



CABINET: 14 January 2020

Report of: Corporate Director of Place and Community
Relevant Portfolio Holder: Councillor David Evans
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SUBJECT: A LOCAL DEVELOPMENT SCHEME FOR A NEW LOCAL PLAN

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To seek endorsement of a new Local Development Scheme, providing a new timetable for the preparation of a new Local Plan and update on the Council's Five-year Housing Land Supply position.

2.0 RECOMMENDATIONS

- 2.1 That the Review of the Adopted West Lancashire Local Plan 2012-2027 (at paragraphs 3.2-3.4 below and at Appendix A) be noted.
- 2.2 That the update in the Council's position on five-year housing land supply set out at paragraphs 3.5-3.7 below and in the Updated Housing Land Supply Position Statement (at Appendix B) be noted.
- 2.3 That the Local Development Scheme (at Appendix C) be endorsed for publication.
- 2.4 That delegated authority be granted to the Corporate Director of Place and Community, in consultation with the Portfolio Holder for Planning, to update the Local Development Scheme and publish it on the Council's website as required.
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3.0 BACKGROUND AND CURRENT POSITION

- 3.1 In September 2019, Cabinet resolved "that the current Local Plan Review cease in its entirety" and "that a new Local Plan Cabinet Working Group be established to commence work imminently on a new Local Plan, including preparing new evidence studies where necessary, in accordance with Government Guidance in order to deliver a new 15 year Local Plan".
- 3.2 In accordance with, and to satisfy, paragraph 33 of the National Planning Policy Framework (NPPF), a Review of the adopted West Lancashire Local Plan 2012-2037 has been undertaken using part of the new Planning Advisory Service Local Plan toolkit (see Appendix A). This Review of the Local Plan is now a requirement for any Local Plan that is five years old and it simply assesses whether the adopted Local Plan is still fit for purpose, or whether it (or parts of it) need to be updated. If the Review finds that the Local Plan (or part it) does need updating, this then directs the local authority to prepare a new Local Plan (or new sections of the Local Plan where only part needs updating).
- 3.3 It should be noted that this "Review of the Local Plan" is different to what the Council was preparing between September 2016 and September 2019 (which the Council called the "Local Plan Review"). The Local Plan Review was instigated before paragraph 33 of the NPPF was introduced by Government and was so termed to reflect that it was using the adopted Local Plan as a starting point and reviewing it to create a new Local Plan to extend into the future.
- 3.4 Cabinet are asked to note this Review and recognise that, while the Local Plan may still continue to serve as planning policy to guide decision-making in relation to planning applications in the short-term, it clearly identifies significant parts of the adopted Local Plan that need to be updated, such that an entirely new Local Plan should be prepared, thereby endorsing Cabinet's decision in September to "imminently" prepare a new Local Plan.
- 3.5 It should also be noted that, by concluding as it does, the Review of the Local Plan triggers a change in how the Council will measure Five-year Housing Land Supply going forward until a new Local Plan is adopted. Paragraph 73 of the NPPF states:

Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. [my emphasis]

- 3.6 Footnote 37 of NPPF, referring to the underlined part of the above quote, states:

Unless these strategic policies have been reviewed and found not to require updating. Where local housing need is used as the basis for assessing whether a five year supply of specific deliverable sites exists, it should be calculated using the standard method set out in national planning guidance.

3.7 As such, given the adopted West Lancashire Local Plan 2012-2027 is over five years old, it has been reviewed (Appendix A) and found to require updating. Therefore, the underlined part of the above quote from paragraph 73 comes into effect, and the Council should calculate its five-year housing land supply based on the Government's standard Local Housing Need calculation. The annual requirement under the current calculation of the Local Housing Need figure for West Lancashire is 198 dwellings per year (compared to the current annual housing requirement in the adopted Local Plan of 335 dwellings per year). As a result, the Council's housing land supply position is much healthier under this new requirement, and an updated Housing Land Supply Position Statement has been prepared (Appendix B) and will be published on the Council's website as soon as possible as an Addendum to the Annual Monitoring Report 2019 to reflect this.

3.8 Taking all of the above into account, it has been necessary to prepare a new Local Development Scheme (LDS) (see Appendix C) and Cabinet are asked to endorse this for publication. The new timetable for preparing a new Local Plan can be seen in chapter 2 of the new LDS and is set out below.

- Commence Evidence Gathering January 2020
- Regulation 18 Consultation September – November 2020
- Publication / Pre-Submission September – November 2021
- Submission to Planning Inspectorate February 2022
- Examination in Public (inc. Hearings) February 2022 – January 2023
- Receipt of Inspector's Report January 2023
- Adoption of Local Plan February 2023

3.9 Given the LDS is a fairly routine reporting of project / programme management for the preparation of a Local Plan (and other local planning policy documents), Members are also asked, at 2.4 above, to re-affirm a delegation given in relation to the LDS for the now adopted Local Plan so that it can be applied to the LDS for the preparation of this new Local Plan. This LDS will be shared with the Local Plan Cabinet Working Group, and they will be involved in future reviews of the LDS as further iterations are needed going forward, before the delegated authority sought at 2.4 above is utilised.

4.0 SUSTAINABILITY IMPLICATIONS

4.1 There are no direct implications for sustainability from the recommendations Cabinet are being asked to consider in this report.

5.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 5.1 It is anticipated that costs associated with preparing a new Local Plan will, by and large, be met from existing budget provisions of the Growth and Development Service, aside from the additional budget previously agreed by Cabinet for the Examination of the Local Plan. However, given the need to progress quickly with this new Local Plan, and the need for updated evidence to support that, appropriate additional budgetary provision for new evidence studies will be considered as part of the budget-setting process for 2020/21 and beyond. It should also be noted that any delay in the preparation and submission of a new Local Plan could potentially result in additional costs (and further delays) being incurred.

6.0 RISK ASSESSMENT

- 6.1 The only risk associated with the recommendation in this report is that if the Local Development Scheme is not kept up-to-date, the Council may be deemed to have failed in one of the legal tests applied to the preparation of a Local Plan once the Local Plan is Examined by a Planning Inspector, which would mean that the Local Plan could not be taken forward to adoption and the Council would need to re-start their preparation of a new Local Plan. The requested delegation at 2.3 above would enable officers to keep the LDS up-to-date and so all but remove this risk.

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 Cabinet are being asked to make is simply related to the publication of the Local Development Scheme (essentially a timetable and project plan for the Local Plan) so there is no direct impact on members of the public, employees, elected members and / or stakeholders. Therefore, an Equality Impact Assessment is not required.

Appendices

Appendix A – Review of the Adopted West Lancashire Local Plan 2012-2027

Appendix B – Updated Housing Land Supply Position Statement

Appendix C – Local Development Scheme (January 2020)