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Thursday, 18 May 2023

CORPORATE AND ENVIRONMENTAL OVERVIEW & SCRUTINY MEMBERS UPDATE

MUNICIPAL YEAR 2023/24

MAY 2023 - ISSUE NUMBER 1

The content of this **CORPORATE AND ENVIRONMENTAL OVERVIEW & SCRUTINY MEMBERS UPDATE** covers all the services.

If a Member wishes to receive further information on anything in the Update, please contact the officer named at the beginning of the article.

Articles:

If a Member wants to place an item on the Committee agenda in connection with any article in the Update, please provide it to member.services@westlancs.gov.uk or telephone 01695 5833127 by **12 NOON FRIDAY, 26 MAY 2023**.

Members Item/Councillor Call for Action:

If a Member wants to place an item on the Corporate and Environmental O&S Committee Agenda, please complete the attached Member Item/Councillor Call for Action Proforma (Appendix B) and return it to member.services@westlancs.gov.uk by **12 NOON FRIDAY, 26 MAY 2023**.

The Press are asked to contact the Digital Communications Manager for further information on this Update.



APPENDIX A

MEMBER UPDATE REQUEST
CORPORATE AND ENVIRONMENTAL OVERVIEW
SCRUTINY COMMITTEE
MEETING: 8 June 2023

This form must be received by Member Services, 52 Derby Street, Ormskirk before 12 noon on Friday 26 May 2023.

Member Update Issue: 1

Councillor:	
Article No:	
Subject:	

If more information is required in relation to this item, please contact the officer indicated on the first page of the related report.

Please advise Member Services on 01695 583312 if at any time you wish to withdraw this item following receipt of further information or e-mail member-services@westlancs.gov.uk

1. What are your reasons for requesting the item?
2. What outcome would you wish to see following discussion of the item?

FOR MEMBER SERVICES USE ONLY

Received by:	Date of Committee:
Date: Time:	Chief Officer informed:
Head of Service informed:	Chairman informed:
Contact Officer informed:	Portfolio Holder informed:



APPENDIX B

MEMBER ITEM / COUNCILLOR CALL FOR ACTION

CORPORATE AND ENVIRONMENTAL OVERVIEW

SCRUTINY COMMITTEE

MEETING: 8 June 2023

This form must be received by Member Services, 52 Derby Street, Ormskirk before 12 noon on Friday 26 May 2023.

If more information is required in relation to this item, please contact the officer indicated on the first page of the related report.

Please advise Member Services on 01695 583312 if at any time you wish to withdraw this item following receipt of further information or e-mail member-services@westlancs.gov.uk

Member Update Issue: 1

Councillor: (Name of Member requesting the item)	
Subject:	
1. What are your reasons for requesting the item:	
2. What outcome would you wish to see following discussion of the item?	

<p>3. What have you already done to resolve this issue?</p>

Potential means of pursuing an issue before resorting to a Member Item/CCfA:

- Raise Ward Issue as a 'Patch Problem'
- Discuss issue with an appropriate officer from the Council Service or Agency
- Discuss issue with an appropriate Cabinet member
- Raise the issue with partner agency, eg. Police, PCT, etc.
- Write formal letters on behalf of constituents
- Use official complaints procedure or other official route
- Put forward the issue as a topic for inclusion on an O&S work programme

The following are potential reasons why your Member Item/CCfA may not be considered further:

- The issue is an individual case
- You have not explored the issue fully and exhausted all avenues above
- A review into the general issue is included in an O&S work programme
- A petition is being submitted to the Council
- A complaint is being or has been submitted and the outcome is awaited
- A FOI request is being or has been made and the outcome is awaited
- Scrutiny of the issue is unlikely to result in improvements for local people
- The issue has been the subject of Executive Call In
- The issue has been the subject of a Council Motion / Question
- The issue is urgent and could be more speedily resolved by other means
- The issue is an 'excluded matter' (Constitution 18.3)

FOR MEMBER SERVICES USE ONLY

Received by:		Date of Committee:	
Date:	Time:	Chief Officer informed	<input type="checkbox"/>
Head of Service informed	<input type="checkbox"/>	Chairman informed	<input type="checkbox"/>
Contact Officer informed	<input type="checkbox"/>	Portfolio Holder informed	<input type="checkbox"/>

CONTENTS

1. GENERAL

- | | | |
|-----|---|-------|
| 1a. | MINUTES OF LANCASHIRE COUNTY COUNCILS HEALTH AND ADULT SERVICES | 1 - 2 |
| 1b. | MINUTES OF THE LANCASHIRE POLICE AND CRIME PANEL | 3 - 4 |

2. ACTIONS UNDER DELEGATED AUTHORITY

- | | | |
|-----|---|---------|
| 2a. | COMMUNITY CHEST GRANTS
To consider the report of the Corporate Director of Transformation, Housing and Resources. | 5 - 10 |
| 2b. | COMMUNITY INFRASTRUCTURE LEVY ENFORCEMENT UPDATE
To consider the report of the Head of Planning and Regulatory Services. | 11 - 14 |
| 2c. | GOVERNMENT CONSULTATION ON LEVELLING-UP AND REGENERATION BILL: REFORMS TO NATIONAL PLANNING POLICY / CHANGES TO NATIONAL PLANNING POLICY FRAMEWORK
To consider the report of the Head of Planning and Regulatory Services. | 15 - 32 |

3. PERFORMANCE MONITORING

No items under this heading.

We can provide this document, upon request, on audiotape, in large print, in Braille and in other languages.

For further information, please contact:
Kirsty Breakell on 01695 583312
Or email Kirsty.Breakell@westlancs.gov.uk



CORPORATE & ENVIRONMENTAL OVERVIEW & SCRUTINY COMMITTEE:

**MEMBERS UPDATE 2023/24
ISSUE: 1**

Article of: Corporate Director of Transformation & Resources

Contact for further information: Miss K Breakell (Extn 3022)
(E-mail: Kirsty.Breakell@westlancs.gov.uk)

**SUBJECT: MINUTES OF LANCASHIRE COUNTY COUNCILS HEALTH AND ADULT
SERVICES SCRUTINY COMMITTEE**

Wards affected: Borough wide

1.0 PURPOSE OF ARTICLE

- 1.1 To keep Members apprised of developments in relation to Health and Adult Services Scrutiny Committee in Lancashire.

2.0 BACKGROUND AND CURRENT POSITION

- 2.1 The Health and Social Care Act (2001), subsequently superseded by the National Health Service Act 2006 and the Health and Social Care Act 2012, extended the powers of Overview and Scrutiny Committees of local authorities responsible for social services functions to include the power to review and scrutinise matters relating to the health service in their areas.
- 2.2 The Health and Adult Services Scrutiny Committee at Lancashire County Council exercises the statutory functions of a health overview and scrutiny committee. The Membership of the Committee includes twelve non-voting Co-opted District Council Members.
- 2.3 To ensure that Members receive regular updates on the work being undertaken by the Service and to provide an opportunity to feed back any comments via the Council's representative, a copy of the County Council's Health and Adult Services Scrutiny Committee minutes are attached.

3.0 SUSTAINABILITY IMPLICATIONS

- 3.1 There are no significant sustainability impacts associated with this Article and in particular, no significant impact on crime and disorder.

4.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 4.1 There are no significant financial or resource implications associated with this item, except the Officer time in compiling this Article.

5.0 RISK ASSESSMENT

- 5.1 This Article is for information only and makes no recommendations. It therefore does not require a formal risk assessment and no changes have been made to the risk registers as a result of this article.

Background Documents

There are no background documents (as defined in Section 100D (5) of the Local Government Act 1972) to this report.

Equality Impact Assessment

The article does not have any direct impact on members of the public, employees, elected members and/or stakeholders. Therefore no Equality Impact Assessment is required.

Appendices

Minutes of the Health and Adult Services Scrutiny Committee can be accessed via the link below:-

[Health and Adult Services Scrutiny Committee \(lancashire.gov.uk\)](https://lancashire.gov.uk/health-and-adult-services-scrutiny-committee/)

22 March 2023
11 May 2023



CORPORATE & ENVIRONMENTAL OVERVIEW & SCRUTINY COMMITTEE:

**MEMBERS UPDATE 2023/2024
ISSUE: 1**

Article of: Corporate Director of Transformation and Resources

Relevant Portfolio Holder: Councillor G Dowling (Portfolio Holder for Communities & Community Safety/Deputy Leader)

**Contact for further information: Miss Kirsty Breakell (Extn 3312)
(E-mail: Kirsty.Breakell@westlancs.gov.uk)**

SUBJECT: MINUTES OF THE LANCASHIRE POLICE AND CRIME PANEL

Wards affected: Borough wide

1.0 PURPOSE OF ARTICLE

- 1.1** To keep Members apprised of developments in relation to the Lancashire Police and Crime Panel.

2.0 BACKGROUND AND CURRENT POSITION

- 2.1** The Police and Crime Panel (PCP) can exercise specific powers under the [Police Reform and Social Responsibility Act 2011](#), and all other enabling powers, discharging its functions in accordance with the Policing Order 2011. The Panel has the power to scrutinise Police and Crime Commissioner (PCC) activities, including the ability to review the Police and Crime Plan and annual report, request PCC papers and call PCCs and Chief Constable to public hearings. The PCP can also veto decisions on the local precept and the appointment of a new Chief Constable.
- 2.2** The panel is a Joint Committee made up of representatives from the 15 local authorities in the Lancashire Police Force area, together with two independent co-opted members.
- 2.3** To ensure that Members receive regular updates on the work being undertaken by the Panel and to provide an opportunity to feed back any comments via the Council's representative, a copy of the PCP's minutes are attached.

3.0 SUSTAINABILITY IMPLICATIONS

- 3.1 There are no significant sustainability impacts associated with this Article and in particular, no significant impact on crime and disorder.

4.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 4.1 There are no significant financial or resource implications associated with this item, except the Officer time in compiling this Article.

5.0 RISK ASSESSMENT

- 5.1 This Article is for information only and makes no recommendations. It therefore does not require a formal risk assessment and no changes have been made to the risk register as a result of this article.

Background Documents

There are no background documents (as defined in Section 100D (5) of the Local Government Act 1972) to this report.

Equality Impact Assessment

The decision does not have any direct impact on members of the public, employees, elected members and/or stakeholders. Therefore no Equality Impact Assessment is required.

Appendices

Minutes of the Lancashire Police and Crime Panel can be accessed via the link below:

[Minutes of the Lancashire Police and Crime Panel](#)

15 February 2023
16 March 2023



CORPORATE AND ENVIRONMENTAL OVERVIEW & SCRUTINY COMMITTEE

**MEMBERS UPDATE 2023/24
ISSUE: 1**

Article of: Corporate Director of Transformation, Housing and Resources.

Relevant Portfolio Holder: Councillor Dowling

Contact for further information: Miss K Breakell (Extn. 3312)
(E-mail: Kirsty.Breakell@westlancs.gov.uk)

SUBJECT: COMMUNITY CHEST GRANTS

Wards affected: Borough wide

1.0 PURPOSE OF ARTICLE

- 1.1 To inform Members of the mechanism for dealing with grant applications from the Community Chest and advise of the grants awarded in the first tranche of bids for the financial year 2023/24.
-

2.0 BACKGROUND

- 2.1 Applications for grants from the Community Chest are dealt with through the delegation procedures (see Constitution 4.3). The delegation in 2023/24 is to the Portfolio Holder for Communities and Community Safety and the Older Peoples Champion.
- 2.2 In reaching the decisions on Community Chest Applications the Portfolio Holder, in consultation with Councillors, the Chief Operating Officer and Corporate Directors, have considered the criteria set out on the application form to ensure the appropriate use of funding.

3.0 CURRENT POSITION

- 3.1 Applications were considered under delegated authority by the Portfolio Holder for Communities and Community Safety, Councillor Gareth Dowling.
- 3.2 The following grants were awarded from the General Fund.

3.3

Crawford Village Scout Group	£500
Greenhill Community Club	£500
West Lancs Cricket Development Group	£500
Skelmersdale Veteran's Association	£500
Social Wellbeing CIC	£500
Amelia Upjohn	£250
Ben Whitehead	£250
Ciara Patton	£250
Elizabeth Lowrey-Owen	£500
Eva Styles	£250
Grace Rowles	£250
Hollie Goldson	£250
Isla Sharrock	£250
Joseph Whitehead	£250
Kirsty Fairhurst	£500
Maggie Taylor-Woods	£250
Obi Birkett	£250

4.0 SUSTAINABILITY IMPLICATIONS

- 4.1 There are no significant sustainability implications associated with this update and in particular, no significant impact on crime and disorder. Applications received are from individuals and groups and the allocation of funding provide opportunities for culture, leisure and sport, including opportunities for education, training and life-long learning.

5.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 5.1 The total remaining balance in the financial year 2023/24 is £18,990.00
- 5.2 The total spent in 2023/24 so far is £5,500

6.0 RISK ASSESSMENT

- 6.1 The actions referred to in this Article are covered by the Scheme of Delegation to Cabinet and Portfolio Holders and any necessary changes have been made in the relevant risk registers.

Background Documents

The following background documents (as defined in Section 100D (5) of the Local Government Act 1972) have been relied on to a material extent in preparing this Report.

Application forms from:


Crawford Village Scout Group
Greenhill Community Club
West Lancs Cricket Development Group
Skelmersdale Veteran's Association
Social Wellbeing CIC
Amelia Upjohn
Ben Whitehead
Ciara Patton
Elizabeth Lowrey-Owen
Eva Styles
Grace Rowles
Hollie Goldson
Isla Sharrock
Joseph Whitehead
Kirsty Fairhurst
Maggie Taylor-Woods
Obi Birkett

Equality Impact Assessment

There is a direct impact on members of the public, and stakeholders, therefore an Equality Impact Assessment is required. A formal Equality Impact Assessment is attached as an Appendix to this report, the results of which have been taken into account when undertaking the actions detailed within this Article.

Appendices

1. Equality Impact Assessment.

<h1 style="color: red;">Equality Impact Assessment Form</h1> 	
Directorate: Legal and Democratic Services	Service: Member Services
Completed by: Kirsty Breakell	Date: May 2023
Subject Title: Community Chest grants	
1. DESCRIPTION	
Is a policy or strategy being produced or revised:	No
Is a service being designed, redesigned or cutback:	No
Is a commissioning plan or contract specification being developed:	No
Is a budget being set or funding allocated:	Yes
Is a programme or project being planned:	No
Are recommendations being presented to senior managers and/or Councillors:	No
Does the activity contribute to meeting our duties under the Equality Act 2010 and Public Sector Equality Duty (Eliminating unlawful discrimination/harassment, advancing equality of opportunity, fostering good relations):	Yes
Details of the matter under consideration:	Outcome of Community Chest Grant Applications
<i>If you answered Yes to any of the above go straight to Section 3</i> <i>If you answered No to all the above please complete Section 2</i>	
2. RELEVANCE	
Does the work being carried out impact on service users, staff or Councillors (stakeholders):	No
If Yes , provide details of how this impacts on service users, staff or Councillors (stakeholders): <i>If you answered Yes go to Section 3</i>	
If you answered No to both Sections 1 and 2 provide details of why there is no impact on these three groups: <i>You do not need to complete the rest of this form.</i>	
3. EVIDENCE COLLECTION	
Who does the work being carried out impact on, i.e. who is/are the stakeholder(s)?	Voluntary Organisations and Individuals under the age of 18.

If the work being carried out relates to a universal service, who needs or uses it most? (Is there any particular group affected more than others)?	Voluntary Organisations and Individuals under the age of 18.
Which of the protected characteristics are most relevant to the work being carried out?	
Age	Yes
Gender	Yes
Disability	Yes
Race and Culture	Yes
Sexual Orientation	Yes
Religion or Belief	Yes
Gender Reassignment	Yes
Marriage and Civil Partnership	Yes
Pregnancy and Maternity	Yes
4. DATA ANALYSIS	
In relation to the work being carried out, and the service/function in question, who is actually or currently using the service and why?	Residents who are recipients of a service provided by a voluntary/community organisation
What will the impact of the work being carried out be on usage/the stakeholders?	A grant will assist the voluntary/community organisation in its activities
What are people's views about the services? Are some customers more satisfied than others, and if so what are the reasons? Can these be affected by the proposals?	Not known
What sources of data including consultation results have you used to analyse the impact of the work being carried out on users/stakeholders with protected characteristics?	Sought data on the application forms submitted by the voluntary/community organisations
If any further data/consultation is needed and is to be gathered, please specify:	None
5. IMPACT OF DECISIONS	
In what way will the changes impact on people with particular protected characteristics (either positively or negatively or in terms of disproportionate impact)?	A grant to a voluntary/community group will assist it in undertaking its activities within the Borough
6. CONSIDERING THE IMPACT	
If there is a negative impact what action can be taken to mitigate it? (If it is not possible or	No

desirable to take actions to reduce the impact, explain why this is the case (e.g. legislative or financial drivers etc.).	
What actions do you plan to take to address any other issues above?	No actions
7. MONITORING AND REVIEWING	
When will this assessment be reviewed and who will review it?	



CORPORATE & ENVIRONMENTAL OVERVIEW & SCRUTINY

MEMBERS UPDATE 2023/24

Issue: 1

Article of: Head of Planning and Regulatory Services

Relevant Portfolio Holder: Councillor Anne Fennell

Contact for further information: Tom McGowan – Principal Planning and Implementation Officer

(E-mail: Tom.McGowan@westlancs.gov.uk)

SUBJECT: COMMUNITY INFRASTRUCTURE LEVY ENFORCEMENT UPDATE

Wards affected: Borough-wide

1.0 PURPOSE OF ARTICLE

- 1.1 To inform Members of the Community Infrastructure Levy enforcement work undertaken during the 2022 – 2023 financial year.

2.0 BACKGROUND

- 2.1 The Council manages two types of planning developer contributions – the Community Infrastructure Levy and planning obligations (usually Section 106 agreements). The Community Infrastructure Levy (CIL) allows local authorities to raise funds from new developments in their area. The charge liable to each development is dependent on the use, size and location of the proposal and the imposition of a CIL charge is non-negotiable. CIL revenue can then be used to pay for a wide range of infrastructure that is needed to support new development, for example, the provision of new parks and play areas, improved foot- and cycle-paths and extensions to community buildings.
- 2.2 The Council has a process in place to allocate CIL funding to projects that takes 12 months from start to end and follows a linear process involving two rounds of public consultation, shortlisting of schemes, and two rounds of Member approval via Cabinet. Due to the reasons set out in the September 2022 Cabinet report a decision was made by Members to temporarily suspend part of the process by which the Council allocates CIL funding until Spring 2023 when the process

would re-start to cover two years' worth of projects. This has re-started with the invitation of bids from service providers to access CIL funding.

- 2.3 One of the stated benefits of the temporary suspension was to allow Officers to tackle the backlog of potential CIL enforcement cases and this article is being issued as a Members Update to report on the successful work that has been undertaken to-date.

3.0 CURRENT POSITION

- 3.1 CIL is a land charge and the responsibility to pay the levy rests with the owner of the land on which the development is located. The requirement to pay CIL to the Council becomes due from the date on which the development commences, and Council Officers notify developers that they are required to pay the Council and when to make payment.
- 3.2 The vast majority of people who are required to pay CIL to the Council do so on time however there are some instances whereby developers fail to pay the Council the CIL money that they owe. This can be for a variety of reasons that are out of the Council's control. However, the money remains to be owed to the Council and stays as a land charge until the payment is made. This can disrupt property sales and cause unnecessary concern for new owners of properties if they find that they have purchased a property with a financial land charge on their property. It also results in a lack of income for the Council that can be allocated to infrastructure improvements that are required to support the growth of the Borough.
- 3.3 Over the last 9 months, Council Officers have put significant resource into reviewing and pursuing enforcement cases that involve: unpaid CIL monies, disputed CIL charges, or where additional paperwork is required from the landowner to resolve a case.
- 3.4 During the 2022 – 2023 financial year, the Council:
- Collected £451,171 in CIL revenue from enforcement cases.
 - This represented approximately 23% of the total CIL revenue received during the 2022 – 2023 financial year.
 - Investigated 67 cases, of which 27 are resolved in full and the remaining 40 cases are progressed to a stage of resolution. This includes liaising with developers to arrange the submission of paperwork to satisfy legal requirements and resolve cases in full.
- 3.5 Officers have delivered training to colleagues across the Council and will be working with developers, agents, and the public to improve their awareness of CIL to help prevent enforcement situations arising in the future. Enforcement work will be regularly reviewed and actioned, as required, as part of the day-to-day operations of the CIL function to ensure that cases are pursued and resolved in a timely manner.

4.0 SUSTAINABILITY IMPLICATIONS

- 4.1 There are no significant sustainability impacts associated with this article and in particular no significant impact on crime and disorder.

5.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 5.1 There are no significant financial or resource implications arising from this article.

6.0 RISK ASSESSMENT

- 6.1 This article is for information only and makes no recommendations. It therefore does not require a formal risk assessment and no changes have been made to risk registers.

7.0 HEALTH AND WELLBEING IMPLICATIONS

- 7.1 There are no health and wellbeing implications arising from this update.
-

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Article.

Equality Impact Assessment

This article is for information only and does not have any direct impact on members of the public, employees, elected members and / or stakeholders. Therefore, no Equality Impact Assessment is required.

Appendices

None



CORPORATE & ENVIRONMENTAL OVERVIEW & SCRUTINY MEMBERS UPDATE 2023/24

ISSUE: 1

Article of: Head of Planning and Regulatory Services

Relevant Portfolio Holder: Councillor Anne Fennell

Contact for further information: Christine Whittle – Strategic Planning Manager
(E-mail: Christine.whittle@westlancs.gov.uk)

**SUBJECT: GOVERNMENT CONSULTATION ON LEVELLING-UP AND
REGENERATION BILL: REFORMS TO NATIONAL PLANNING POLICY / CHANGES
TO NATIONAL PLANNING POLICY FRAMEWORK**

Wards affected: Borough wide

1.0 PURPOSE OF ARTICLE

- 1.1 To inform Members that Officers of the Council have responded to the Government consultation on proposed planning reforms and the proposed update to the National Planning Policy Framework, which ended on March 2nd 2023. The response is attached as Appendix 1.

2.0 BACKGROUND

- 2.1 Between December 22nd 2022 and March 2nd 2023, the Department for Levelling Up, Housing and Communities (DLUHC) sought views on how they might develop new national planning policy to support their wider objectives. The consultation is now closed but the documents which were consulted on are still available here: <https://www.gov.uk/government/consultations/levelling-up-and-regeneration-bill-reforms-to-national-planning-policy>
- 2.2 The consultation sought view on the proposed approach to updating the National Planning Policy Framework (NPPF), the proposals to prepare National Development Management Policies, ways in which the Government might develop policy to support levelling up, and how national planning policy is currently accessed by users.

- 2.3 The introduction to the consultation stated that "the Government is committed to levelling up across the country, building more homes to increase home ownership, empowering communities to make better places, restoring local pride and regenerating towns and cities". This comes on the back of the February 2022 Levelling Up White Paper which emphasised the Government's commitment to making improvements to the planning system to achieve this, by giving communities a stronger say over where homes are built and what they look like. The Levelling-up and Regeneration Bill which is currently before Parliament is seen as the means to put the foundations in place for delivering this by creating a plan-led system with a stronger voice for communities. The Government believe that if they are to remake the planning system, changes are needed to national policy and guidance, regulations and wider support for local authorities, communities and applicants.
- 2.4 The NPPF was introduced in 2012 to consolidate the Government's planning policies for England. It sets out national policy objectives, providing a framework within which Local Plans are produced, and clear national policies to be taken into account when determining planning applications and other planning decisions. The Council have a statutory duty to have regard to these national policies, and the Framework is drafted with the expectation that plans will be consistent with the policies contained within it. It is also a 'material consideration in decision-taking. The consultation sets out specific changes that the Government propose to immediately make to the Framework (subject to and following the consultation). Specifically, this includes changes to:
- make clear how housing figures should be derived and applied so that communities can respond to local circumstances;
 - address issues in the operation of the housing delivery and land supply tests;
 - tackle problems of slow build out;
 - encourage local planning authorities to support the role of community-led groups in delivering affordable housing on exception sites;
 - set clearer expectations around planning for older peoples' housing;
 - promote more beautiful homes, including through gentle density;
 - make sure that food security considerations are factored into planning decisions that affect farm land;
 - and enable new methods for demonstrating local support for onshore wind development.

3.0 ACTION TO BE NOTED

- 3.1 As the consultation proposed relatively significant changes to the current planning system which will have implications for how planning applications will be determined and the approach to local plan-making, it was important that the Council responded, particularly in their capacity as the local planning authority. However, the short timescale for a response, the sheer length of the documents and number of issues raised did not allow time for consideration by Cabinet. Instead, a response was prepared by Officers for the consideration and agreement of the Portfolio Holder for Planning, under delegated powers which can be used in this circumstance.

- 3.2 When submitting comments, it was made clear that it was an Officer response and was not intended to represent the views of the Council as a whole. Members were sent an email on 7th February 2023 to make them aware of the consultation and the proposed approach and which invited them to submit comments directly in their own capacity if they so wished.

4.0 SUSTAINABILITY IMPLICATIONS

- 4.1 There are no significant sustainability impacts associated with this article and, in particular, no significant impact on crime and disorder.

5.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 5.1 There are no significant financial or resource implications arising from this article.

6.0 RISK ASSESSMENT

- 6.1 This Article is for information only and makes no recommendations. It therefore does not require a formal risk assessment and no changes have been made to risk registers.

7.0 HEALTH AND WELLBEING IMPLICATIONS

- 7.1 There are no direct implications for health and wellbeing arising from this article.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Article.

Equality Impact Assessment

This report does not have any direct impact on members of the public, employees, elected members and / or stakeholders. Therefore, no Equality Impact Assessment is required.

Appendices

Appendix 1: Response to DLUHC from Officers of West Lancashire Borough Council on the Levelling Up and Regeneration Bill: reforms to national planning policy and National Planning Policy Framework change

Department for Levelling Up, Housing and Communities consultation on: Levelling Up and Regeneration Bill: reforms to national planning policy and National Planning Policy Framework changes

Response from Officers of West Lancashire Borough Council 01/03/23

	Question	WLBC Response
1	Do you agree that local planning authorities should not have to continually demonstrate a deliverable 5-year housing land supply (5YHLS) as long as the housing requirement set out in its strategic policies is less than 5 years old?	Agree this is a sensible measure. Ensuring that effort is made to ensure a health supply of housing is important and there should be tests of housing delivery. However, the adoption of a Plan is a difficult and lengthy process and the possibility of newly-adopted policies being deemed out of date through virtue of not being able to demonstrate a 5YHLS is unfair and does not incentivise local authorities to keep plans up to date. Particularly when there are many factors at play in relation to granting and delivering housing sites, many of which are outside the local authority's control.
2	Do you agree that buffers should not be required as part of 5YHLS calculations (this includes the 20% buffer as applied by the Housing Delivery Test)?	Agree - the need to identify an additional buffer of land creates an unreasonably high bar and makes it even more difficult to demonstrate a reasonable housing land supply. There is logic in identifying a buffer to take account of slippage in delivery or the non-implementation of some sites but this should already be taken into account when assessing deliverability and the choice of sites to include in the 5YHLS. Therefore an additional buffer should not be applied to take account of under-delivery (which is not wholly within the control of the local authority).
3	Should an oversupply of homes early in a plan period be taken into consideration when calculating a 5YHLS later on or is there an alternative approach that is preferable?	Agree that oversupply in an earlier period should be taken into consideration when calculating 5YHLS. Some consideration may need to be given to the spatial distribution of delivery i.e. if there is a disproportionate amount of delivery in one area and very little in others; an averaging out of delivery over a longer period than that used in the Housing Delivery Test could be an option
4	What should any planning guidance dealing with oversupply and undersupply say?	Should take account of spatial distribution of delivery, wider economic and other factors that are outside the local authority's control
5	Do you have any views about the potential changes to paragraph 14 of the existing Framework and increasing the protection given to neighbourhood plans?	No comment
6	Do you agree that the opening chapters of the Framework should be revised to be clearer about the importance of planning for the	No comment

	Question	WLBC Response
	homes and other development our communities need?	
7	What are your views on the implications these changes may have on plan-making and housing supply?	The proposed changes are in danger of exacerbating existing uncertainty and delays in plan-making. If the Government wants a system where plan-making provides more certainty, it needs to make the plan making process more, not less robust. For example, watering down the tests of soundness so that plans do not have to be 'justified' or meet fully meet objectively assessed need could lead to Plans that are less robust and more vulnerable to challenge or interpretation. With more emphasis being placed on the wishes of the community in making decisions, would need to be clear that all sectors of the community should be represented and have their needs met; danger that certain vocal groups who may be against development (even when this is shown to be needed e.g. to provide a range and mix of housing to widen choice and improve affordability or to provide for a range of groups in the community) may dominate arguments during plan-making. This could also lead to uncertainty and delay.
8	Do you agree that policy and guidance should be clearer on what may constitute an exceptional circumstance for the use of an alternative approach for assessing local housing needs? Are there other issues we should consider alongside those set out above?	Anything that makes policy and guidance clearer is beneficial but reserve comments until see further wording. Consideration must also be given to whether limited Green Belt release could be less environmentally/socially harmful than development of non-Green Belt which has higher ecological, heritage, open space etc. value
9	Do you agree that national policy should make clear that Green Belt does not need to be reviewed or altered when making plans, that building at densities significantly out of character with an existing area may be considered in assessing whether housing need can be met, and that past over-supply may be taken into account?	Disagree. Green Belts were first designated decades ago and given significant changes in circumstances and development pressures in this time, including pressure on urban open spaces, it is only right that they should be subject to at the very least a review to ensure the land still meets the five purposes of Green Belt set out in national policy, if only to ensure that all potential land sources have been explored, particularly if this could create more sustainable development than alternative non-Green Belt land. This should still be subject to the proviso that changes to Green Belt should only occur in exceptional circumstances and have to be thoroughly justified. The wording could suggest that Green Belt should not even fall under consideration which should not be the case. It should be recognised that Green Belt is not a landscape, environmental or recreation designation in itself and in some cases release of Green Belt, which otherwise may have little biodiversity or other value, could be preferable to development of alternative non Green Belt if this has higher environmental, heritage or open space value. It will be very difficult to make a general assumption about the character of an area and to be able to determine if densities are out of character. This could require a large scale assessment of character at different geographical and individual scales which would require a great deal of resource. See previous comments on over-supply and community need.

	Question	WLBC Response
10	Do you have views on what evidence local planning authorities should be expected to provide when making the case that need could only be met by building at densities significantly out of character with the existing area?	It will be very difficult to make a general assumption about the character of an area and to be able to determine if densities are out of character. This could require a large scale assessment of character at different geographical and individual scales which would require a great deal of resource.
11	Do you agree with removing the explicit requirement for plans to be 'justified', on the basis of delivering a more proportionate approach to examination?	Reducing the need for evidence to demonstrate that Plans are 'justified' or meet fully meet objectively assessed need could lead to Plans that are less robust. However, the existing need to provide a great deal of evidence, which can quickly become out of date is very costly and time consuming and some reform of this would be beneficial, perhaps through the ability to undertake joint studies with neighbouring authorities, particularly for cross-boundary issues such as transport networks and ecological networks.
12	Do you agree with our proposal to not apply revised tests of soundness to plans at more advanced stages of preparation? If no, which if any, plans should the revised tests apply to?	The proposed changes are in danger of exacerbating existing uncertainty and delays in plan-making. If the Government wants a system where plan-making provides more certainty, it needs to ensure the plan making process is robust and evidence-based. Watering down the tests of soundness so that plans do not have to be 'justified' or meet fully meet objectively assessed need could lead to Plans that are less robust and more vulnerable to challenge or interpretation once adopted.
13	Do you agree that we should make a change to the Framework on the application of the urban uplift?	n/a
14	What, if any, additional policy or guidance could the department provide which could help support authorities plan for more homes in urban areas where the uplift applies?	n/a
15	How, if at all, should neighbouring authorities consider the urban uplift applying, where part of those neighbouring authorities also functions as part of the wider economic, transport or housing market for the core town/city?	n/a

	Question	WLBC Response
16	Do you agree with the proposed 4-year rolling land supply requirement for emerging plans, where work is needed to revise the plan to take account of revised national policy on addressing constraints and reflecting any past over-supply? If no, what approach should be taken, if any?	Agree that if a Plan has been submitted for Examination or has been through a consultation which has identified proposed allocations to meet housing need (but the existing housing requirement in strategic policies is more than five years old), it makes sense to only have to demonstrate a four year supply of deliverable land. Towards the end of a Plan period but whilst an emerging Plan with proposed sites is going through the adoption process, then the supply of available allocated land which could be permissioned can start to dwindle. This would provide a reasonable stop-gap until new sites become available.
17	Do you consider that the additional guidance on constraints should apply to plans continuing to be prepared under the transitional arrangements set out in the existing Framework paragraph 220?	Assume this is referring to constraints such as the change to NPPF (now para. 142) which states that Green Belts are not required to be reviewed if this is the only means to meet the objectively assessed need. During the transitional period, emerging Plans which are aiming to be submitted by the deadline of June 2025 should fall under the 2021 NPPF. Otherwise they are caught between the new and old systems which will greatly increase uncertainty and increase the risk of not meeting the adoption deadline set out in the transitional arrangements.
18	Do you support adding an additional permissions-based test that will 'switch off' the application of the presumption in favour of sustainable development where an authority can demonstrate sufficient permissions to meet its housing requirement?	Planning authorities should not be penalised for low delivery where the issue lies with the implementation of sites (in an area which otherwise has granted sufficient permission) but more detail will need to be provided in order to come to a view.
19	Do you consider that the 115% 'switch-off' figure (required to turn off the presumption in favour of sustainable development Housing Delivery Test consequence) is appropriate?	Needing to meet 115% of the housing requirement (with the 15% being based on evidence from an analysis of planning permissions which are not progressed) is fairer than the buffer which are currently applied i.e. up to 20% for those authorities failing to meet the HDT. However, clear guidance on how permissions are to be counted is required. Unsure what the purpose of the HDT will be if permissions can also be included - the HDT was supposed to ensure that actual delivery was being tested, rather than just permissions (which may be speculative or unimplementable)
20	Do you have views on a robust method for counting deliverable homes permissioned for these purposes?	Already do this as part of five year housing supply calculations but there would need to be clear guidance on how this will be monitored as part of the Housing Delivery Test

	Question	WLBC Response
21	What are your views on the right approach to applying Housing Delivery Test consequences pending the 2022 results?	No comment
22	Do you agree that the government should revise national planning policy to attach more weight to Social Rent in planning policies and decisions? If yes, do you have any specific suggestions on the best mechanisms for doing this?	Yes, some weight should be presumed in favour of social rent but with the LPA being able to consider each application on its merits.
23	Do you agree that we should amend existing paragraph 62 of the Framework to support the supply of specialist older people's housing?	Agree in principle but this will require more resource to determine the number of specialist homes which need to be provided. Also need to understand how a Plan will ensure this as currently this type of provision tends to be developer-led and come forward on an ad-hoc basis - will Plans be expected to have specific allocations for this type of provision which are safeguarded for this use?
24	Do you have views on the effectiveness of the existing small sites policy in the National Planning Policy Framework (set out in paragraph 69 of the existing Framework)?	Unclear how effective this currently is as small sites can naturally come forward as windfall sites or be covered through criteria-based policy, rather than having to be specifically allocated. If Plans are expected to be shorter simpler documents, they should focus on the larger allocations whilst continuing to support smaller developments. There is inconsistency with the definition of a "small site" for the purposes of plan-making and identifying potential allocations - it could be a "non-major" site as defined in the NPPF i.e. fewer than 10 dwellings / less than one hectare or a site of fewer than 5 dwellings as defined in SHLAA guidance.
25	How, if at all, do you think the policy could be strengthened to encourage greater use of small sites, especially those that will deliver high levels of affordable housing?	No suggestions
26	Should the definition of "affordable housing for rent" in the Framework glossary be amended to make it easier for organisations that are not Registered Providers – in particular, community-led developers and almshouses – to develop new affordable homes?	The Council would not support changing affordable housing for rent definition as a "quick fix" way to make it easier for community led organisation to develop affordable homes. The Council supports the principle of community led organisations and almshouses providing community based affordable housing but considers that any flexibilities introduced to make life easier (generally supported), should be well thought out and consider wider issues such as their inclusion as part of the housing regulatory framework, so that the quality and management of such homes is benchmarked with the core standards expected of Registered Providers.

	Question	WLBC Response
27	Are there any changes that could be made to exception site policy that would make it easier for community groups to bring forward affordable housing?	No suggestions
28	Is there anything else that you think would help community groups in delivering affordable housing on exception sites?	Often such groups require practical support to be able to organise themselves and understand what is required, not only in creating a planning submission but also seeing the application to fruition where the accommodation and tenancies have to be effectively managed. Perhaps Government may wish to fund rural enabler type activity to help increase the supply / help build capacity in support of community led developers and almshouses.
29	Is there anything else national planning policy could do to support community-led developments?	No suggestions.
30	Do you agree in principle that an applicant's past behaviour should be taken into account into decision making?	This appears difficult to establish objectively, and we would be unsure as to what thresholds and standards might apply, and how these may be viewed as material considerations by a Planning Inspector who may be open to different behaviours exhibited to them as opposed to during the determination period itself. Equally, the behaviour of third parties is another issue that can impact on decision making and could be considered too subject to an understanding of the relevant thresholds/standards. It may be sensible to strengthen the terms of Section 70A-C to enable the resisting of repeat planning submissions, and there would also be support for increasing fees on applications submitted retrospectively, to reflect the increased time and effort often spent on such proposals, and greater sanctions for certain breaches of planning control.
31	Of the two options above, what would be the most effective mechanism? Are there any alternative mechanisms?	Q.30 explains certain alternative measures but the second option is preferable, as it offers a clear route of challenge and is a less subjective criterion. The first option is too vague and will lead to confusion and open up difficulty for third parties who would find it more difficult to understand the reasoning behind the outcomes.
32	Do you agree that the 3 build out policy measures that we propose to introduce through policy will help incentivise developers to build out more quickly? Do you have any comments on the design of these policy measures?	Which service is expected to monitor the build out of sites - will it go back to Development Management to follow the progress of sites which have been granted permission. Will this form another return to Government (as the current requirement to report quarterly housing completions) which may need additional guidance and resource? Point (a) is toothless. Publishing a list of developers won't have an impact on delivering homes that are needed. There are many factors as to why housing delivery does not progress as quickly as forecast and leaving LPAs with the prospect of refusing planning permission for a national housebuilder who has built out homes slower than they anticipated could lead to sites remaining undeveloped and housing delivery slowing down. Point (b). Developers do not entirely control the rate at which homes are sold; it would not be in their interest to spend a lot of money applying for planning permission for units that may not be sold once built. Point (c). It is not in the interest of the developer to tell the LPA that they will not be delivering houses at a reasonable delivery rate. What is a "slow" delivery rate? How would this be measured or benchmarked? The speeding of housing delivery is in our opinion likely to be better achieved by exploring opportunities for LPAs to give

	Question	WLBC Response
		increased certainty and greater flexibility to developers in both policy making and planning application processes. The processes need to be far more front loaded and leave less to the finalising of planning conditions and legal agreements all of which contribute considerable delay to the process. Such an approach risks becoming a further burden on top of those already existing for all engaged in the process and is tilting towards a numerical approach at odds with the general thrust of policy elsewhere that seeks to emphasise quality over quantity
33	Do you agree with making changes to emphasise the role of beauty and placemaking in strategic policies and to further encourage well-designed and beautiful development?	The stronger emphasis on design quality is generally welcomed but it will be important that LPAs are afforded the necessary resource to produce design codes to support their aspirations, and once they have done so are properly supported when seeking to resist development that clearly fails to conform to these.
34	Do you agree to the proposed changes to the title of Chapter 12, existing paragraphs 84a and 124c to include the word 'beautiful' when referring to 'well-designed places', to further encourage well-designed and beautiful development?	Disagree. It represents the wrong approach and sets a potentially very arbitrary standard that many perfectly acceptable developments may struggle to meet. It will also open up additional third party criticism of development that has no realistic possibility of meeting this standard and would also likely add further impositions to housing delivery, particularly amongst volume builders who have a critical role to play in ensuring a strong level of delivery. The use of this word is likely to mandate LPAs to refuse applications for standard house types.
35	Do you agree greater visual clarity on design requirements set out in planning conditions should be encouraged to support effective enforcement action?	Agree. This may be best achieved by a review of national validation requirements were reviewed to require developers to give better information and afford LPAs stronger powers to decline substandard applications where the appearance and intent of the submission appears unclear. It would also be helpful to re-consider and refresh the role of Design and Access Statements and afford consideration to them representing part of the schedule of approved documents where appropriate.
36	Do you agree that a specific reference to mansard roofs in relation to upward extensions in Chapter 11, paragraph 122e of the existing framework is helpful in encouraging LPAs to consider these as a means of increasing densification/creation of new homes? If no, how else might we achieve this objective?	Accepting that rights to extend upwards are now already in place, this is seldom taken up in rural/semi-rural authorities, and where LPAs have been minded to refuse there is a clear lack of consistency amongst Inspectors in terms of the manner in which they reach the decision, both on technical fronts and on their merits. A neighbouring authority has successfully resisted a mansard extension at appeal and such roof extensions have to have regard for their particular setting rather than simply being advanced on a blanket basis. As a more general point upward extensions tend not to reflect the increased need of people for outdoor space, which became a stark issue in the early stages of the Covid pandemic, and can place pressure on already reduced areas for washing, drying and general relaxation, which should be afforded greater weight in the general list of material considerations should there be a push for extensions that increase building heights to achieve further accommodation.

	Question	WLBC Response
37	How do you think national policy on small scale nature interventions could be strengthened? For example, in relation to the use of artificial grass by developers in new development?	The suggested measures offer wide ranging health and well being benefits and national policy for planning should be written to strengthen this as a material consideration on which LPAs can build their own suite of localised policies and measures that will support increased opportunity for BNG on a local level. The question relates artificial grass as an example and this gives rise to no sustainable benefits but whilst LPAs can plan this out of the development initially there are practical issues to address with those who wish to install it subsequently, unless the GPDO is amended, say, to offer some parallel to existing measures that reduce opportunities for hardstanding.
38	Do you agree that this is the right approach making sure that the food production value of high value farm land is adequately weighted in the planning process, in addition to current references in the Framework on best most versatile agricultural land?	<p>The references to the food production value of high value farmland continue to be inadequate in the draft NPPF. There is a disconnect between the UK's food strategy which indicates the need to maintain a high degree of food security and the statements in the draft NPPF. The latter merely indicate a need to recognise the economic and other benefits of the best and most versatile agricultural land (paragraph 177) and consider the availability of agricultural land used for food production in plan making and decision taking. In practice, such language (recognising and consider) has and will continue to result in considerations of (high) agricultural land quality being subservient to other policy matters. Of course, such land may also be subject to (other) policy designations, for example in our own case significant areas of designated Green Belt, but the value of the highest quality agricultural land should be recognised for its strategic and economic value to the nation. In practice, the current wording of paragraph 177b) of the NPPF falls short of achieving that.</p> <p>The national agricultural land classification maps show a relatively modest geographical coverage of Grade 1 (Excellent Quality Agricultural Land) which is land with little to no limitations to agricultural use, can support a very wide range of agricultural and, importantly, horticultural crops and derive consistently high yields. The national map shows more, but not significant, coverage of Grade 2 (Very Good Quality Agricultural Land) with minor limitations to crop yield. This land (Grades 1 and 2) is a national resource and therefore should be recognised as such with elevated policy protection by the NPPF.</p>
39	What method or measure could provide a proportionate and effective means of undertaking a carbon impact assessment that would incorporate all measurable carbon demand created from plan-making and planning decisions?	No comments.
40	Do you have any views on how planning policy could support climate change adaptation further, specifically through the use of nature-based solutions that provide multi-functional benefits?	Recent and proposed policy changes to support climate change adaptation are encouraging, for example Planning Practice Guidance revisions and updates in relation to flood risk and coastal change and elevating the support for the implementation of multifunctional Sustainable Drainage Systems. Providing policy is kept under review to ensure robustness and to incorporate advancements in best practice, such as relating to natural solutions, the direction of travel is satisfactory.

	Question	WLBC Response
41	Do you agree with the changes proposed to Paragraph 155 of the existing National Planning Policy Framework?	Agree
42	Do you agree with the changes proposed to Paragraph 158 of the existing National Planning Policy Framework?	In sentiment yes; however, in practice we have reservations regarding the availability of recorded information relating to the baseline existing on site needed to assess impacts.
43	Do you agree with the changes proposed to footnote 54 of the existing National Planning Policy Framework? Do you have any views on specific wording for new footnote 62?	<p>Agree with footnote 62.</p> <p>Disagree with changes to footnote 54 as this is currently incompatible with proposals to no longer allow the preparation of supplementary planning documents (SPDs) and the proposed expiration of existing SPDs, upon which views are sought as part of this consultation at question 48.</p> <p>For the avoidance of doubt, the Council's disagrees with the proposed transitional arrangements for SPDs upon which views are sought at question 48. Should the alternative approach put forward by the Council at question 48 be accepted then, of course, footnote 54 would be agreed as representing a sensible approach.</p>
44	Do you agree with our proposed Paragraph 161 in the National Planning Policy Framework to give significant weight to proposals which allow the adaptation of existing buildings to improve their energy performance?	Agree with proposed paragraph 161.
45	Do you agree with the proposed timeline for finalising local plans, minerals and waste plans and spatial development strategies being prepared under the current system? If no, what alternative timeline would you propose?	<p>Disagree. We agree with the proposed deadline of 30 June 2025 to submit plans for independent examination under the existing legal framework.</p> <p>However, we disagree with the proposed date of adoption of plans (subsequent to the conclusion of independent examination) by 31 December 2026 and consider this should be extended by a further 6 months to 30 June 2027. Producing local plan, particularly in reaching and successfully navigating Examination, represents a significant investment by a local authority in terms of staff and financial resource. In order for a plan to be found sound, an Inspector may require additional evidence to be produced by the local authority or Major Modifications to a local plan, which would need additional public consultation. These matters can be time consuming.</p> <p>In seeking extensive and up to date development plan coverage nationally it incumbent upon the Government to do all it can to support local authorities in the demanding undertaking of plan production, which has increasingly been carried out by (significantly) understaffed local authority Planning Policy teams. Extending the adoption date by 6 months to 30</p>

	Question	WLBC Response
		<p>June 2027 for plans being prepared under the current system would assist in managing the risk of avoiding expensive and time consuming failure to meet the adoption deadline. As a benchmark example of a neighbouring authority, the relatively recently adopted St Helens Local Plan was submitted for Examination in October 2020 and adopted in July 2022, a period of approximately 20.5 months which would have failed the now proposed timescale of 18 months for adoption from Submission.</p> <p>Moving the adoption deadline for plans being progressed under the current system to 30 June 2027 would align neatly with the timeline for the adoption of new style plans if plan production under the new system commences at the end of December 2024 (end December 2024 plus 30 months to adoption equals end June 2027). This proposal would still mean there would not be an overlap of plans still being in the process of being adopted under the current system after the date for adoption of plans under the proposed new system and would facilitate the Government's objective to have timely national development plan coverage.</p>
46	Do you agree with the proposed transitional arrangements for plans under the future system? If no, what alternative arrangements would you propose?	Agree in principle with the transitional period but it is unclear how the changes to the NPPF which are proposed to come into force in Spring 2023 and which could affect Plan-making (as they could affect choices over spatial strategies) will affect emerging Plans and what they will be examined under.
47	Do you agree with the proposed timeline for preparing neighbourhood plans under the future system? If no, what alternative timeline would you propose?	Agree
48	Do you agree with the proposed transitional arrangements for supplementary planning documents? If no, what alternative arrangements would you propose?	<p>Disagree, what is proposed is of significant concern because it is totally impractical and will create a policy void with significant associated problems.</p> <p>Supplementary Planning Documents (SPDs) provide complementary support to and more detail than contained in Local Plan policies. They cover a wide range of subjects including a range of design considerations (householder development, shop fronts etc), Local Lists, site specific briefs, standards relating to trees etc. They can also provide the mechanism for the implementation of voluntary off-site developer contributions towards recreational disturbance avoidance and mitigation on European designated habitats sites resulting from new residential development e.g. Suffolk Coast. Mitigation of such effects is a legal requirement under the Habitats Regulations.</p> <p>Already stretched and understaffed local authority Planning Policy teams will be deploying resources towards producing local plans under transitional and new arrangements and will not have the additional resources to produce new style Supplementary Plans to replace SPDs that are about to cease. Indeed, it is not clear whether these Supplementary Plans would necessarily be the appropriate means to do so. Additionally, it is highly unlikely that the level of detail covered by</p>

	Question	WLBC Response
		<p>a range of existing SPDs could be incorporated into (new style) local plans or be meaningfully replaced by a suite of national Development Management policies. Hence, locally a planning policy void will result.</p> <p>A much more appropriate alternative arrangement would be to require local authorities to list all existing SPDs, outlining which ones will cease upon the adoption of new local plans alongside a timeline for the replacement of those that will temporarily remain in force and the form of their replacement e.g. by a Supplementary Plan etc.</p>
49	Do you agree with the suggested scope and principles for guiding National Development Management Policies?	The idea of National DM policies is reasonable in principle, but there is a risk of them not being responsive to or reflective of particular local dynamics. At present, the general principles of part 2 of the Framework appear to work quite well in setting the tone for decision making, and afford clarity over the various triggers and exceptions to the permitting of sustainable development. If general policy statements centre on this content and are perhaps brought up to speed to tackle climate change and zero carbon in more detail there is perhaps a place for them but they must not become an impenetrable obstacle for those wanting to promote acceptable development and should be written carefully to avoid stifling LPAs who are promoting their own approaches for the right localised reasons.
50	What other principles, if any, do you believe should inform the scope of National Development Management Policies?	See response to Q.49
51	Do you agree that selective additions should be considered for proposals to complement existing national policies for guiding decisions?	Agreed but with a note of caution over the increase of housing in town centres and built up areas. Recent deregulation of the planning process has generally reduced the role of the town centre in terms of its retail / leisure function and its importance for other social interaction and any new measures cannot be seen to diminish this further.
52	Are there other issues which apply across all or most of England that you think should be considered as possible options for National Development Management Policies?	There are existing Framework provisions that quite rightly seek to protect greenspace and sporting functions and perhaps greater emphasis could be given within any suite of National DM Policy to further reinforcement with emphasis on the need for new development to accommodate this further, with additional weight to be given to any form of development that unlocks otherwise under utilised land for this purpose, making it freely and publicly available, and with clearer direction on ensuring that new developments make for useability of the space for practical recreational purposes as opposed to being acceptable purely for its visual qualities. If provision cannot be made on site developers should present comprehensive justifications and promote alternative settings which are accessible and beneficial to the communities they are creating.
53	What, if any, planning policies do you think could be included in a new framework to help achieve the 12 levelling up missions in the Levelling Up White Paper?	<p>The new framework could support achieving the levelling up missions in the Levelling Up White Paper through a nationally set requirement for skills training. This would specifically support mission no.6 ("By 2030, the number of people successfully completing high-quality skills training will have significantly increased in every area of the UK. In England,....").</p> <p>NPPF Section 6 Building a strong, competitive economy is lightweight in supporting the levelling up agenda so a national Development Management policy should be produced in relation to skills training. The NPPF should set the policy "hook"</p>

	Question	WLBC Response
		<p>for this. Such an approach would negate the need for individual local authorities, in particular those outside the prosperous South-East, having to defend the inclusion of a skills training policy in local plans at Examination and in the subsequent inclusion of a condition attached to relevant planning permissions requiring such training.</p> <p>A policy would cover the following matters:</p> <ol style="list-style-type: none"> 1. The need for planning applications above floorspace (in the case of commercial) and units (in the case of residential) defined thresholds to be accompanied by Employment and Skills / Training Statements. 2. Statements to cover requirements to contribute towards new employment, skills training and the provision of apprenticeships for local residents, for example: <ul style="list-style-type: none"> • Recruitment through local employment vehicles such as Jobcentre; • Vocational training (NVQ); • Work experience (14-16 years, 16-19 years and 19+ years); • Links with schools, colleges and university; • Use of local suppliers[and • Community based projects.
54	How do you think that the framework could better support development that will drive economic growth and productivity in every part of the country, in support of the Levelling Up agenda?	Recognition of the different physical and socio-economic conditions of different parts of the country and the need for tailored approaches to policy
55	Do you think that the government could go further in national policy, to increase development on brownfield land within city and town centres, with a view to facilitating gentle densification of our urban cores?	<p>Calls to develop brownfield land ahead of greenfield land is a key response received during Local Plan consultation and LPA's are greatly criticised when they appear not to prioritise brownfield land development. This is often unfair as brownfield land is a finite resource and such land often has multiple constraints not least viability issues. Putting more emphasis on developing brownfield and increasing density is a worthy aim but there should be recognition that this isn't always the most sustainable approach and raises unrealistic expectations with the public. The Government should provide additional funding or clear guidance on how this can be overcome - but with the recognition that brownfield land is a finite resource. There should also be recognition that brownfield sites may have a high level of biodiversity, especially if they have been allowed to regenerate undisturbed with habitat and vegetation over time. Increasing density could also lead to loss of biodiversity. Squeezing more development out of urban areas in order to avoid development of Green Belt, which does not necessarily have much biodiversity, environmental or landscape value should not be seen as the answer. As no LPA has a uniform density or character, will there need to be a lot of resource put into character assessments etc. e.g. through Design Codes? Government will need to provide far greater resources if LPA's are expected to do this.</p>

	Question	WLBC Response
56	Do you think that the government should bring forward proposals to update the framework as part of next year's wider review to place more emphasis on making sure that women, girls and other vulnerable groups in society feel safe in our public spaces, including for example policies on lighting/street lighting?	Agree in principle but need to ensure that planning can effectively influence this; it cannot be tackled in isolation or seen as solely a planning issue
57	Are there any specific approaches or examples of best practice which you think we should consider to improve the way that national planning policy is presented and accessed?	Need additional resource to help LPA's align with digital reforms and ensure consistency between authorities e.g. with GIS resources
58	We continue to keep the impacts of these proposals under review and would be grateful for your comments on any potential impacts that might arise under the Public Sector Equality Duty as a result of the proposals in this document.	No particular comments but care will need to be taken to ensure that the new measures do not favour certain parts of the community which may have more influence and discriminate against harder to reach groups who do not always have their voices heard during consultation or Examinations.

