quality and biodiversity of Leeds' townscapes and landscapes, including their historical and cultural significance, will be conserved and enhanced to protect their distinctiveness through stewardship and the planning process.

POLICY T2: ACCESSIBILITY REQUIREMENTS AND NEW DEVELOPMENT

New development should be located in accessible locations that are adequately served by existing or programmed highways, by public transport and with safe and secure access for pedestrians, cyclists and people with impaired mobility.

- (i) In locations where development is otherwise considered acceptable new infrastructure may be required on/off site to ensure that there is adequate provision for access from the highway network, by public transport and for cyclists, pedestrians and people with impaired mobility, which will not create or materially add to problems of safety, environment or efficiency on the highway network,
- (ii) Developer contributions may be required for, or towards, improvements to the off site highway and the strategic road network, and to pedestrian, cycle and public transport provision. These will be secured where appropriate through Section 106 Agreements and/or the Community Infrastructure Levy, and by planning conditions,
- (iii) Significant trip generating uses will need to provide Transport Assessments/ Transport Statements in accordance with national guidance,
- (iv) Travel plans will be required to accompany planning applications in accordance with national thresholds and the Travel Plans SPD,
- (v) Parking provision will be required for cars, motorcycles and cycles in accordance with current guidelines.

See Appendix 3 for the specific Accessibility Standards to be used across Leeds.

POLICY G2: CREATION OF NEW TREE COVER

Development which would result in harm to, or the loss of, Ancient Woodland and Veteran Trees will be resisted.

In supporting the need and desire to increase native and appropriate tree cover, the Council will, on its own initiative and through the development process, including developer contributions, work towards increasing appropriate species of woodland cover in the District. Delivery will involve planting in both urban and rural areas, and partnership with the Forestry Commission, Natural England and landowners. Development in the urban area of the City, including the City Centre will include the planting of street trees in appropriately designed pits to increase the area of tree canopy cover.

POLICY G8: PROTECTION OF IMPORTANT SPECIES AND HABITATS

Development will not be permitted which would seriously harm, either directly or indirectly, any sites designated of national, regional or local importance for biodiversity or geological importance or which would cause any harm to internationally designated sites, or would cause harm to the population or conservation status of UK or West Yorkshire Biodiversity Action Plan (UK BAP and WY BAP) Priority species and habitats. In considering development proposals affecting any designated sites and UK or WY BAP Priority species or habitats, the needs of the development and the requirements to maintain and enhance biological and geological diversity will be examined.

Other than the above requirement particular account will be taken of:

- The extent and significance of potential damage to the interest of any national, regional or local site, or UK or WY BAP Priority species or habitat, and
- Demonstration that the need for the development outweighs the importance of any national, regional or local site, or UK or WY BAP Priority species or habitat, and
- The extent that any adverse impact could be reduced and minimised through protection, mitigation, enhancement and compensatory measures imposed through planning conditions or obligations and which would be subject to appropriate monitoring arrangements.

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POLICY G9: BIODIVERSITY IMPROVEMENTS

Development will be required to demonstrate:

- (i) That there will be an overall net gain for biodiversity commensurate with the scale of the development, including a positive contribution to the habitat network through habitat protection, creation and enhancement, and
- (ii) The design of new development, including landscape, enhances existing wildlife habitats and provides new areas and opportunities for wildlife, and
- (iii) That there is no significant adverse impact on the integrity and connectivity of the Leeds Habitat Network.

POLICY EN1: CLIMATE CHANGE – CARBON DIOXIDE REDUCTION

All developments of 10 dwellings or more, or over 1,000 square metres of floorspace, (including conversion) where feasible), will be required to:

- (i) Reduce total predicted carbon dioxide emissions to achieve 20% less than the Building Regulations Target Emission Rate until 2016 when all development should be zero carbon, and
- (ii) Provide a minimum of 10% of the predicted energy needs of the development from low carbon energy.

Carbon dioxide reductions achieved through criteria (ii) will contribute to meeting criteria (i).

Criteria (ii) will be calculated against the emissions rate predicted by criteria (i) so reducing overall energy demand by taking a fabric first approach will reduce the amount of renewable capacity required.

If it can be demonstrated that decentralised renewable or low carbon energy generation is not practical on or near the proposed development, it may be acceptable to provide a contribution equivalent to the cost of providing the 10%, which the council will use towards an off-site low carbon scheme. The opportunity to aggregate contributions to deliver larger scale low carbon projects would be implemented independent of the development. Wherever possible, the low carbon projects would be linked with local projects that would bring local benefits.

It is likely that the approach of pooling off-site contributions through planning obligations will be replaced by CIL in April 2014.

Applicants will be required to submit an Energy Assessment with their application based on expected end user requirements to demonstrate compliance with this Policy. Where end user requirements change significantly, an updated EA should be submitted prior to construction.

POLICY EN2: SUSTAINABLE DESIGN AND CONSTRUCTION

Non-residential developments of 1,000 or more square metres (including conversion) where feasible are required to meet the BREEAM standard of 'excellent'.

Residential developments of 10 or more dwellings (including conversion) where feasible are required to meet a water standard of 110 litres per person per day.

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POLICY EN3: LOW CARBON ENERGY

The Council supports appropriate opportunities to improve energy efficiency and increase the large scale (above 0.5 MW) commercial renewable energy capacity, as a basis to reduce greenhouse gas emissions. This includes wind energy, hydro power, biomass treatment, solar energy, landfill gas, and energy from waste.

Protection of internationally designated nature conservation sites will be a key consideration, including relevant Policies contained as part of the Natural Resources and Waste Local Plan. Proposals for biomass power generation are required to supply an assessment of the potential biomass resource available (including location) and the transport implications of using that resource. Any development that may lead to an adverse effect on the integrity of a European site will not be supported.

POLICY EN5: MANAGING FLOOD RISK

The Council will manage and mitigate flood risk by:

Avoiding development in flood risk areas, where possible, by applying the sequential approach and where this is not possible by mitigating measures, in line with the NPPF, both in the allocation of sites for development and in the determination of planning applications.

- (i) Protecting areas of functional floodplain as shown on the Leeds SFRA from development (except for water compatible uses and essential infrastructure),
- (ii) Requiring flood risk to be considered for all development commensurate with the scale and impact of the proposed development and mitigated where appropriate,
- (iii) Reducing the speed and volume of surface water run-off as part of new build developments,
- (iv) Making space for flood water in high flood risk areas,
- (v) Reducing the residual risks within Areas of Rapid Inundation,
- (vi) Encouraging the removal of existing culverting where practicable and appropriate,
- (vii) The development of the Leeds Flood Alleviation Scheme.

POLICY ID2: PLANNING OBLIGATIONS AND DEVELOPER CONTRIBUTIONS

Section 106 planning obligations will be required as part of a planning permission where this is necessary, directly related to the development, and reasonably related in scale and kind in order to make a specific development acceptable and where a planning condition would not be effective.

In order to provide the necessary infrastructure and facilities to support the growth of Leeds and the proposals and Policies in the Core Strategy, developer contributions will be sought through Section 106 planning obligations and the Community Infrastructure Levy as appropriate.

AIR 1 THE MANAGEMENT OF AIR QUALITY THROUGH DEVELOPMENT

All applications for major development will be required to incorporate low emission measures to ensure that the overall impact of proposals on air quality (including unpleasant odours) is mitigated.

WATER 1: WATER EFFICIENCY

All new developments should include measures to improve their overall water efficiency where appropriate. This will be achieved through a mixture of measures to use less treated water and reduce wastewater such as:

- Sustainable urban drainage systems,
- Rainwater collection and storage,
- Grey water recycling and storage systems, and
- More absorbent surfaces for water drainage.

WATER 2: PROTECTION OF WATER QUALITY

Development within areas adjacent to sensitive water bodies, such as rivers, streams, canal, lakes and ponds, must demonstrate control of quality of surface water runoff for the lifetime of the development and during construction.

For major developments the water management infrastructure should be considered as an integral part of the urban and landscape design.

WATER 6: FLOOD RISK ASSESSMENTS

All applications for new development will be required to consider flood risk, commensurate with the scale and impact of the development. Where, in the opinion of the Local Planning Authority (LPA), there is the possibility of any flood risk to the site, or the potential for flood risk impact on other sites, a Flood Risk Assessment is required.

The LPA is unlikely to support the development unless the Flood Risk Assessment demonstrates the following:

- No increase in flooding on-site and elsewhere will result from the new development. The implications of climate change must be taken into account (these are predicted in the Technical Guidance to the NPPF, Para. 11, Table 4).
- There is less than a 3.33% chance of site flooding in any one year.
- There is less than a 1% chance of any premises on the site flooding in any one year, after allowing for the effects of climate change, and
- For flows beyond the 1% flood design event it is demonstrated that there are no unreasonable adverse impacts off site, after allowing for the effects of climate change.
- Safe access and egress

Developer contributions may be required for improvement works to ensure that the drainage infrastructure can cope with the capacity required to support the new development.

WATER 7: SURFACE WATER RUN-OFF

All developments are required to ensure no increase in the rate of surface water run-off to the existing formal drainage system. Development will be expected to incorporate sustainable drainage techniques wherever possible.

- On previously developed sites peak flow rates must be reduced by at least 30%
- On sites which have not previously been connected to the drainage infrastructure, or watercourse, surface water run off rates will not exceed the 'greenfield' run-off rate (i.e. the rate at which water flows over land which has not previously been developed).

LAND 1 – Contaminated Land

The City Council supports the principle of development of previously developed land in preference to greenfield sites. To ensure the risk created by actual and potential contamination is addressed, developers are required to include information regarding the status of the site in terms of contamination with their planning application. The Council will then assist applicants in the development process to identify an appropriate remediation solution, where necessary, prior to the development being brought into use.

LAND 2: Development and Trees

Development should conserve trees wherever possible and also introduce new tree planting as part of creating high quality living and working environments and enhancing the public realm.

Where removal of existing trees is agreed in order to facilitate approved development, suitable tree replacement should be provided on a minimum three for one replacement to loss. Such planting will normally be expected to be on site, as part of an overall landscape scheme.

Where in certain circumstances on-site planting cannot be achieved, for example due to lack of suitable space in City Centre locations, off-site planting will be sought, or where the lack of suitable opportunity for this exists, an agreed financial contribution will be required for tree planting elsewhere.

Planting design and specification should in all cases meet the current best practice.

GP5: DEVELOPMENT PROPOSALS SHOULD RESOLVE DETAILED PLANNING CONSIDERATIONS (INCLUDING ACCESS, DRAINAGE, CONTAMINATION, STABILITY, LANDSCAPING AND DESIGN). PROPOSALS SHOULD SEEK TO AVOID PROBLEMS OF ENVIRONMENTAL INTRUSION, LOSS OF AMENITY, POLLUTION, DANGER TO HEALTH OR LIFE, AND HIGHWAY CONGESTION, TO MAXIMISE HIGHWAY SAFETY, AND TO PROMOTE ENERGY CONSERVATION AND THE PREVENTION OF CRIME. PROPOSALS SHOULD HAVE REGARD TO THE GUIDANCE CONTAINED IN ANY FRAMEWORK OR PLANNING BRIEF PREPARED FOR THE SITE OR AREA.

N29: SITES AND MONUMENTS OF ARCHAEOLOGICAL IMPORTANCE WILL BE PRESERVED AND APPROPRIATE INVESTIGATION WILL BE REQUIRED IN ACCORDANCE WITH THE POLICIES FOR ARCHAEOLOGY IN APPENDIX 4 OF VOLUME 2.

N32: THE AREA SHOWN ON THE PROPOSALS MAP IS DESIGNATED AS GREEN BELT.

N33: EXCEPT IN VERY SPECIAL CIRCUMSTANCES APPROVAL WILL ONLY BE GIVEN IN THE LEEDS GREEN BELT FOR:

- **CONSTRUCTION OF NEW BUILDINGS FOR PURPOSES OF AGRICULTURE AND FORESTRY; ESSENTIAL FACILITIES FOR OUTDOOR SPORTS AND OUTDOOR RECREATION; ESSENTIAL FACILITIES FOR THE PARK AND RIDE SITES SHOWN ON THE PROPOSALS MAP; AND OTHER USES COMPATIBLE WITH GREEN BELT PURPOSES;**
- **LIMITED EXTENSION, ALTERATION OR REPLACEMENT OF EXISTING DWELLINGS;**
- **LIMITED INFILLING AND REDEVELOPMENT OF IDENTIFIED MAJOR EXISTING DEVELOPED SITES;**
- **LIMITED INFILLING IN VILLAGES AND LIMITED AFFORDABLE HOUSING FOR LOCAL COMMUNITY NEEDS.**
- **RE-USE OF BUILDINGS, WHERE ALL THE DETAILED CRITERIA OF POLICY GB4 ARE SATISFIED;**
- **CHANGE OF USE OF LAND FOR PURPOSES WHICH DO NOT COMPROMISE GREEN BELT OBJECTIVES;**
- **CEMETERIES.**

DEVELOPMENT WITHIN THE GREEN BELT WILL ONLY BE PERMITTED IF IT CONFORMS TO THE DETAILED GREEN BELT POLICIES CONTAINED IN APPENDIX 5 IN VOLUME 2.

N35: DEVELOPMENT WILL NOT BE PERMITTED IF IT SERIOUSLY CONFLICTS WITH THE INTERESTS OF PROTECTING AREAS OF THE BEST AND MOST VERSATILE AGRICULTURAL LAND.

H2: Bramham Moor Battlefield

To be supported development proposals must demonstrate that they do not diminish the integrity and interpretation of, nor reduce access to, nor significantly adversely affect views from publicly accessible locations, of the Bramham Moor Battlefield valued landscape area identified on Map 8.