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**Report to:** Transport and Infrastructure Scrutiny Committee

**Date:** 9 March 2023

**Subject:** **Transport & Planning**

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## 1. Purpose of this Report

1.1. Scrutiny Committee has asked for a paper outlining the role of the Combined Authority in planning. This paper has been written in response and provides:

- An overview of what the Combined Authority does in planning
- Our role as a non-statutory consultee in responding to Planning Applications and planning policy
- The position with regard to Spatial Planning Powers.

## 2. Information

### **Combined Authority Role in Planning**

- 2.1 The West Yorkshire Combined Authority is not a Planning Authority and currently has no powers relating to spatial planning. However, the West Yorkshire Combined Authority supports Local Authorities on strategic planning matters.
- 2.2 As a partnership we have mature arrangements in place to address strategic, cross boundary issues on plan-making and development management. These are set out in the [Planning Review Recommendations \(2021\)](#), our [Statement of Common Ground \(2020\)](#) and [Developer Advice Note \(2022\)](#).
- 2.3 Aligned to the Combined Authorities Vision and Mission and Mayoral Pledges, alongside our role as Transport Authority for Bradford, Calderdale, Kirklees, Leeds and Wakefield, we offer advice to the five planning authorities on the best way to improve land use / transport integration through forward plans and development proposals and respond to National Government consultations where they relate spatially to climate, transport and planning.

2.4 Planning activity by the Combined Authority in 2022/2023 has included:

- Developing a response to the current consultation on amendments to the Levelling Up and Regeneration Bill - Reforms to National Planning Policy, including updates to the National Planning Policy Framework – which have implications for the Combined Authority and our Local Authority Partners.
- Responding to circa 90 planning applications between January 2022 and January 2023 with the potential to secure £3.6 million in income through planning gain for delivery of transport infrastructure.
- Reviewing the Spatial Priority Areas (SPAs) resulting in two new locations in Huddersfield and Halifax, alongside an amendment to the boundary of an existing SPA in Wakefield. Our SPAs are the largest and or most strategic growth opportunities within West Yorkshire providing a spatial approach to coordinated infrastructure investment.
- Responding to Leeds City Council's planning policy consultations: Transport Supplementary Planning Document (SPD), Innovation Arc SPD and a Local Plan Update focussed upon climate emergency issues.
- Maintaining the [Place Narrative](#) document. It provides a single narrative, and a consistent but flexible evidence base to underpin our plans and strategies, and those of our partners. It includes evidence on our spatial challenges and details of our infrastructure investment plans.
- Coordinating a West Yorkshire response to the Investment Zones Expression of Interest in 2022 and currently working with Local Authority Partners and Government departments to influence and shape any future amended Investment Zones approach.
- Undertaking business case development for two programmes of work: identifying a pipeline of employment sites and developing delivery models for SPAs. These will support in securing employment investment in the region and deliver spatially driven investment across themes in the SPAs.
- Providing planning support to the Mass Transit Team in developing the planning strategy for this project and coordinating Local Planning Authority involvement.

### **Role as a Non-Statutory Consultee**

2.5 The Combined Authority is a non-statutory consultee which means that Local Planning Authorities are not required to consult the Combined Authority by law. However, as a non-statutory consultee there are planning policy reasons to consult with the Combined Authority across various themes including economic development, transport and the climate emergency.

2.6 The Combined Authority provide consultation responses to Local Plan documents and Strategic Planning Applications based on the alignment with the Strategic Economic Framework (SEF) (e.g. alignment with Spatial Priority Areas) and the West Yorkshire Transport Strategy in addition to the West Yorkshire Combined Authority, the LEP and the Mayor's investments or policy positions.

- 2.7 We generally will not object to development proposals or local plan documents unless they directly affect our operations and seek to work with planning authorities and developers to achieve agreed objectives.

### **Planning Applications**

- 2.8 Through our responses to planning applications we seek to secure developer funds towards transport infrastructure, ranging from funding for new or extended services to provision of bus stops and real time information, as well as increasing public transport patronage through securing funding for residential MCard schemes. Our responses are proportionate to the scale of development proposed.

- 2.9 As an example, we have responded to the following strategically significant planning applications:

1. **Kirklees** – 2021/49/93698/E - Hybrid application for full planning permission for engineering works, drainage and utilities connection for the provision of site access from Forge Lane and Ravensthorpe Road and associated works; and for outline permission for erection of residential development and mixed use development (including community facilities) with associated works including the provision of internal estate roads and parking, landscape works (including provision of public open space, tree clearance/replacement/woodland management and ecological management) and sustainable urban drainage works drainage principles.

Summary of Response: Significant transport interventions requested, including bus service enhancement, bus infrastructure and ticketing incentives.

2. **Wakefield** - Construction of a warehouse and distribution centre (Class B8) with ancillary office accommodation, parking areas, landscaping, internal roads, gatehouse, bridge link, roof mounted photovoltaic array, attenuation pond, external lighting, decanting building and other ancillary elements.

Summary of Response: Major warehousing development – discussion ongoing with the end user (Next) to establish / develop a sustainable transport proposal.

3. **Leeds** - Hybrid planning application for a phased development; full permission for demolition of existing buildings and structures, site remediation, regrading and preparatory works, erection of four residential buildings (use class C3), townhouses (use class C3 ) and student accommodation (sui generis) with ground floor and other uses comprising any or all of retail, commercial, community, health, cultural and leisure (use classes E, F1 and/or F2) and associated means of access, parking, landscaping, associated infrastructure works and construction of a new river wall and bridge crossing; outline permission,

to be implemented in phases, for mixed use development comprising residential use (use class C3); and other uses including all or some of the following: retail, leisure, commercial, health, cultural and community uses (use classes E, F1 and / or F2); car parking, new public spaces; hard and soft landscaping; cycle parking; access; servicing; and other associated infrastructure and engineering works.

Summary of response: Significant mixed-use development within the extended city centre SPA. As it is in a sustainable location, we supported the council in the application of the sustainable travel fund.

4. **TransPennine Route Upgrade (TRU)** - TRU is the biggest rail investment programme the region receives in the coming few years. The programme involves improvement works beyond the rail boundary which require Transport and Work Act Order (TWAO) to authorise the construction and operation of new transport infrastructure projects. We have responded to the TWAOs in relation to Huddersfield- Westtown and east of Leeds.

### **Local Planning Policy**

- 2.10 Through our responses to local planning policy consultations undertaken by West Yorkshire Local Authorities we seek to ensure alignment with the Strategic Economic Framework (SEF) and the WY Transport Strategy, with a focus upon transport and economic development matters.
- 2.11 As an example, in December 2022 we responded to Leeds City Council's Innovation Arc SPD Consultation, which sought views from stakeholders on the ambition, vision and objectives for the Innovation Arc area, to the west side of Leeds City Centre. The Combined Authority response identified to what extent the SPD aligned with the SEF's Priorities to boost productivity, enable inclusive growth, tackle the climate emergency and deliver 21<sup>st</sup> Century transport. The response confirmed the SPD's alignment with the SEF and WY Transport Strategy, but also identified specific elements that could be improved such as the approach to Mass Transit, a greater recognition of modal integration such as at Leeds Central Station, and reference to the Core City SPA status provided to the City Centre which identifies it as area of regional significance.

### **Employment Land Accelerator and SPA Programmes**

- 2.12 The Spatial Planning Team are currently seeking to secure revenue funding to develop the following two work programmes.
- 2.13 Firstly, we are developing an Employment Accelerator Fund and secure revenue funding to create a West Yorkshire wide pipeline of employment sites. Similar to the housing revenue funding the development of a revenue fund applied to employment sites will allow direct support to Local Authorities to add much needed resource and capacity to develop and unlock their pipeline

sites. The funding could be used to ascertain constraints and testing viability or barriers to investment.

- 2.14 Secondly, we are exploring developing delivery models for a focused set of Spatial Priority Areas (SPAs) across West Yorkshire. The SPAs have been agreed with the District Partners as the largest and / or most strategic growth opportunities in West Yorkshire. They are of regional significance, and some are cross-boundary locations. Whilst the SPAs have provided a focus for various pipeline / programme activities, there has been no targeted, holistic approach to delivery across the SPAs to date. By developing bespoke delivery models there is an opportunity to support development across the SPA area(s) that will create jobs, attract inward investment and build high quality, accessible and sustainable developments. It is anticipated we will need to utilise a suite of tools including potential Mayoral Development Corporations (MDCs). MDC's bring together devolved powers and funding, including compulsory purchase - allowing land to be acquired for development or to be held – funding feasibility or site preparation works to unlock development, alongside facilitating the provision of infrastructure, support business creation and provide subsidies / financial assistance.
- 2.15 The emerging Investment Zones proposal, currently being developed by Government, links into the SPAs. These are likely to be focused on geographic areas with an innovation cluster and link to Higher Education Institutions; an approach which pulls in potentially three of our existing SPAs as potential IZ locations. It is unclear at this stage what the IZ programme will offer but previous similar schemes have allocated areas for targeted tax and regulatory rules intended to drive investment.

### **Spatial Planning Powers**

- 2.16 Planning powers were included in the 'minded to' West Yorkshire devolution deal but due to the national reforms to the planning system these were not carried forward in the devolution Order. A letter from the Minister for Regional Growth and Local Government proposed that these powers (or equivalent) will be conferred 'when the position is clearer'. The functions not taken forward related to a Spatial Development Strategy (SDS) and a Strategic Infrastructure Tariff (SIT).

## **3. Tackling the Climate Emergency Implications**

- 3.1. Our role in planning seeks to address climate emergency implications through securing investment in transport infrastructure via development proposals and planning gain and supporting sustainable development. In addition, through responding to consultations on emerging national and local planning policy we lobby for increased emphasis on sustainable development, sustainable transport access and provision of renewable energy.

## **4. Inclusive Growth Implications**

- 4.1. Ensuring inclusive growth is achieved through planning policy and new development proposal is integral to our consultee responses. In addition, inclusive growth is a key objective of the current development activity relating to Employment Land and SPA Delivery Models.

## **5. Equality and Diversity Implications**

- 5.1. The Place Narrative sets out that people are the heart of our places, the region has 3.1 million residents. Inclusive Growth is a key regional priority, this means enabling as many people as possible to contribute to, and benefit from, economic growth. Economic inequality can be more pronounced among minority groups and leaves those experiencing at increased disadvantage, exposed to risks such a poor health or the effects of climate change. The inclusive growth agenda seeks to address this, including through the planning work referenced in this report.

## **6. Financial Implications**

- 6.1. There are no financial implications directly arising from this report.

## **7. Legal Implications**

- 7.1. There are no legal implications directly arising from this report.

## **8. Staffing Implications**

- 8.1. There are no staffing implications directly arising from this report.

## **9. External Consultees**

- 9.1. No external consultations have been undertaken.

## **10. Recommendations**

- 10.1. That the Committee notes the report and provides any comments.

## **11. Background Documents**

None.

## **12. Appendices**

None.