
Report to: Place Panel

Date: Wednesday 24 October 2018

Subject: **Wakefield District Local Plan 2036 Duty to Cooperate**

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1. Purpose of this Report

- 1.1. This report provides an update on the preparation of the Wakefield District Local Plan 2036, and sets out the activities Wakefield Council is undertaking as the plan progresses to discharge its responsibilities under the Duty to Co-operate.

2. Background

- 2.1 Wakefield Council published a revised Local Development Scheme in July 2017, setting out the timescale for preparing the Wakefield District Local Plan to replace the full suite of adopted Local Development Framework documents, which currently constitute the statutory development plan in Wakefield. An Early Engagement consultation and call for sites was carried out during October to December 2017, which set out the key issues facing the district and proposing development options for growth and where new development should take place. The Council is intending to consult on an initial draft of the new local plan shortly.
- 2.2 The Localism Act 2011 introduced the duty to cooperate requiring local planning authorities and other prescribed bodies to 'engage constructively, actively and on an on-going basis' to maximise the effectiveness of preparing local plans in relation to strategic matters. The Act also extended the purposes of the independent examination to include determining whether the duty has been complied with.
- 2.3 The revised National Planning Policy Framework, published in July 2018, has introduced the additional requirement to produce one or more statements of common ground which need to set out the level of agreement about the strategic cross-boundary matters relevant to local plan making, to demonstrate where effective co-operation and joint-working is and is not happening. As part

of this requirement the Leeds City Region planning authorities have prepared an initial high level statement of common ground to demonstrate agreement about a range of strategic matters impacting on plan making in the region.

3. Duty to Cooperate and the Wakefield District Local Plan

- 3.1 Wakefield will discharge the Duty to Cooperate in accordance with the Leeds City Region Statement of Cooperation for Local Planning. This statement was originally published in March 2016. The statement is being updated and is expected to be finalised shortly. This statement sets out the high level principles and processes, including democratic oversight, which Leeds City Region authorities have agreed to follow to demonstrate they have discharged the duty to cooperate when a local plan reaches examination.
- 3.2 In line with the Statement of Cooperation Wakefield has produced a Duty to Cooperate Strategic Issues Table based on the template set out in the statement. The table is attached in Appendix 1 to this report. All city region local authorities are invited to make formal comments on the table. Other proscribed bodies alongside the Combined Authority / Local Enterprise Partnership and the Local Nature Partnership will also be contacted and invited to review and comment on the table. It is possible the Council may need to involve other bodies as the plan progresses. The Council will need to receive a response by 30 November 2018. It is requested if authorities have no issues with the table they still respond setting out their support for the table.
- 3.3 As set out above a Leeds City Region Statement of Common Ground has been prepared. It is possible Wakefield will need to prepare separate Statements of Common Ground with other proscribed bodies. An additional Statement of Common Ground will have to be prepared with Doncaster Council which is not a member of the West Yorkshire Combined Authority.

4. Conclusion

- 4.1. This report sets out the approach Wakefield Council is taking to discharging the duty to cooperate whilst preparing the Wakefield District Local Plan 2036 and seeks the support and participation of West Yorkshire Combined Authority partner local planning authorities in this process.

5. Recommendation

- 5.1 The Place Panel is asked to endorse the approach to the duty to cooperate, as it relates to the Wakefield District Local Plan 2036, set out in this report and consider and comment on the Strategic Issues Table in Appendix 1 by 30 November 2018.

6. Appendices

Appendix 1 – Wakefield District Local Plan – Duty to Cooperate Strategic Issues Table

Wakefield District Local Plan: Duty to Co-operate Draft Strategic Issues Table – Early Engagement

Section 110 of the Localism Act 2011, imposes a duty on councils to co-operate with other Local Planning Authorities (LPA's) and proscribed bodies on planning issues that cross administrative boundaries. The duty is explained in the National Planning Policy Framework at paragraphs 24 to 27 with additional guidance in the plan making section of National Planning Practice Guidance.

The intention of the legislation is that the duty is carried out before councils make formal decisions on plans, with those decisions taking account of the outcome of the co-operation process. The table below sets out the latest analysis of issues and proposed actions that the Council has identified to date which may impact on neighbouring LPA's and the interests of proscribed bodies. This information will be central to demonstrating that the duty has been carried out appropriately.

Ref	Strategic Issue & link to NPPF paragraph 20	Potential Impact	Areas/bodies potentially affected	Evidence	Resolution / Mitigation	Monitoring	Actions / Response	Outcomes
<i>Ref</i>	<i>Summary of the issue & Relevant strategic priority in National Planning Policy Framework para. 20</i>	<i>Description of why it is an issue for neighbouring authorities or other proscribed body</i>	<i>Details of the authorities / proscribed body affected by the issue</i>	<i>Evidence to show there is an issue (including links to source documents)</i>	<i>Details of how the issue can be overcome or managed</i>	<i>How the issue will be monitored including key indicators and trigger points</i>	<i>Agreed actions (including who is to lead & timescale)</i>	
1A	Scale and location of new land for homes – Infrastructure NPPF Para 20: Housing need.	Impact on infrastructure (Including transport, education, green space and health) may occur outside of the District's boundaries.	Barnsley, Doncaster, Kirklees, Leeds, Selby and Leeds City Region authorities – Bradford Calderdale	Adjoining authorities' local infrastructure plans. Emerging Wakefield Transport Model, education plans, <u>Joint Strategic Needs Assessment</u> , <u>Wakefield Health</u>	Sharing of evidence and information including updates to and content of the Infrastructure Delivery plan. Ensure updates or successors to Leeds City Region <u>Strategic Economic</u>	Local Plan choice of sites for development and supporting infrastructure where required. Monitoring	Wakefield Council will lead and will coordinate ongoing liaison and sharing of evidence with adjoining Councils, if necessary. Produce a Wakefield Infrastructure Delivery Plan.	None at this stage.

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				<p>and Wellbeing Plan, and evidence on cross-boundary strategic green corridors/networks</p> <p>Local Plans for adjacent authorities</p>	<p>Plan and West Yorkshire Local Transport Plan / other Combined Authority proposals support strategic growth areas in Wakefield.</p> <p>Detailed choice and phasing of development sites set out in emerging Local Plan and evidence base.</p>	housing completions. Monitoring and updating infrastructure plan.		
1B	Scale and location of new land for homes – Scale of provision NPPF Para 20: Housing need.	Requirement to discuss if adjacent authorities can assist in meeting the needs of Wakefield district.	Barnsley, Doncaster, Kirklees, Leeds, Selby and Leeds City Region authorities – Bradford	<p>Strategic Housing Market Assessment</p> <p>Local housing need using standard method.</p> <p>Wakefield Uplift to</p>	Plan proposes to meet the entire Wakefield District Local Plan housing requirement up to 2036 in Wakefield District and provide adequate	<p>Annual Monitoring Report.</p> <p>Local Plan allocations, phasing and delivery.</p>	<p>Wakefield Council will coordinate ongoing liaison with adjoining councils.</p> <p>Confirmation will be required from</p>	None at this stage.

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			Calderdale	local housing need to give a housing requirement of 1400 homes per year.	safeguarded land in order to meet longer term development needs stretching well beyond the plan period.	5 year supply and housing completion monitoring	adjoining authorities that they are planning to meet their own housing needs, within their district boundaries and are not planning to meet any shortfall arising from neighbouring authorities.	
1C	Scale and location of new land for homes – Green Belt. NPPF Para 20: Housing need.	Likely to be an impact on the extent of the green belt in Wakefield. Requirement of NPPF paragraph 137 c) with regard to discussions with adjacent authorities about if they can	Barnsley, Doncaster, Kirklees, Leeds & Selby	Strategic Housing Land Availability Assessment (SHLAA) 2017 Report 2017 Annex Strategic Housing Market Assessment (SHMA) 2016 Report	Robust site assessment process prioritising sites based on the settlement hierarchy and other sustainability criteria. Sustainability Appraisal and	Annual Monitoring Report Annual Housing Digest Revised green belt boundary and amount of green belt	Wakefield Council will lead and coordinate discussions with adjacent Councils as the plan progresses and consultation drafts are published.	None at this stage.

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		accommodate some of the identified need in order to demonstrate exceptional circumstances.		<p>Wakefield District Local Plan Site Assessment Methodology</p> <p>Emerging consideration of relevant alternative site options.</p> <p>Emerging Wakefield Green Belt Assessment 2018 methodology</p> <p>Housing Technical Paper regarding local housing need and the uplift which together form the Wakefield District Local Plan</p>	<p>Technical Site Assessment.</p> <p>Robust assessment of the green belt to identify parcels of land for further assessment for release from the green belt if exceptional circumstances are demonstrated</p>	<p>lost/gained through production of Local Plan.</p> <p>Record any revisions to green belt boundaries and amount of green belt lost/gained through production of Local Plan.</p>		

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				housing requirement.				
1D	Scale and location of sites for Travellers and Travelling Show People. NPPF Para 20: Housing need.	Travellers and Travelling Show People provision may impact on green belt. Requirement of NPPF paragraph 137 c) with regard to discussions with adjacent authorities about if they can accommodate some of the identified need in order to demonstrate exceptional circumstances.	Barnsley, Doncaster, Kirklees, Leeds, Selby and Leeds City Region authorities – Bradford Calderdale	<u>Wakefield Gypsy and Traveller and Travelling Showperson Accommodation Assessment 2016</u> Draft Wakefield Gypsy and Traveller Accommodation Assessment Update 2018	Identify deliverable and developable sites within the district to meet need over the plan period.	Annual Monitoring Report. Local Plan. Rolling 5 year supply and plot completion monitoring.	Wakefield Council aim to meet Wakefield's accommodation needs for gypsy and traveller's within the district. Confirmation will be required from adjacent whether they can assist in meeting needs if green belt land is required.	None at this stage.
2A	Scale and location of new land for	Potential to prejudice prospects	Barnsley, Doncaster,	Wakefield Employment Land	Share evidence base as appropriate	Annual Monitoring	Wakefield Council will lead and	None at this stage.

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	employment. NPPF Para 20: Employment and infrastructure needed.	for regeneration in neighbouring areas by diverting investment interest and infrastructure funding	Kirklees, Leeds, Selby and Leeds City Region authorities – Bradford Calderdale	Supply Position Statement (March 2017). Wakefield Industrial Land Market Assessment. Wakefield Office Market Assessment. Wakefield District Economic Strategy 2018-2023 . Wakefield Retail, Leisure and Town Centre Study 2014 . Emerging Wakefield Retail, Leisure and Town Centre Study Review 2018. Regional Econometric	when available, taking into account in particular local economic strategies. Joint working through Leeds City Region governance to gain endorsement of functional economic area equating to district boundary.	Report. Employment Land Monitoring Reports Local Plan allocations	coordinate discussions with adjacent Councils as the plan progresses and consultation drafts are published. A Strategic Employment Land Need Assessment and Strategic Employment Land Availability Assessment will be produced and published. Update Employment Land Supply Position Statement to March 2018.	

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				Model. Strategic Employment Land Review for the Leeds City Region 2016. Leeds City Region Strategic Economic Plan . Leeds City Region Statement of Common Ground.				
2B	Scale and location of new land for employment. NPPF Para 20: Employment and infrastructure needed.	Impact on infrastructure (including transport)	Barnsley, Doncaster, Kirklees, Leeds, Selby and Leeds City Region authorities – Bradford Calderdale	Adjoining authority's local infrastructure plans, emerging Wakefield Transport Model	Sharing of evidence and information including updates to and content of the Infrastructure Delivery plan.	Local Plan decisions on sites for employment development and supporting infrastructure where required. Monitoring	Ongoing liaison and sharing of evidence, including possibility of preparation of joint evidence bases. Produce a Wakefield Infrastructure Delivery Plan.	None at this stage.

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						employment completions. Monitoring and updating infrastructure plan		
2C	Scale and location of new land for employment – Green Belt. NPPF Para 20: Employment and infrastructure needed	Impact on the extent of the green belt in the district. Requirement to demonstrate exceptional circumstances to remove land from the green belt. Requirement of NPPF paragraph 137 c) with regard to discussions with adjacent authorities about if they can accommodate	Barnsley, Doncaster, Kirklees, Leeds, Selby and Leeds City Region authorities – Bradford Calderdale	Wakefield Employment Land Supply Position Statement. Emerging Local Plan evidence on employment land need (including market demand), taking into account Wakefield District Economic Strategy, Regional Econometric Model, functional economic area and need for prime	Green Belt Review conclusions to inform Employment site allocations selection Sequential approach to site selection based on Site Selection methodology. Early recognition is likely to be needed that Wakefield employment land need and supply	Revised green belt boundary and amount of green belt lost/gained through production of Wakefield District Local Plan.	Wakefield Council will lead and coordinate discussions with adjacent Councils as the plan progresses and consultation drafts are published.	None at this stage.

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		need when demonstrating exceptional circumstances.		employment sites near to the M62 / M1 corridors. Emerging consideration of relevant alternative site options. Emerging Wakefield Green Belt Review.	evidence suggests new strategic employment land allocations are required and that these need to be adjacent to the strategic highway network with resultant green belt impacts.			
3	Flood risk in main river corridors. NPPF Para 20: The provision of infrastructure for flood risk.	Development increases flood risk in other areas. In identifying land for development, need to avoid increasing flood risk and to assess feasibility of safeguarding areas to increase flood storage provision and improve	Barnsley, Doncaster, Kirklees, Leeds, Selby and Leeds City Region authorities – Bradford Calderdale	Calder Catchment Strategic Flood Risk Assessment (April 2016).	River Catchment plans Links with local infrastructure plans and provision of blue/green infrastructure. Local Plan site allocations. Use of Sustainable Urban Drainage Systems.	Implementation Annual Monitoring Report.	Wakefield Council will lead and coordinate discussions with adjacent Councils as the plan progresses and consultation drafts are published. Consideration of need to continue joint working on	None at this stage.

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		defences.					evidence such as Strategic Flood Risk Assessment.	
4A	Pressure on strategic highway network. NPPF Para 20: Provision of infrastructure.	Potential for disruption of traffic flows and capacity issues on the Strategic Highway Network	Highways England	Highways England's modelling outputs. Ongoing local Modelling.	Leeds City Region Strategic Economic Plan investment Liaison with Highways Agency	Annual Monitoring Report	Wakefield Council will liaise with Highways England as plan progresses.	None at this stage.
4B	Pressure on Rail Infrastructure: NPPF Para 20: Infrastructure for transport.	Potential for planned development to cause capacity issues and congestion at stations in Wakefield District.	The Office of Rail and Road. West Yorkshire Combined Authority.	Housing and Employment allocations in the plan including capacity and phasing information	Local Transport Plan investment West Yorkshire Transport Fund Plus Liaison with station operators, network rail and rail companies.	Annual Monitoring Report	Wakefield Council will work with stakeholders, if any significant impact is identified, to ensure adequate investment is identified to mitigate impacts.	None at this stage.
4C	Pressure on local transport network. NPPF Para 20: Infrastructure for	Potential for impact on traffic flows	Barnsley, Doncaster, Kirklees, Leeds, Selby. West	Local Plan transport modelling.	Leeds City Region Strategic Economic Plan investment Local Transport Plan investment	Annual Monitoring Report	Wakefield Council will liaise with adjoining highways authorities to share information and	None at this stage.

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	Transport.		Yorkshire Combined Authority / Local Enterprise Partnership.		West Yorkshire Transport Fund Plus		evidence as the plan progresses.	
4D	HS2 Connectivity NPPF Para 20: Infrastructure for Transport.	Development of the LCR HS2 Transformational City Region Priority Corridors: Leeds – Wakefield/Barnsley and Sheffield Leeds – Five Towns	Barnsley, Doncaster, Kirklees, Leeds, Selby. West Yorkshire Combined Authority; South Yorkshire Combined Authority, Transport for the North, HS2 Ltd.	Leeds City Region HS2 Growth Strategy Leeds City Region HS2 Connectivity Strategy Leeds City Region HS2 Supply Chain and Skills Strategy	Alignment of investment priorities with the WDLP	Delivery plans. Annual Monitoring Report.	Ongoing engagement	None at this stage.
5	Minerals. NPPF Para 20:	Importation and supply of aggregate	Wakefield, Barnsley,	Annual Local Aggregate	Sub Regional liaison on minerals	Sub regional aggregates	Liaison through the regional minerals	None at this stage.

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	Provision of minerals	and cut stone including supply and wider interactions	Calderdale, Bradford, Doncaster, Rotherham, Leeds, Hull, North Yorkshire, Derbyshire	Assessment for West Yorkshire and equivalent for South Yorkshire.	matters through Yorkshire and Humber Aggregates Working Party and Leeds City Region.	monitoring through Local Aggregate Assessment and Yorkshire and Humber Aggregates Working Party yearly report.	meetings (Yorkshire and Humber Aggregates working Party).	
6	Green & Blue Infrastructure. NPPF Para 20: Conservation and enhancement of the natural environment.	Agreement on importance of GI in managing and mitigating impacts of growth and on strategic corridors and assets.	Barnsley, Doncaster, Kirklees, Leeds, Selby and Leeds City Region authorities – Yorkshire West Local Nature Partnership	Emerging Leeds City Region Green Infrastructure Strategy. Emerging green networks and corridors coming from adjoining authority Local Plans and LNPs.	Need to ensure effective liaison occurs to ensure that established and new green infrastructure networks/corridors linking across local authority boundaries are created and / or maintained and expanded where possible.	Links with Habitat Regulations Work. Future Local Plan monitoring to prevent loss of functional networks.	Wakefield Council will lead liaison with adjoining councils and key bodies including Local Nature Partnerships.	None at this stage.

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7	Impact of development on local nature reserves, SSSIs, Natura 2000 sites within and adjacent to Wakefield District. NPPF Para 20: Conservation and enhancement of natural environment.	Cross-boundary green infrastructure links. Potential of development proposed in Wakefield impacting on assets in adjoining districts.	Leeds, Selby, Doncaster, Barnsley, Kirklees, Wakefield, North Yorkshire	Local Plans and supporting Sustainability Appraisal, and Habitats Regulations Assessment.	Ensure connections made cross-boundary and shown on Local Plans. Ensure consistency in policy approach. Ensure proper impact assessment carried out on cross-boundary environmental designations which might be affected.	Annual Monitoring Report.	Wakefield Council will lead ongoing liaison and evidence base coordination.	None at this stage.
8	Waste Management. NPPF Para 20: Waste Management.	Cross boundary movement of waste and wider implications	EA and adjoining and city region LPAs. Other authorities in the UK which import waste	Adopted Waste Development Plan Document (2009) Leeds City Region Waste Needs Assessment capacity (2017) /	Gain agreement on cross boundary waste movement.	Annual Monitoring Report. Sub regional waste liaison.	Ongoing liaison within sub region and other regional waste groups and other authorities in the UK which import waste to Wakefield and	None at this stage.

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			to Wakefield and Wakefield exports waste to.	Waste arisings and waste treatment capacity update Assessment. Environment Agency Waste Data Interrogator			Wakefield exports waste to.	
10	Retail and Town Centres. NPPF Para 20: The provision of retail and leisure development.	Potential that retail development in Wakefield proposed in the plan may have significantly adverse impact on defined centres in adjoining districts.	Leeds, Selby, Doncaster, Barnsley, Kirklees.	Wakefield Retail, Leisure and Town Centre Study 2014. Emerging Wakefield Retail, Leisure and Town Centre Study Review 2018. Town Centre Monitoring	Monitor evidence but is likely no cross boundary impacts will be identified.	Annual Monitoring Report. Monitoring of local policies for Town Centres and completions data for out of centre retail and other main town centre use development.	Wakefield Council will monitor as evidence emerges but unlikely to be any cross boundary issues.	None at this stage.
11	Strategic Site	Individual large	Leeds City	Strategic Housing	See above,	Annual	Wakefield Council	None at this

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	Allocations. NPPF Para 20: Homes, Jobs and infrastructure needed.	scale schemes which have a strategic cross boundary impact (if any)	Region Authorities - Barnsley, Doncaster, Leeds, Kirklees, Selby.	Market Assessment and other housing need evidence. Strategic Employment Land Need Assessment. Individual site allocations evidence base. Assessment of cumulative impacts of the Local Plan Allocations.	depending on land uses.	Monitoring Report. Local Plan allocations.	will liaise with adjacent authorities to identify specific impacts and consider mitigation required (if any).	stage.
12	Water Quality. NPPF Para 20: Conservation and enhancement of natural environment.	Impact on water quality and efficient use of water resources	Leeds City Region Authorities - Barnsley, Doncaster, Leeds, Kirklees, Selby.	Water Framework Directive. Humber River Basin Management Plan	Ensure policies protect and enhance the rivers and water bodies within the Humber River Basin and make efficient use	Annual Monitoring Report.	Wakefield Council will liaise with adjacent authorities and Environment Agency	None at this stage.

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<i>Ref</i>	<i>Summary of the issue & Relevant strategic priority in National Planning Policy Framework para. 20</i>	<i>Description of why it is an issue for neighbouring authorities or other proscribed body</i>	<i>Details of the authorities / proscribed body affected by the issue</i>	<i>Evidence to show there is an issue (including links to source documents)</i>	<i>Details of how the issue can be overcome or managed</i>	<i>How the issue will be monitored including key indicators and trigger points</i>	<i>Agreed actions (including who is to lead & timescale)</i>	
			Environment Agency		of water resources.			
13	Managing Air Quality and Noise. NPPF Para 20: Conservation and enhancement of natural, built and historic environment.	Possible exceedance of statutory limits. May lead to constraints on growth due to insufficient infrastructure or barriers within planning process post plan publication.	Leeds City Region Authorities - Barnsley, Doncaster, Leeds, Kirklees, Selby.	Wakefield and adjacent authority evidence on air quality. Extent of Air Quality Management Areas in Wakefield and adjacent authorities.	Plan to mitigate impact of growth or supporting infrastructure such as road improvements may not be deliverable due to environmental impacts	Annual Monitoring Report. Updated evidence on need for and extent of Air Quality Management Areas.	Wakefield Council will liaise with adjacent authorities as necessary as evidence emerges.	None at this stage.