



<u>AGENDA ITEM:</u>	12
Planning Committee:	10th March 2011
Cabinet:	15th March 2011
Executive Overview &Scrutiny:	31st March 2011

Report of: Acting Executive Manager Planning

Relevant Portfolio Holder: Councillor M. Forshaw

Contact for further information: Mr P. Richards (Extn. 5046)
(E-mail: peter.richards@westlancs.gov.uk)

SUBJECT: LDF Core Strategy – Preferred Options Paper for Public Consultation

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

- 1.1 To inform Members of the Planning Committee, Cabinet and Executive Overview and Scrutiny Committee of the progress of the Core Strategy DPD for the West Lancashire Local Development Framework (LDF), particularly in relation to the proposed Preferred Options Paper on the Core Strategy for public consultation, and to determine whether this document should proceed to a six week public consultation period.

2.0 RECOMMENDATIONS TO PLANNING COMMITTEE

- 2.1 That the Core Strategy Preferred Options Paper be considered and that agreed comments be referred to Cabinet.

3.0 RECOMMENDATIONS TO CABINET

- 3.1 That the comments of the LDF Cabinet Working Group provided at Section 9.0 of this report and any comments received from Planning Committee be considered.
- 3.2 That the Core Strategy Preferred Options Paper be approved for a six week public consultation exercise commencing after the Local Elections in May.
- 3.3 That the Acting Executive Manager Planning, in consultation with the Portfolio Holder for Planning and Transportation, be authorised to finalise and make amendments, prior to public consultation, to the Core Strategy Preferred Options Paper following consideration of any agreed comments from the Executive Overview & Scrutiny Committee.

- 3.4 That call-in is not appropriate for this item as the report is being considered at the next meeting of the Executive Overview and Scrutiny Committee on 31 March 2011.
- 4.0 RECOMMENDATIONS TO EXECUTIVE OVERVIEW & SCRUTINY COMMITTEE**
- 4.1 That the Core Strategy Preferred Options Paper be considered and that agreed comments be referred to the Acting Executive Manager Planning.
-

5.0 BACKGROUND & CURRENT POSITION

- 5.1 The 'Core Strategy Preferred Options Public Consultation Document' (referred to as the 'Preferred Options Paper' in the remainder of this report) has been prepared over the course of 2010 following on from initial visioning work and the identification of key issues, undertaken through a series of consultation exercises in 2008/09, and the Public Consultation on the Core Strategy Options Paper in Autumn 2009.
- 5.2 The Preferred Options Paper sets out the key strategic planning policies for the Borough in a "first draft" format for public consultation. The policies cover various topics, including a spatial framework for new development, economic development, residential development, infrastructure and services provision, and for sustaining the Borough's environment and addressing climate change.
- 5.3 The spatial framework for new development sets targets for residential and employment development, focuses the majority of new development in Skelmersdale in order to support the regeneration of the town and sets out two options for releasing land on the edge of existing settlements (mainly in the Green Belt) to meet the Core Strategy housing and employment targets. These two options have previously been considered by Cabinet on 18th January 2011, when they were selected for inclusion in the Preferred Options Paper from a choice of three options. These options were previously considered by the LDF Cabinet Working Group on 17 January 2011.
- 5.4 The Preferred Options Paper has been prepared for Cabinet to consider for public consultation. Should Cabinet approve the document for public consultation it will be put out for a six week public consultation period from mid-May to the end of June (i.e. after the local elections) in order to gain the views and comments of the general public and stakeholders on the document. Details of the Public Consultation exercise proposed are set out in Section 7.0 below.
- 5.5 Several other documents will also accompany the Preferred Options Paper at public consultation and will be available for comment:
- A Sustainability Appraisal (SA) of the Core Strategy Preferred Options
 - A Habitat Regulations Assessment (HRA) Screening Report for the Core Strategy Preferred Options¹

¹ Subject to the results of the HRA screening report, there may also be an Appropriate Assessment (AA) undertaken of the Preferred Options to assess the impact of proposals on International Sites of habitat value

- A Health Impact Assessment (HIA) of the Core Strategy Preferred Options
- An Equalities Impact Assessment (EqIA) of the Core Strategy Preferred Options
- A Rural Proofing Assessment of the Core Strategy Preferred Options
- A draft Infrastructure Delivery Plan (IDP) – a document that will ultimately accompany the final Core Strategy

6.0 PROPOSALS

Overview of the Core Strategy Preferred Options Paper

- 6.1 The key messages of the Preferred Options Paper are those of sustainable growth across the Borough, the regeneration of Skelmersdale and the preservation of the Borough's attractive environment and rural character. The document also brings to the fore key issues such as climate change, infrastructure provision, catering for an ageing population and providing affordable housing, thus reflecting national planning policy and local concerns.
- 6.2 A potentially controversial matter that the Core Strategy needs to address is the release of a small amount of Green Belt land for new development in order to meet all the development requirements over the Core Strategy period (2012-2027). Two "strategic development" options for this release of Green Belt land have been included in the Preferred Options Paper, as per Cabinet's decision in January 2011.
- 6.3 These two options have been briefly set out in Chapter 4 of the Preferred Options Paper but are also reflected throughout the document in various policies, especially Policy CS1.
- 6.4 A final point to make on the Core Strategy as a whole is that it seeks to fulfil the Vision and Objectives set out earlier on in the process for the Core Strategy and, in doing so, to also be consistent with, and help fulfil the objectives of, the Sustainable Community Strategy for West Lancashire.

Over-arching Spatial Strategy and the Strategic Sites

- 6.5 The first set of policies in the Preferred Options Paper address the spatial framework for development in the Borough and set out two specific strategic development sites (one of which relates to one of the strategic development options for development on Green Belt).
- 6.6 The sustainable spatial development framework (Policy CS1) reflects the key messages of the Core Strategy by focusing over two-thirds of development over the Core Strategy period specifically in Skelmersdale and approximately 90% of all development within the Borough's three Key Service Centres (Skelmersdale, Ormskirk and Burscough). It also sets out a settlement hierarchy to broadly guide what levels of development would be appropriate in each settlement.
- 6.7 Policy CS1 establishes the key development targets for the Core Strategy period (2012-2027) for residential and employment land development and disaggregates these targets between spatial areas. The overall targets are 4,500 dwellings (300 a year on average) and an additional 87 hectares of employment land.

- 6.8 Policy CS1 promotes development of brownfield land over greenfield and Green Belt land, but recognises that some greenfield and Green Belt land will be required over the Core Strategy period.
- 6.9 This key, over-arching policy also sets the context for other Core Strategy policies by discussing renewable energy, biodiversity, landscape, heritage and green infrastructure, ground conditions, utilities infrastructure and flood risk.
- 6.10 Policy CS2 identifies Skelmersdale Town Centre as a Strategic Development Site. It builds upon the existing 2008 Skelmersdale Town Centre SPD, establishing the town centre regeneration as a cornerstone of the Core Strategy and updating the broad development proposals so that they are more in line with the current plans for the town centre that are being discussed with the Council's development partner, St Modwen. The boundary of the Strategic Development Site also extends the town centre boundary established in the SPD to the north to include more land to assist with improving the viability of the wider scheme and to deliver more development.
- 6.11 Policy CS3 identifies a Strategic Development Site in the Green Belt at Yew Tree Farm in Burscough. This policy reflects the first of the two options for strategic development in the Green Belt and so would only be included in the Core Strategy if this option is ultimately taken forward.

Facilitating Economic Growth

- 6.12 Policy CS4 addresses the economy and employment land. In line with the key development targets set out within Policy CS1, Policy CS4 provides further details on the practical delivery of 87ha of new employment development between 2012 and 2027. This policy again reflects the wider objectives of the Core Strategy in that it prioritises redevelopment and regeneration opportunities in existing employment areas, particularly in terms of vacant or under-used employment land and premises.
- 6.13 Aside from this, Policy CS4 recognises that additional land, including some within the Green Belt, will be required outside of existing employment areas in order to ensure that sufficient economic growth continues over the plan period. In addition to land supply, Policy CS4 further recognises the importance of targeting certain sectors of employment and aligning skills to jobs in order that local people can benefit from improved employment opportunities.
- 6.14 Policy CS5 seeks to protect the rural economy by setting out a general presumption against the loss of employment sites in rural areas for non-employment uses. It is recognised that the Borough contains some of the most versatile agricultural land in the UK and therefore development in these areas should be limited. Loss of agricultural land will only be permitted where absolutely necessary, to deliver strategic development, and only where it is adjacent to the three Key Service Centres of Skelmersdale, Ormskirk/Aughton and Burscough.

- 6.15 Whilst few new sites will be allocated for employment development within the rural parts of the Borough, existing undeveloped allocations for rural employment in the Local Plan will be carried forward into the Core Strategy period and Policy CS5 will encourage development which provides new investment and job opportunities in rural areas.
- 6.16 Policy CS6 relates to Edge Hill University. It promotes the role of Edge Hill University in terms of maximising employment opportunities, investing in the local area and upskilling the population. However, it is also recognised that negative impacts on Ormskirk town centre and its local residents, in particular traffic and housing problems, must be minimised. Policy CS6 further requires that a masterplanned approach is taken in relation to any further expansion of the campus.

Providing for Housing and Residential Accommodation

- 6.17 Policy CS7 addresses residential development. Consistent with Policy CS1, it sets out the net numbers of new dwellings expected in the different settlements across West Lancashire over the Core Strategy period, as well as the types of new development that would be permitted in each settlement. As with Policy CS1, it prioritises brownfield development over greenfield but recognises that the supply of brownfield sites is limited and that a significant amount of greenfield development is inevitable over the Core Strategy period.
- 6.18 The policy also contains a mechanism whereby if housing land supply becomes excessive in relation to housing targets, an element of restraint will be applied until supply decreases once again to a reasonable level. Housing designed specifically for the elderly, and housing that meets the “Lifetime Homes” standard is supported.
- 6.19 Policy CS8 deals with affordable housing, which is supported in all non-Green Belt settlements and would be permitted in certain cases on small sites in the Green Belt. It sets out the percentages of affordable housing that the Council will require for different levels of development (above a minimum threshold of 5 units) and for development in different parts of the Borough. The policy allows for variation from the specified targets if it is demonstrated that these targets would make a scheme unviable.
- 6.20 Policy CS8 also allows for future variation in targets if subsequent housing needs and viability studies conclude that the targets should be changed. The details of how viability will be assessed, and how targets may vary in the future will be set out in a forthcoming Supplementary Planning Document.
- 6.21 Policy CS8 does not make the decision as to whether specific sites should be allocated for affordable housing in the Site Allocations DPD. However, it “leaves the door open” for this course of action, should it be chosen as the Council’s preferred strategy for facilitating the provision of affordable housing.
- 6.22 Policy CS9 deals with student accommodation, both the provision of new purpose-built accommodation and student HMOs (Houses in Multiple Occupation). The policy generally restricts the development of purpose-built accommodation away from the Edge Hill University Campus. The proliferation of HMOs will be controlled by limiting the percentage of HMOs that will be permitted

within the streets of the Borough. Precise details of the streets and percentages will be finalised in the forthcoming Development Management Policies DPD.

- 6.23 Policy CS10 provides numbers of permanent and transient pitches required to meet the established needs of gypsy and travellers and travelling showpeople in West Lancashire, using evidence collected from the North West and Lancashire Gypsy and Traveller Accommodation Assessment (GTAA). The policy also sets broad locations for where sites providing these pitches should be created. Criteria for assessing the suitability of specific sites for pitches will be provided in a Development Management Policies DPD and will be based upon national planning policy taking account of local issues.

Infrastructure and Services Provision

- 6.24 Although National Planning Policy Statement 4 will generally guide development within the Borough in relation to retail, leisure and viable town and village centres, Policy CS11 focuses on protecting the town and local centres from the threat of incremental change to existing retail units. This is necessary in order to prevent too much leakage to surrounding retail centres and to maintain the vitality of the centres with a good service provision for local residents. The Development Management Policies DPD will provide more detailed policy designed to preserve retail uses in the Borough's town and local centres.
- 6.25 Policy CS12 seeks to improve the transport network across the Borough to meet current and future demands and to improve the quality of life for residents as well as supporting economic growth and reducing the Borough's carbon footprint. Specifically the policy focuses on the provision of new infrastructure, where appropriate, in order to alleviate existing congestion issues around Ormskirk, Burscough and the rural areas. The policy also encourages sustainable travel links to be integral to new development across the Borough and to be improved in areas currently lacking in good provision of rail and bus links.
- 6.26 Policy CS13 is fundamental to the delivery of sustainable development in the Borough. It seeks to ensure that, in the first instance, development will be directed to areas with existing infrastructure and services and, secondly, where infrastructure needs are identified, they should be delivered in line with the new development to prevent pressure on existing services.
- 6.27 One of the most concerning issues identified through the Infrastructure Delivery Plan (IDP) process is the major constraint issue relating to waste water treatment capacity in the majority of Ormskirk, Burscough and the outlying areas of Rufford and Scarisbrick. Consequently, council officers and United Utilities officers are working together to maintain strong communication links and build up a case of evidence which will allow United Utilities the opportunity to bid for funding to alleviate this pressure within a future Asset Management Plan.
- 6.28 The IDP is a key document in ensuring a good understanding of the existing infrastructure and service provision across the Borough and identifying deficits in order to plan for their improvement and delivery through new development. The document will also act as a base line for setting developer contributions within a Supplementary Planning Document in line with the Community Infrastructure Levy (CIL) Regulations and the requirements of Policy CS14.

- 6.29 The purpose of Policy CS14 is to ensure that all new qualifying development contributes to the improvement and delivery of all types of infrastructure. The details of how this will be implemented will be set out within the SPD and will allow the Council to prioritise the delivery of infrastructure to meet development pressures.

Sustaining the Borough's Environment and Addressing Climate Change

- 6.30 Climate Change is a continuous thread running through the entire Preferred Options Paper. However, amongst the Council's greatest priorities relating to climate change is low carbon development and the delivery of renewable energy development.
- 6.31 Policy CS15 sets out a supportive framework to ensure the delivery of low and zero carbon development in order to demonstrate the Council's commitment to energy security and climate change initiatives. The Policy seeks to create a holistic approach through development management and building regulations to delivering both on- and off-site energy solutions and also encourages a strategic perspective to delivering energy infrastructure rather than on a site by site basis.
- 6.32 Policy CS16 seeks to protect all parks, natural assets, sports facilities and open space of high ecological or recreational value in the Borough. Through encouraging management of resources the policy seeks to maximise the use of existing facilities to meet the needs of current and future residents, whilst providing appropriate new provision where deficiencies have been identified and where new developments are planned. The policy is in line with the recommendations of Policy CS14 Developer Contributions.
- 6.33 As one of the key messages of the Preferred Options Paper is to preserve the Borough's attractive environment and rural character, Policy CS17 focuses on enhancing West Lancashire's distinctive character and ensuring quality design within new development. This includes supporting new and inspiring design that also responds to the local vernacular, sustaining cultural and heritage assets and integrating development into the landscape character without any adverse impacts.

Delivery and Risk in the Core Strategy – a "Plan B"

- 6.34 Core Strategies are required to consider the deliverability of their policies and any potential risks to delivery that may exist. In particular, where there are significant risks, the Core Strategy should incorporate sufficient flexibility to overcome those risks.
- 6.35 Appendix E of the Preferred Options Paper provides the deliverability and risk issues for each policy area but Chapter 10 of the paper focuses on a key risk of non-delivery of development and incorporating flexibility in the Core Strategy to address that issue through a "Plan B".
- 6.36 It is a very real risk that, for any number of reasons, delivery of residential dwellings in particular and / or employment land may not keep pace with the targets set in the Core Strategy. This may be because the market is not able to deliver all that is hoped for in a specific area or because a very large site is not

able to be delivered for development because of a previously unforeseen constraint.

- 6.37 In such a situation, to ensure that the Borough is able to provide the dwellings and / or employment land required over the Core Strategy period, a “Plan B” within the Core Strategy could be brought into effect to ensure that targets are met.

7.0 PUBLIC CONSULTATION

- 7.1 The six week public consultation exercise will be carried out in conformity with the Council’s LDF Statement of Community Involvement (SCI). It will involve public events in all parts of the Borough, online consultation and more traditional written correspondence. The consultation exercise, the public events and details of how to respond will be publicised through a leaflet inserted in local papers. Council officers will also be engaging specifically with Parish Councils and school-age children through presentations and workshops to gain their views and input.
- 7.2 In order to engage more younger people in the consultation exercise we will also be launching a Facebook page.

8.0 SUSTAINABILITY APPRAISAL & OTHER ASSESSMENTS

- 8.1 The Draft Sustainability Appraisal (SA) has now been received. It broadly concludes that in relation to climatic factors and flooding, transportation and air quality, social equality and community services, housing and local economy and employment topic areas, the Core Strategy policies will generally have a positive impact on the Borough. It also concludes that where varying cumulative impacts may occur as a result of the Core Strategy Policies on heritage, landscape, biodiversity and water and land resources, Policies CS16 and CS17 help to mitigate any negative impacts as they incorporate measures that will help to protect areas of environmental value. The Sustainability Appraisal has therefore raised no major issues which would undermine the deliverability or sustainability of the Core Strategy Preferred Options Document.
- 8.2 The draft SA has now been sent to Natural England and the Environment Agency and any comments they may have will be incorporated into the Core Strategy Preferred Options Document. Officers will be able to verbally update Members on progress with this.
- 8.3 Officers are also in receipt of the Habitat Regulations Assessment (HRA) which is currently being reviewed. In terms of the Health Impact Assessment (HIA) and Equality Impact Assessment (EqIA), both are currently being carried out by officers in partnership with the necessary stakeholders (in relation to the HIA) and will be completed ahead of the proposed consultation in May.
- 8.4 All the above documents will be made available for comment during the official consultation period. Draft versions of the Sustainability Appraisal, Habitats Regulation Assessment and Equality Impact Assessment will be made available as soon as possible through the following link on the Council’s intranet site <http://intranet/intranet/documents/miscellaneous.aspx>.

9.0 COMMENTS OF THE LDF CABINET WORKING GROUP

9.1 No specific comments on the document were agreed by the Cabinet Working Group. However, individual Members of the Group, did ask that consideration be given to the following:

- Incorporate within the document an explanation of what housing density assumptions have been used in calculating the area of land that will be required to meet the Borough's development targets;
- That a Core Strategy consultation event be held at Edge Hill University.

10.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

10.1 The sustainability implications of the options for strategic development are set out above, having been fully evaluated by Scott Wilson Ltd, the independent consultants preparing the Sustainability Appraisal (SA) for the Core Strategy. The full findings of the SA for the Core Strategy will be made available in a report alongside the main Core Strategy Preferred Options document.

10.2 Progressing the Core Strategy, as the key document within the Local Development Framework, will help progress the implementation of key aspects of the Sustainable Community Strategy.

11.0 FINANCIAL AND RESOURCE IMPLICATIONS

11.1 Budgetary provision has been made to allow for the Public Consultation on the Core Strategy Preferred Options. Budgetary provision has also been made to allow for any further evidence base work that may be required following the Public Consultation.

12.0 RISK ASSESSMENT

12.1 The Core Strategy will ultimately be subject to an Examination in Public where a Planning Inspector will ensure that all the correct procedures have been followed in preparing the document and will assess whether the document can be considered "sound" or not. Soundness is assessed in relation to whether the document is:

- justified by the available evidence;
- deliverable; and
- consistent with national planning policy.

12.2 A key part of the evidence base will also be the Sustainability Appraisal, and so the relative sustainability merits of each policy within the Preferred Options will be an important factor considered by the Planning Inspector. Therefore, it is important that these factors are taken into account when selecting Preferred Options for the Core Strategy and that the selection of Preferred Options is fully justified by evidence, otherwise the document could ultimately be found "unsound" by the Planning Inspector.

13.0 CONCLUSIONS

- 13.1 The Core Strategy Preferred Options paper has been prepared and Cabinet are being asked to allow the document to go out to public consultation for a six week period in May / June 2011.

Background Documents

The following documents are also available from the LDF Team Leader:

- Sustainability Appraisal of the Core Strategy Preferred Options (March 2011) prepared by URS / Scott Wilson
- A Habitat Regulations Assessment (HRA) Screening and Appropriate Assessment (AA) Report for the Core Strategy Preferred Options (March 2011) prepared by URS / Scott Wilson
- An Equalities Impact Assessment (EqIA) of the Core Strategy Preferred Options (March 2011)
- A Rural Proofing Assessment of the Core Strategy Preferred Options (March 2011)

A draft Infrastructure Delivery Plan (IDP) and Health Impact Assessment (HIA) will also accompany the Preferred Options paper but these documents are currently still being prepared.

Equality Impact Assessment

A statutory Equality Impact Assessment (EqIA) has been prepared for the Core Strategy Preferred Options document. The findings of this EqIA have been taken into account in the recommendations contained within this report.

Appendices

Appendix 1 – Draft Core Strategy Preferred Options Paper (February 2011)
(Circulated under a separate cover)