

CABINET
14 DECEMBER 2011

AGENDA ITEM 4(b)
Additional Information

Local Plan Regulation 25 Letter
Moving to a Local Plan for West Lancashire

Following Cabinet's decision on 15 November 2011 to approve the move to prepare a Local Plan for West Lancashire, the attached letter was sent out to key stakeholders to request their views on what the scope of the Local Plan document should be. This was done to fulfil a requirement of Regulation 25 of the Town and Country Planning (Local Development) (England) Regulations 2004.

The deadline for responses to this letter was 12 December 2011 to allow the comments made to be fed back to Cabinet to inform their decision on the Local Plan Preferred Options document. The following table provides a summary of each of the responses received to this letter and any officer comments / recommendations based on those responses, for consideration by Cabinet. If you would like the full text of any of the responses received, they are available upon request from Peter Richards (x 5046, peter.richards@westlancs.gov.uk).

Responses to the Local Plan Regulation 25 Letter

| Respondent | Respondent Comments – a summary | Officer Comments |
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| Network Rail | <p>The Local Plan should set a strategic context requiring developer contributions towards rail infrastructure whereby new development will create a significant change in the usage of a part of the transport network and thus generate requirement for new or improved infrastructure and/or station facilities. Specifically, we request that a Policy is included within the document which requires developers to fund any qualitative improvements required in relation to existing facilities and infrastructure as a direct result of increased patronage resulting from new development.</p> <p>Development proposals' affecting the safety of level crossings is an extremely important consideration for emerging planning policy to address. The impact from development can result in a significant increase in the vehicular and/or pedestrian traffic utilising a crossing which in turn impacts upon safety and service provision. In this regard, we would request that the potential impacts from development effecting Network Rail's level crossings is specifically addressed through planning policy.</p> | <p>As far as is appropriate for a Local Plan to do so, the policies in the draft Local Plan Preferred Options document enable measures to address the matters of concern expressed by Network Rail, be it requiring developer contributions for upgrading rail infrastructure where appropriate or ensure potential impacts of a development on level crossings are considered and mitigated for.</p> |
| Wildlife Trust | <p>Generic issues that the Local Plan should address:</p> <p>HABITATS: intertidal and inland wetland and particularly peatland; arable and pastoral farmland</p> <p>SPECIES: Pink-footed Goose; yellow-billed swans; Red Squirrel; Purple Ramping Fumitory; breeding farmland birds; Water Vole;</p> | <p>While the draft Local Plan Preferred Options document does not refer to all the habitats, species or policy documents that the Wildlife Trust list, the environmental policies are phrased such that all the issues raised are covered by policy.</p> |

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| | <p>DEVELOPMENT ISSUES: wind farm development; coastal development;</p> <p>DESIGNATIONS: Local Sites (Wildlife and Geological); SSSI (Biological and Geological); SPA; LNR; NNR</p> <p>STRATEGIC ISSUES: water and flood management; access to natural green-space; allotment provision; ecological frameworks; ecosystem services; green infrastructure; National Character Areas; (draft) National Planning Policy Framework; loss of PPS9 and RSS and its environmental policies; (draft) Natural Environment White Paper (including biodiversity offsetting, Nature Improvement Areas, Local Nature Partnership); forthcoming Water White Paper; Localism & Decentralisation Bill (including Neighbourhood Planning, CIL); cross-boundary issues with Chorley, Knowsley, South Ribble, Wigan.</p> | |
| Dalton Parish Council | <p>Dalton Parish Council seeks reassurance that there is nothing in the proposals as far as Dalton is concerned. Dalton residents want the identity of their village maintained and not merged with the New Town. The safeguarded land surrounding Dalton provides protection to that identity and so the Parish Council trusts that this land will remain safeguarded.</p> | <p>The draft Local Plan Preferred Options document does not propose any development that would merge the village of Dalton with Skelmersdale.</p> |
| Shevington Parish Council | <p>The proposals have been noted and the Parish Council look forward to commenting on the Preferred Options early in the New Year.</p> | <p>None.</p> |
| The Coal Authority | <p>We have no additional comments to make specifically. We have previously highlighted the issues of interest to the Coal Authority in the responses we made to the Core</p> | <p>Previous comments received have been addressed within the draft Local Plan Preferred Options document.</p> |

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| | Strategy Preferred Options in June 2011 and the Development Management Policies DPD in September 2011. | |
| English Heritage | Refers to requirements of PPS5 and the draft NPPF and any potential loss of detailed policy as a result of the NPPF. Also refers to earlier comments made to the Core Strategy Preferred Options in June 2011 and the Development Management Policies DPD in September 2011. | The draft Local Plan Preferred Options document addresses previous comments received and provides suitable detailed policy in light of any loss of national policy on heritage conservation. |
| United Utilities PLC | <p>Highlights need to consider water and waste water infrastructure capacity in identifying appropriate locations for new development, the importance of managing flood risk and the need to protect / secure land for infrastructure use to enable additional capacity. The Council should also include policies to address the impact of reclaiming land in the Northern Parishes, the impact of changing demographics, the impact of any industrial growth, the cumulative impact of, and potential efficiencies with, neighbouring authorities' development proposals.</p> <p>One specific comment related to requiring a reduction in surface water run-off in developments on previously developed land. A reduction of at least 30% is suggested, rising to a minimum of 50% in critical drainage areas.</p> | <p>The draft Local Plan Preferred Options document provides infrastructure policies that ensure development should be located where there is sufficient existing infrastructure and, if there is insufficient infrastructure, development should not be permitted until the capacity is improved, possibly involving developer contributions towards these improvements. Policies also ensure that development should not impact negatively on the other issues raised.</p> <p><u>Recommendation:</u> add the following wording within part 4 of Policy GN3.</p> <p><i>“On previously developed land, a reduction in surface water run-off of at least 30% will be sought, rising to a minimum of 50% in critical drainage areas.”</i></p> |
| The National Trust | In the main the Trust considers that the issues of concern to it have been identified in its previous consultation responses, in particular in its responses dated 12th October 2009 to the Core Strategy Options and of 23rd June 2011 to the Core Strategy Preferred Options. | <p>Previous comments received have been addressed within the draft Local Plan Preferred Options document.</p> <p>The Local Plan should be read as a single whole, and so the concern about “silos” is addressed.</p> <p>Matters listed are addressed in draft Local Plan Preferred</p> |

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| | <p>However, it is noted that the current list of Possible Policy Areas and their scope largely appears to take a 'silo' approach to different considerations as opposed to considering the relationships, inter-dependencies and opportunities around them.</p> <p>It is presumed that the policy development will include matters such as the sequential approach to development, the stance on development within the Green Belt, and the role of character assessments, including maintaining and reinforcing the distinctiveness of West Lancashire's settlements and landscapes.</p> | Options document. |
| Natural England | <p>Previously commented extensively on the Core Strategy Preferred Options Paper (June 2011) and, more recently, the proposed issues to be covered in the Development Management Policies (September 2011). In relation to the issues to be covered in the proposed Local Plan, we welcome that there will be core environmental policies augmented by more detailed policy on the natural environment for development management. We recommend that our recent comments on the Core Strategy Preferred Options and on the issues to be covered in Development Management Policies are strongly reflected in the proposed Local Plan, and would be pleased to deal with any questions on these.</p> | Previous comments received have been addressed within the draft Local Plan Preferred Options document. |
| David Wilson Homes | <p>Raise concerns regarding the procedural process involved with the move to a Local Plan.</p> <p>Concerned that the Local Plan should provide adequate policy guidance on the following, but maintain a flexible approach to policy, as purported within the LDF system:</p> | In response to DWH's procedural concerns, by issuing the Regulation 25 letter, the Council is only seeking comments on the scope of the Local Plan as one <u>part</u> of its obligation to fulfil Regulation 25 of the Town and Country Planning (Local Development) (England) Regulations 2004. As such, this initial scoping consultation with key stakeholders |

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| | <ul style="list-style-type: none"> ○ Design principles in development ○ Historic environment ○ Provision of open space, sport and recreation facilities in the Borough ○ Transport/highway policy | <p>is not required to be for the statutory six-week period.</p> <p>All comments received in relation to this letter are being submitted to Cabinet to consider alongside a draft Local Plan Preferred Options document, allowing any relevant changes to the document to be made prior to a consultation on this document.</p> <p>The forthcoming consultation will be on a Preferred Options version of the Local Plan, and so forms the required six-week statutory consultation on the Local Plan as part of the Regulation 25 stage of preparation.</p> <p>In drawing together the Core Strategy, DM Policies DPD and Site Allocations DPD into a single Local Plan DPD, the Local Plan is not addressing new issues that have not been raised in previous consultations, but is merely adding new detailed draft DM policy and proposed site allocations to that previously consulted upon. Alternatives to these have been considered and will also be documented in the Local Plan Preferred Options document. This enables the public to respond and comment on the detailed draft DM policies, proposed site allocations and the alternatives to these or to even propose new alternatives.</p> <p>The draft Local Plan Preferred Options document incorporates the right level of detail on the areas raised by DWH and will be supported by supplementary planning documents where appropriate to give extra detail. The policies have been written in such a way to ensure the appropriate level of flexibility that officers understand is required in a Development Plan Document of this nature.</p> |
| The Theatres Trust | We would like to encourage the furtherance of Core | Policy IF3 of the draft Local Plan Preferred Options |

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| | <p>Strategy Policy CS13 regarding the provision of infrastructure. A suitable policy should also state that any losses of existing infrastructure will be resisted unless the service can be provided in a new development elsewhere or is now surplus to requirements.</p> <p>With regard to theatres in general, the economics of theatres are reliant on audiences being able to get to the venue by public transport and especially by car, therefore parking is a key issue for theatres.</p> <p>As CIL will eventually replace S106 agreements as the main tool for securing contributions for infrastructure, we hope the maintenance of existing infrastructure will be able to be included.</p> | <p>document resists the loss of existing infrastructure.</p> <p>Policy IF2 and Appendix F also proposes car parking standards for theatres.</p> <p>Policy IF4 addresses CIL and S106 agreements.</p> |
| McCarthy & Stone Retirement Lifestyles Ltd | <p>The ageing population is an issue and is an omission from the scope of the Local Plan and there should be a policy to address the provision of specialist housing for the elderly that acknowledges the role of specialised owner-occupied housing for the elderly.</p> | <p>Policy RS2 of the draft Local Plan Preferred Options document promotes the provision of specialist housing for the elderly and even requires that 20% of all new housing on schemes of 15 dwellings or more should be designed especially for elderly accommodation.</p> |
| North Meols Parish Council | <p>The Parish Council firmly agrees that this is an ideal opportunity to create a policy moving forwards for the next 15 years that sharply steers developers away from flood risk areas.</p> | <p>None</p> |
| Sport England | <p>Previously commented on Core Strategy Issues and the draft SHLAA in 2009.</p> <p>We strongly urge the Council to ensure there is an up to date Playing Pitch Strategy in place to provide a robust evidence base to support emerging planning policy and to</p> | <p>Previous comments addressed through the draft Local Plan Preferred Options document.</p> <p>The Council has an up to date Playing Pitch Strategy, which has informed the preparation of the Local Plan.</p> <p>Policy EN3 addresses the provision of sport and recreation</p> |

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| | <p>help determine planning applications.</p> <p>It is also important to understand the impact of allocating housing sites and the determination of planning applications for housing on the demand and supply of sport and recreation across the local authority. Existing facilities may not be able to cope with additional demand and improvements to existing or new facilities may be needed.</p> | <p>facilities.</p> |
| <p>Burscough Parish Council</p> | <p>The justification for additional housing in West Lancs on the scale previously proposed needs to be clearly set, or the entire Plan lacks a substantive base.</p> <p>In calculating numbers of new homes required, clear consideration needs to be given to the number of existing properties that are currently empty, and to the number of planned house for which planning permission has been granted but which have yet to be built. And, as in Skelmersdale, areas that have already been scheduled for housing development, whether or not planning permission has yet been applied for or granted.</p> <p>Clear plans for the development of affordable housing, especially in the rural areas, need to be included.</p> <p>The development of additional houses demands simultaneous consideration of the impact on the environment and of the capability of the existing infrastructure (roads, sewers, social facilities etc.)</p> <p>Impact of Environment Agency plans for Lower Alt with Crossens catchment</p> | <p>The draft Local Plan Preferred Options document sets out the justification for the housing targets for the Borough and is supported by the full range of evidence base documents identifying the need for new housing.</p> <p>Vacant homes cannot be considered in calculating the need for new homes, but all existing, undeveloped planning permissions and allocations for housing developments have been taken into account in considering how the housing target will be delivered.</p> <p>Affordable housing is addressed in Policy RS2.</p> <p>Consideration of the impact of new housing development on the environment and infrastructure has been a key consideration in arriving at the proposals in the draft Local Plan Preferred Options document.</p> <p>EA plans for the Lower Alt with Crossens catchment is still at an early stage and, from the advice given by EA, is not expected to affect any of the areas where development is proposed. The Council will continue to liaise with EA on the proposals and any impacts they may have on the Local Plan.</p> |

