



CABINET: 13 September 2016

Report of: Director of Development and Regeneration

Relevant Portfolio Holder: Councillor J Hodson

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**SUBJECT: LOCAL PLAN REVIEW – THE LOCAL DEVELOPMENT SCHEME AND
REGULATION 18 “SCOPING” CONSULTATION**

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To make Cabinet aware of the commencement of work towards the Local Plan Review, including the new Local Development Scheme, and to seek authorisation to undertake an initial “scoping” consultation exercise in relation to the Local Plan Review with key stakeholders.

2.0 RECOMMENDATIONS

2.1 That the commencement of a Local Plan Review in order to update the current West Lancashire Local Plan be endorsed and that the Local Development Scheme provided at Appendix 1 be adopted with effect from 1 October 2016.

2.2 That the initial Regulation 18 “scoping” consultation on the Local Plan Review with key stakeholders described at paragraph 4.7 of the report be authorised.

3.0 BACKGROUND

3.1 The West Lancs Local Plan 2012-2027 was adopted in October 2013, but such is the nature of national and local planning, that the Council must begin to prepare a new one already. National planning policy is constantly evolving at the moment, sometimes making even recently adopted local planning policy less relevant and in need of review or update. Locally, it is important to ensure that

the Local Plan is maintaining a supply of deliverable sites for new development and that the supply enables the demand and need for different types of new development to be met in a flexible fashion. While the current Local Plan is by no means out-of-date, it is important that the Council starts work on a new Local Plan now so as to stay ahead of the game.

- 3.2 As such, the Council is embarking on a Local Plan Review to identify which Local Plan policies need updating in light of new evidence or changes to national policy and whether more land needs to be made available for development in the Borough as a result. This will lead to the preparation of a new Local Plan.
- 3.3 In order to undertake this Local Plan Review and prepare a new Local Plan, the Council will need to revisit a wide range of supporting evidence and consider its implications for local planning policy. This will range from considering the latest evidence on environmental matters such as flood risk or ecology to economic and social matters such as the objectively-assessed need for housing and employment land to the need for services and infrastructure such as transport infrastructure, retail provision and public open space.
- 3.4 Alongside this evidence gathering, the Council will need to consult extensively with key stakeholders, including West Lancashire residents and the general public, local businesses, planning professionals (and those from other, related professions) the development industry, neighbouring authorities and a wide range of bodies and organisations, including utility providers, with specific interest in one or more topics that will appear in the Local Plan.
- 3.5 In particular, and even more so than previously, the Council will need to liaise closely with other local authorities in the Liverpool City Region, Greater Manchester and Central Lancashire given the potential for cross-boundary issues affecting development and the need to work together in identifying and meeting development needs on a wider basis than district-level.
- 3.6 Therefore, the Local Plan Review and preparation of a new Local Plan will be a lengthy process, taking approximately four years (barring unforeseen circumstances) until adoption of a new Local Plan, and so this lengthy and complicated process needs to be managed carefully and planned properly. The Local Development Scheme (LDS) is a key tool for this, and one that the Council is required to prepare. It effectively sets out the timetable for preparing the Local Plan and associated local planning policy documents and enables progress with the review and preparation of the Local Plan to be monitored as we move through the process.

4.0 CURRENT POSITION

- 4.1 A new LDS has been prepared (see Appendix 1) and, subject to Cabinet's approval, as per recommendation 2.1, will be published on the Council's website. Broadly speaking, the LDS sets out the following timetable for the Local Plan Review:

Issues & Options Consultation	February / March 2017
Preferred Options Consultation	January / February 2018
Publication / Pre-Submission Consultation	October / November 2018
Submission to Planning Inspectorate	December 2018
Examination Period (inc. Hearings)	January-November 2019
Adoption	December 2019

- 4.2 Therefore, the plan is to prepare the Local Plan and submit it for Examination by the end of 2018 and then, subject to the length of time the Examination requires, adopt it by end of 2019.
- 4.3 As such, in preparing the Local Plan, it is envisaged that the Plan will have a base date of 1 April 2020. Local Plans typically plan for a 15-20 year Plan period, but must also consider development needs beyond the Plan period where Green Belt release is necessary, so as to avoid repeatedly amending the Green Belt boundary when a new Local Plan is prepared. If Green Belt release is identified as being required as part of the Local Plan Review, the Local Plan will effectively need to plan for 30 years to ensure flexibility and to release land from the Green Belt so that the new Green Belt boundary endures.
- 4.4 Whether Green Belt release will be required in the next Local Plan should be identified fairly early in the Local Plan Review, as the Liverpool City Region Strategic Housing and Employment Land Market Assessment (LCR SHELMA) currently being undertaken on behalf of the City Region authorities and West Lancashire is due to be finalised in Autumn 2016, and this will identify the Objectively-Assessed Need (OAN) for both new housing and new employment land for each Authority over the next 25 years. This, in turn, will form the basis of conversations and negotiations between the City Region Authorities (including West Lancs) on how development needs should be addressed and distributed across the City Region (including West Lancs) as well as similar discussions with other neighbouring authorities such as Wigan.
- 4.5 The process for preparing a Local Plan is governed by the The Town and Country Planning (Local Planning) (England) Regulations 2012, in particular part 6 of those regulations. Regulation 18 sets out the first steps required in preparing a Local Plan and states:

18.—(1) A local planning authority must—

(a) notify each of the bodies or persons specified in paragraph (2) of the subject of a local plan which the local planning authority propose to prepare, and

(b) invite each of them to make representations to the local planning authority about what a local plan with that subject ought to contain.

(2) The bodies or persons referred to in paragraph (1) are—

(a) such of the specific consultation bodies as the local planning authority consider may have an interest in the subject of the proposed local plan;

(b) such of the general consultation bodies as the local planning authority consider appropriate; and

(c) such residents or other persons carrying on business in the local planning authority's area from which the local planning authority consider it appropriate to invite representations.

(3) In preparing the local plan, the local planning authority must take into account any representation made to them in response to invitations under paragraph (1).

4.6 Most Authorities fulfil the requirements of Regulation 18 through several stages of consultation (and informally through the periods between those consultations), and in terms of the timetable at paragraph 4.1 above, the first three stages of Local Plan preparation will fulfil the above requirements for West Lancashire.

4.7 The first of these three stages is a "scoping" stage where, at this stage only, the Council will consult with certain key stakeholders (as opposed to the general public) on the scope of the new Local Plan, i.e. what the Local Plan should cover. Appendix 2 sets out the proposed letter to be sent to those key stakeholders as part of this first stage of consultation and Appendix 3 sets out the list of key stakeholders it is proposed to send the letter to. As per recommendation 2.2 above, Cabinet is being asked to approve this initial stage of consultation on the scope of the Local Plan.

5.0 NEXT STEPS

5.1 Should Cabinet authorise the "scoping" consultation, the letter at Appendix 2 will be sent out to those bodies listed in Appendix 3 no later than 30 September 2016, and they will be given four weeks to provide feedback on the scope of the Local Plan. The feedback received will be used to inform the preparation of the next stage of the Local Plan – the Issues and Options Paper, which is explained in the LDS.

5.2 In line with the timetable set out in the LDS, officers will continue to prepare evidence on a wide range of issues to inform the Local Plan.

6.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

6.1 While there are no direct implications for sustainability or the community strategy of the recommendations Cabinet are being asked to consider in this report, the outcome of a Local Plan Review (i.e. a new Local Plan) clearly will have implications for sustainability and the community strategy, but it is impossible to predict what those may be at this very early stage.

- 6.2 However, the Council are required to prepare a Sustainability Appraisal (SA) of the Local Plan as it progresses through preparation, with the SA directly informing the policy formulation of the Local Plan, and so the issue of sustainability will be directly addressed and the principle of sustainable will necessarily run through the Local Plan as a key guiding principle (or golden thread, as the NPPF calls it).
- 6.3 The first stage in the SA is to prepare a Scoping Report setting out the sustainability issues in West Lancashire and based on those, setting a framework of SA Objectives against which the Local Plan will be assessed at each stage of preparation.

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 7.1 It is anticipated that costs associated with the Local Plan Review and the preparation of the new Local Plan will be met from existing budget provisions of the Development and Regeneration Service. However, the Examination of the Local Plan, once it has been prepared and submitted for Examination, will be a significant separate cost that will require additional funding at that time.

8.0 RISK ASSESSMENT

- 8.1 There are no risks associated with the recommendations above, although there are risks associated with the preparation of a Local Plan in general, most notably the cost implications should a change of national policy or any other factor result in a delay to the preparation of the Local Plan.
- 8.2 However, the risks of not preparing a Local Plan are far greater, as this will inevitably lead to a situation where there is insufficient land released for new development, meaning that economic and housing growth cannot take place and needs cannot be met. In addition, an out of date Local Plan carries limited weight in the decision making process and consequently the Council would likely be left in a situation whereby decisions relating to the location of development especially in relation to housing developments are made by the Planning Inspectorate via the appeal process rather than by the Borough Council.

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

1. Local Development Scheme (September 2016)
2. Proposed Letter to Key Stakeholders on Regulation 18 “Scoping” Consultation for Local Plan Review
3. Proposed list of Key Stakeholders to be consulted on Regulation 18 “Scoping” Consultation for Local Plan Review