



PLANNING COMMITTEE:
6 September 2018

CABINET: 11 September 2018

**EXECUTIVE OVERVIEW &
SCRUTINY COMMITTEE:**
27 September 2018

Report of: Director of Development and Regeneration

Relevant Portfolio Holder: Councillor J Hodson

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**SUBJECT: LOCAL PLAN REVIEW – PROPOSED LOCAL PLAN PREFERRED
OPTIONS CONSULTATION**

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

- 1.1 To seek authorisation to publicly consult on the Council's Preferred Options for a new Local Plan.

2.0 RECOMMENDATIONS TO PLANNING COMMITTEE

- 2.1 That the proposed Local Plan Preferred Options be considered and that agreed comments be referred to Cabinet.

3.0 RECOMMENDATIONS TO CABINET

- 3.1 That the agreed comments of the Planning Committee (provided at Appendix E) be considered.
- 3.2 That the Local Plan Preferred Options document provided at Appendix C be approved for a six week public consultation exercise.
- 3.3 That the Director of Development and Regeneration, in consultation with the Portfolio Holder for Planning, be authorised to finalise and make amendments, prior to public consultation, to the Local Plan Preferred Options 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 27 September 2018.

4.0 RECOMMENDATIONS TO EXECUTIVE OVERVIEW & SCRUTINY COMMITTEE

- 4.1 That the proposed Local Plan Preferred Options be considered and that agreed comments be referred to the Director of Development and Regeneration, in consultation with the Portfolio Holder for Planning.
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5.0 BACKGROUND

- 5.1 Since September 2016 the Council has been undertaking a Local Plan Review in order to update its current, adopted Local Plan (West Lancashire Local Plan 2012-2027) to better reflect revised national planning policy and guidance and the evolving sub-regional context surrounding West Lancashire. This Local Plan Review has involved undertaking or commissioning a wide range of evidence base studies to inform the preparation of strategic and topic-specific policies in a new Local Plan and ongoing co-operation with key stakeholders (in particular neighbouring authorities and other bodies covered by the Duty to Co-operate, and infrastructure providers) alongside preparing the relevant key documents for consultation at each stage of Local Plan preparation.
- 5.2 In Spring 2017, the Council consulted on the scope and the issues and options of a new Local Plan, which was a key first step in the preparation of a new Local Plan. The summary report of the feedback from that consultation is provided in the Consultation Feedback Report provided at Appendix A, together with the full set of comments submitted with a Council response to each. This feedback has been taken into consideration, alongside all other evidence, as officers have prepared a first draft of a new Local Plan, known as the Local Plan Preferred Options.
- 5.3 Ongoing discussions with neighbouring authorities have played a key role in the Local Plan Review thus far, as they must due to the Duty to Co-operate, which is a key test against which any new Local Plan will be assessed when it comes to Examination by a Planning Inspector. A Duty to Co-operate Statement will be published alongside the Preferred Options document as part of the evidence base. This will document and summarise the engagement had with neighbouring authorities and other bodies covered by the Duty to Co-operate in preparing the Local Plan, and will, in future, be complemented by a forthcoming Statement of Common Ground with the Liverpool City Region Authorities and Combined Authority, which will set out the co-operation and agreements reached between the authorities on strategic, cross-boundary planning issues.
- 5.4 The Statement of Common Ground is a new requirement under the recently published revised National Planning Policy Framework (NPPF). Various other changes to the NPPF in this recent revision have also informed the draft policies

in the Local Plan Preferred Options. The revised NPPF (which was published on 24 July 2018) can be viewed at:

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>.

- 5.5 In relation to the wide range of evidence base studies that have thus far been prepared to inform the Local Plan Review, some of these have already been published on the Council's website while others will be published alongside the Local Plan Preferred Options should Cabinet approve the Preferred Options for public consultation. They are / will be available to view on the Council's website at:
- <http://www.westlancs.gov.uk/planning/planning-policy/the-local-plan/local-plan-review/evidence-base.aspx>

6.0 PROPOSED LOCAL PLAN PREFERRED OPTIONS

- 6.1 The proposed Local Plan Preferred Options document that Cabinet are being asked to approve for public consultation is provided at Appendix C. It proposes a draft Vision for the Local Plan (which reflects the Council's corporate vision to be a council which is ambitious for West Lancashire - our Economy, Environment and for Health and Wellbeing) and 10 Objectives for measuring the performance of the Local Plan in achieving this Vision.

- 6.2 The Preferred Options include 38 policies, including site allocations for specific uses, spread over six broad topic areas:

- Strategic Policies (chapter 3, prefix SP-)
- Economic Policies (chapter 4, prefix EC-)
- Residential Policies (chapter 5, prefix H-)
- Infrastructure and Services Policies (chapter 6, prefix IF-)
- Green Infrastructure Policies (chapter 7, prefix GI-)
- Sustainable Development and Design Policies (chapter 8, prefix SD-)

If taken forward in the new Local Plan, these policies would collectively replace all the policies in the existing adopted Local Plan once the new Local Plan is adopted.

- 6.3 Probably the most significant change in the Preferred Options compared to Local Plans that have gone before it is that, in order to deliver economic growth, enhance the quality of the physical environment of West Lancashire and to improve the health and wellbeing of its residents, the Preferred Options propose a longer-term Local Plan covering the period to 2050 (compared to the typical Local Plan period which usually covers 15-20 years). There are several reasons for recommending this approach.
- 6.4 Firstly, given the scale of development anticipated to be needed in West Lancashire over the next 30 years, it is inevitable that significant release of land for development, including land currently designated as Green Belt, will be required. By seeking to release sufficient land for those needs for the full 30 years in one go, the Council will be able to have a more comprehensive and forward-looking Local Plan that plans sustainably for that long-term development

growth. In doing so, it also provides certainty to residents, infrastructure providers, landowners and developers by setting a new Green Belt boundary that, barring a significant increase to the anticipated need for new development, should remain unchanged for at least 20 years.

- 6.5 Were the Council to prepare a Local Plan for a standard Plan period, it would have to manage this need for new development to 2050 over three separate Local Plans, thereby reducing the ability to plan comprehensively for that growth and resulting in more piecemeal and less sustainable growth while still releasing the same amount of land by 2050.
- 6.6 Secondly, by releasing sufficient land for development needs to 2050 now, it introduces competition and flexibility into the market, which will ultimately create more viable developments which can meet the infrastructure, affordable housing and other policy requirements in the Local Plan.
- 6.7 Looking over this longer-term period (or even over a shorter period), the main issue affecting development needs in West Lancashire is not simply the needs of West Lancashire itself, but those of its neighbours. Under the Duty to Co-operate and the recently revised NPPF, local authorities must consider whether neighbouring authorities are able to meet their own development needs or whether they face significant constraints to development which would prevent them from doing so, and if they do face such constraints, local authorities must consider whether they can meet their neighbours' unmet development needs.
- 6.8 At the current time, under adopted and proposed Local Plans, West Lancashire and its neighbouring authorities are each able to meet their own development needs, but beyond 2030, some neighbouring authorities will start to struggle to meet their development needs (in particular Sefton). West Lancashire is the most logical and unconstrained location to meet those future unmet development needs from those neighbours. In particular, the Local Plan Preferred Options proposes that West Lancashire accommodate 91 ha of large-scale logistics uses that is needed due to the growth in the Port of Liverpool and the logistics sector generally and 6,256 dwellings of unmet housing need that will not be able to be met within the Liverpool City Region from 2027.
- 6.9 Taking such needs into account in addition to West Lancashire's own needs, the Local Plan Preferred Options proposes to deliver **15,992 dwellings** and **190 ha of employment land** between 2012 (the base date of the current Local Plan) and 2050. Clearly some of this need will have already been met through developments since 2012 or will be met by developments already allocated and under development through the current Local Plan, but a significant proportion of the proposed new development requirements to 2050 will require the allocation of more land for development.
- 6.10 In relation to meeting the employment land requirements, Skelmersdale and the M58 Corridor is the most suitable and sustainable location to plan for the majority of the needed employment land, with a secondary focus in Burscough and smaller new allocations in Ormskirk and Tarleton. With regard land for housing, given the focus on Skelmersdale for employment, it is most sustainable to allocate significant land for housing in and around Skelmersdale to provide housing close to those new employment opportunities, but Ormskirk and

Aughton, as the second largest town in the Borough and one well served by infrastructure and services, should also accommodate a significant proportion of this housing growth. With regard the other parts of the Borough, the Preferred Options generally propose that they should simply continue to deliver the housing already committed in the current Local Plan and then meet their own housing needs beyond 2027, where possible. The following table, taken from proposed Policy SP2 in the Preferred Options, shows how it is proposed the above development requirements will be met across West Lancashire.

	Housing	Employment Land
Skelmersdale and South-Eastern Parishes	8,572 dwellings	150 ha
Ormskirk and Aughton	3,003 dwellings	10 ha
Burscough and Central Parishes	1,495 dwellings	25 ha
Northern Parishes	1,435 dwellings	5 ha
Western Parishes	923 dwellings	-
Eastern Parishes	564 dwellings	-

- 6.11 In the Skelmersdale and South-Eastern Parishes spatial area around 2,600 dwellings and 50 ha of employment land can be met through existing permissions, allocations from the current Local Plan (such as Skelmersdale Town Centre strategic site (which is covered by Policy SP5 of the Preferred Options) and the Whalleys sites to the north of Skelmersdale) and smaller new allocations (up to 150 dwellings or 20 ha of employment land) on the edge of the built-up area of Skelmersdale, Up Holland and Simonswood. The remaining 6,000 dwellings and 100 ha of employment land is proposed to be delivered through the allocation of three new Garden Villages, a Logistics Park and extensions of White Moss Business Park to the west and south-west of Skelmersdale (see Policy SP7 of the Preferred Options).
- 6.12 In Ormskirk and Aughton, around 1,000 dwellings can be delivered through existing permissions (such as Grove Farm) and smaller new allocations (up to 170 dwellings) on the edge of the built-up area of Ormskirk. The remaining 2,000 dwellings is proposed to be delivered through the creation of new Garden Neighbourhoods to the south-east of Ormskirk and Aughton. Around 20 ha of land will also be set aside to the south of St Helens Road to deliver a new Knowledge Park to accommodate businesses and uses which would benefit from being in close proximity to Edge Hill University, as well as up to 1,000 student bedspaces in purpose-built student accommodation to help alleviate the demand for HMOs within Ormskirk (see Policy SP8 of the Preferred Options).
- 6.13 In the remainder of the Borough, development needs will be met through existing permissions, allocations or new allocations (up to 360 dwellings in size) on the edge of the built-up area, and through the existing strategic site at Yew Tree Farm in Burscough (which is covered by Policy SP6 of the Preferred Options).

- 6.14 Full details of these land allocations for new development can be seen in the Preferred Options document (notably Policies EC1 and H2) and the wide range of policies related to topics as varied as Student Accommodation and Renewable Energy can be read in their entirety in the Preferred Options document.
- 6.15 While the Preferred Options document represents the way forward for a new Local Plan as proposed by senior officers of the Council in close consultation with the Local Plan Cabinet Working Group, it should be noted that it is only a draft document and it is a consultation document, and so feedback on this draft document from the public and stakeholders will be key in improving it as we move forward in the Local Plan Review. To this end, it is important that Members are aware of three key aspects of the context to the proposed Preferred Options.
- 6.16 Firstly, after the justification to each policy in the Preferred Options is a section headed "Alternatives Considered". These sections provide details of alternative policy approaches that were considered by officers before arriving at the preferred policy, and why those approaches were ultimately rejected. This is an important part of preparing a Local Plan, and is included in the Preferred Options document to help stimulate discussion of alternative approaches through the public consultation. Ultimately, the Council will need to demonstrate to a Planning Inspector at Examination that it has considered reasonable alternative approaches to their preferred policies, and so it is helpful to document them in the Preferred Options and seek views on the alternatives as well (including any alternatives that the Council may not have thought of).
- 6.17 This also links to the second key aspect of the context to the proposed Preferred Options – the Sustainability Appraisal (SA). The SA is a legislative requirement when preparing a new Local Plan to assess the effects (both positive and negative) the Local Plan will have on the different factors that affect sustainability (economic, environmental and social) and to fulfil the requirements of EU Directive 2001/42/EC which relates to Strategic Environmental Assessment (SEA) of plans and programmes.
- 6.18 An SA Report on the Preferred Options has been prepared and has informed the preparation of the Preferred Options, and will be made available for comment as part of the Preferred Options public consultation. While the SA is ultimately meant to be an appraisal of the Local Plan as a whole, a key step in the SA process at this Preferred Options stage is to assess the relative sustainability merits of all the Alternative policy options and site allocations considered, and so this assessment is documented in an appendix to the SA Report.
- 6.19 Finally, a further legislative requirement on the preparation of Local Plans relates to the EU's Habitats Directive (92/43/EEC), which relates to the protection of designated international sites of habitat importance, such as Martin Mere and the Ribble Estuary. This requirement is met through the preparation of a Habitats Regulations Assessment (HRA), and a HRA has been prepared for the Preferred Options and will also be made available for comment as part of the public consultation. The HRA ensures that impact on international sites is avoided or mitigated for.

7.0 PUBLIC CONSULTATION

- 7.1 Should approval be granted to consult on the proposed Preferred Options document, as per the recommendation at 3.2 above, public consultation on the Preferred Options will run for the statutory six week period from **Thursday 11th October until Friday 23rd November 2018**.
- 7.2 As is usual with Local Plan consultations, officers propose to publicise the consultation through a wrap-around feature on the Champion newspaper (and leaflets to those properties which do not receive the Champion), the statutory formal notification in the Champion Newspaper, press releases and mail-outs to our Local Plan consultation database.
- 7.3 Those who wish to engage with the consultation will be able to sign-up to attend drop-in appointments at accessible locations in each of the six spatial areas identified in the Preferred Options (Skelmersdale and South-Eastern Parishes, Ormskirk and Aughton, Burscough and Central Parishes, Northern Parishes, Western Parishes and Eastern Parishes), so that they can ask questions of officers in relation to the Preferred Options and engage in a discussion with officers and other attendees about the Preferred Options, addressing key questions that the Council would like feedback on. Officers will also hold sessions with Developers and other Stakeholders as necessary.
- 7.4 However, as ever with statutory Local Plan consultations, the key method of individuals and stakeholders providing feedback will be in writing, and the Council will provide an online facility to enable people to make their comments on the Preferred Options at www.westlancs.gov.uk/LPR. Responses will be able to be made in writing, for those who are unable to access online forms, and information on the Preferred Options and paper response forms will be made available at Council offices and libraries around the Borough, in line with the Council's Statement of Community Involvement.
- 7.5 The feedback from this public consultation exercise will be considered as the Council refines the Local Plan Preferred Options into a Publication version of the Local Plan as it undertakes the next stage of preparation of the Local Plan.

8.0 SUSTAINABILITY IMPLICATIONS

- 8.1 A new Local Plan will clearly have effects on sustainability in West Lancashire (both positive and negative), and the SA Report discussed above shows that these issues have been considered carefully in preparing the Local Plan Preferred Options. Ultimately, the SA identifies that, while there will be some significant negative environmental impacts due to the development of specific allocations, overall for the Borough as a whole, there will be sustainability benefits through the proposed Local Plan.

9.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 9.1 The costs and resources associated with the public consultation exercise required for the Local Plan Preferred Options consultation are covered by the

Development and Regeneration Service's revenue budgets and no additional costs are expected to be incurred.

10.0 RISK ASSESSMENT

- 10.1 Given that the decision being considered only relates to whether the Council should publicly consult on the proposed Local Plan Preferred Options, there is minimal risk to the Council related to this decision. However, the wider preparation of a Local Plan does carry some risks, be that related to the costs of abortive work if the Local Plan is ultimately found unsound or not legally compliant at the Examination stage or related to the image of the Council should any proposals within the Local Plan prove unpopular.
- 10.2 However, the undertaking of public consultation such as that on the Local Plan Preferred Options minimises those risks due to the fact that carrying out such consultation ensures legal requirements are being met and that a robust Local Plan is being prepared and it ensures that all interested parties are being given an opportunity to make known their views to the Council for the Council to consider them in the preparation of the Local Plan. While the latter mitigation may not ultimately prevent those upset with particular proposals from expressing their dissatisfaction to the Council, the Council will be able to support the fact that they have given all interested parties a fair hearing.
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Background Documents

The following background documents (as defined in Section 100D(5) of the Local Government Act 1972) have been relied upon in preparing this Report:

- Sustainability Appraisal (SA) of the Local Plan Preferred Options
- Habitats Regulations Assessment (HRA) Screening of the Local Plan Preferred Options

Equality Impact Assessment

A Local Plan does have a direct impact on members of the public, employees, elected members and / or stakeholders. In addition, the actual decision being made by Cabinet is whether to undertake a public consultation and so, again, there is an impact on the public and stakeholders. Therefore, an Equality Impact Assessment is required and is appended at Appendix C.

Appendices

Appendix A – Scoping, Issues and Options Consultation Feedback Report and full set of submitted comments and Council responses

Appendix B – Proposed Local Plan Preferred Options document

Appendix C – Equality Impact Assessment

Appendix D – Minutes of Planning Committee (Cabinet and Executive Overview & Scrutiny Committee only)

Appendix E – Minutes of Cabinet (Executive Overview & Scrutiny Committee only)