



Local Development Scheme

West Lancashire Borough Council

September 2016

WEST LANCASHIRE



LOCAL PLAN

John Harrison, DipEnvP, MRTPI

Director of Development and Regeneration

West Lancashire Borough Council

Contents

Chapter 1	Introduction	2
Chapter 2	A Local Plan Review – a timetable	6
Chapter 3	The Evidence Base	12
Chapter 4	Resources	13
Chapter 5	Risk Assessment	16

Chapter 1 Introduction

- 1.1 The Local Development Scheme (LDS) is a project plan for the Local Plan for West Lancashire. The production of an LDS is a requirement on Local Planning Authorities arising from the Planning and Compulsory Purchase Act 2004, as amended by Section 111 of the Localism Act 2011. Furthermore, the Council's adherence to the timescale it has set itself within the LDS will be used as a performance measure.
- 1.2 This Local Development Scheme provides a guide for the preparation of a Local Plan Review which will culminate in a new Local Plan for West Lancashire as well as selected Supplementary Planning Documents that will also need to be prepared. This version of the LDS replaces that previously produced in May 2013, which was the final LDS for the now adopted, West Lancashire Local Plan 2012-2027. It includes the following Chapters:
- Chapter 1 provides an introduction and offers a background to why we have prepared an LDS and what the purpose of it is, as well providing a list of the current set of local planning policy documents;
 - Chapter 2 identifies the topics that we envisage will make up a new Local Plan for West Lancashire and the likely timescale for preparing the Local Plan;
 - Chapter 3 looks at the evidence base that will underpin the production of the Local Plan;
 - Chapter 4 identifies the resources available to the Development and Regeneration Service of the Council to support the preparation of a new Local Plan; and
 - Chapter 5 considers the risks that exist which could slow progress on the Local Plan and some of the mitigation measures which can be put in place.

Background

- 1.3 The current West Lancashire Local Plan 2012-2027 was adopted in October 2013 and while it is barely three years old, the context surrounding planning and development is constantly changing and national planning policy is evolving with it. This means that local planning policy, such as Local Plans, can quickly become out of date if they are

not reviewed and updated accordingly, which can have two main negative consequences.

- 1.4 First, an out-of-date Local Plan can stymie necessary growth, both economically and in terms of providing the right kind of development in the right place in a timely fashion. Secondly, if local planning policy is out of date it can be ineffective in managing and guiding where appropriate development should take place and can lead to a situation where the Council has less control or choice in its decisions.
- 1.5 Therefore, while the current adopted Local Plan for West Lancashire is not out of date at this point in time, it is considered prudent to begin work on a Local Plan Review with the aim of preparing a new Local Plan, especially given that the gathering and review of all evidence, the preparation of a Local Plan and the Examination of the final document by a Planning Inspector can, all together, take several years. However, all policies in the current, adopted Local Plan will remain effective and a part of the Development Plan for the Borough until they are replaced by new policies in a newly adopted Local Plan.
- 1.6 Producing any Local Plan is a major project that requires significant resources in order to prepare it and a project management approach is vitally important to enable production within a given timescale. The Council views the LDS as a key project management tool in the production of its Local Plan.
- 1.7 The LDS has three main purposes:
 - To inform people of how the Local Plan will be prepared and the likely timescale involved;
 - To establish work priorities and enable work programmes to be formed; and
 - To set a timescale for the monitoring and review of the preparation of such documents.
- 1.8 This LDS contains all those Development Plan Documents (such as a Local Plan) and Supplementary Planning Documents for which a timetable is known as at September 2016 that the Council is responsible for. Minerals and Waste matters are the responsibility of Lancashire County Council, although the relevant Development Plan Documents (DPDs) related to those matters do form part of the Development Plan for West Lancs.

1.9 It is possible that in the future further documents will be added. These will only be added into this document, however, when a detailed timetable for the work can be established.

Current Local Planning Policy documents

1.10 The current adopted Development Plan for West Lancashire is made up of three documents:

- The West Lancashire Local Plan 2012-2027 DPD (October 2013); and
- The Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD (February 2009)
- The Joint Lancashire Minerals and Waste Local Plan: Site Allocation and Development Management Policies (September 2013)

1.11 In addition, one policy from the West Lancashire Replacement Local Plan 2001-2016 was saved at the time of the adoption of the current Local Plan. Policy DE4 – Caravan Sites for Gypsies and Travelling Show People – is therefore currently still part of the Development Plan.

1.12 The Council has a number of Supplementary Planning Documents (SPDs) that are current and several Supplementary Planning Guidance documents (SPGs) that have been retained and are still relevant:

- Development in the Green Belt SPD (October 2015)
- Yew Tree Farm, Burscough Masterplan SPD (February 2015)
- Provision of Public Open Space in New Residential Developments SPD (September 2014)
- Skelmersdale Town Centre Masterplan SPD (September 2008)
- Design Guide SPD (January 2008)
- Accommodation for Temporary Agricultural Workers SPG
- Affordable Housing SPG
- Design Guide for Shop Fronts SPG
- Natural Areas and Areas of Landscape History Importance SPG

- [Trees and Development](#) SPG
- [Site Planning - Layout and Design](#) SPG
- [Dalton Village Design Statement](#) SPG
- [Whalleys Housing and Mixed Use Sites](#) SPG
- [Whitemoss Business Park](#) SPG
- [Land West of Stanley Industrial Estate](#) SPG

1.13 The Council also recently adopted (in June 2016) a new **Statement of Community Involvement** (SCI). The SCI sets out who we will consult on various aspects of planning, and what methods we will use.

Community Infrastructure Levy (CIL)

1.14 CIL is not technically local planning policy, or a matter that is required to be reported on in the LDS, but it is inextricably linked to local planning, being a levy that is placed on new development at the time permission is granted. As a new Local Plan is prepared, it is inevitable that a new CIL Charging Schedule will need to be prepared in order to ensure that CIL is charged at the correct level based on viability evidence that incorporates the new local planning policy context. The Council will determine in due course the most appropriate time to review the CIL Charging Schedule.

Chapter 2 A Local Plan Review – a timetable

2.1 The timetable for the Local Plan Review and preparation of a new Local Plan is set out in the chart on the following page, but there are a number of key stages in the process that it is worth explaining a little more:

Regulation 18 “Scoping” consultation and Preparation of Evidence

2.2 In order to begin to satisfy the first part of Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012 (and alongside the publication of this LDS) the Council has written to a wide range of key stakeholders to consult on the scope of the Local Plan Review, i.e. what topics a new Local Plan for West Lancashire should cover and what time period it should cover. Feedback from this consultation will steer the Council in terms of areas to focus work on in reviewing current, and preparing new, local planning policy.

2.3 Preparation of evidence to better understand key planning issues is an essential part of the Local Plan Review and directly informs the preparation of new local planning policy and so the Council have already begun to collate the evidence needed to formulate policies for a Local Plan, and will consider collating further evidence as necessary based upon the feedback in the above scoping consultation with key stakeholders. Preparation of evidence is covered in greater detail in the next chapter but it will include undertaking some studies in-house and, in other cases, commissioning consultants to prepare studies where the Council does not have the relevant expertise in-house.

Issues & Options stage

2.4 Following the scoping consultation, the Council will prepare an Issues & Options Paper for the Local Plan Review, with a view to publicly consulting on the Paper in February / March 2017. This Issues & Options Paper is a key stage in the early preparation of the new Local Plan, as it will set out the full range of potential planning-related issues in West Lancashire and begin to consider how those issues can be addressed through a Local Plan (i.e. policy options).

2.5 These issues will vary greatly, and will vary by location as well, but it is important that this Paper is as comprehensive as possible whilst still being accessible for the general public in order to gain their input. Consideration of these issues will also lead to a draft Vision and Objectives for the Local Plan, which will form part of the consultation.

Local Plan Review Timetable
September 2016

Document / Stage	Q3 2016	Q4 2016	Q1 2017	Q2 2017	Q3 2017	Q4 2017	Q1 2018	Q2 2018	Q3 2018	Q4 2018	Q1 2019	Q2 2019	Q3 2019	Q4 2019
Local Plan Review														
Preparation of Evidence														
Regulation 18 "Scoping" Consultation														
Preparation of Issues & Options Paper														
Issues & Options Consultation														
Preparation of Preferred Options														
Preferred Options Consultation														
Preparation of Publication version														
Publication / Pre-Submission Consultation														
Submission to Planning Inspectorate														
Examination in Public (inc. Hearings and any Modifications consultation)														
Receipt of Inspector's Report														
Adoption of Local Plan														
Affordable & Specialist Housing SPD														
Prepare Draft SPD														
Consult on Draft SPD														
Amend SPD														
Adopt SPD														

- 2.6 Overlying the consideration of the Issues, the Paper would also propose a series of Strategic Options for the amount of development (housing and employment land) and the spatial distribution of that development. These Strategic Options would be informed by the Objectively-Assessed Need (OAN) for both housing and employment land for West Lancashire and by discussions with neighbouring authorities about cross-boundary strategic planning issues and whether any authority may struggle to meet their own OAN.
- 2.7 The Strategic Options may therefore identify the possibility of West Lancashire meeting some of their neighbours' unmet development needs (or our neighbours meeting some of West Lancashire's) and any proposals for growth above and beyond the OAN figure in West Lancashire where this is justified and deliverable. Consideration of such options is vital in light of the Duty to Co-operate placed upon Local Planning Authorities.

Preferred Options stage

- 2.8 Following the consultation on the Issues & Options Paper, the Council would need to start narrowing down to a single, preferred option for the amount of new development to be included in the Local Plan and the spatial distribution of that new development. It is at this point that specific sites can be brought into the equation to consider which sites would need allocating in order to meet the development needs of the Borough in the locations that the Council considers most appropriate.
- 2.9 Whichever option is ultimately settled on, it is likely that every part of the Borough will need to see some new development in order to meet local needs, and in many locations this could well involve Green Belt release due to the way that the Green Belt boundary is so tightly defined around West Lancashire's settlements. Therefore, a wide range of sites will need to be assessed.
- 2.10 The culmination of this stage of the Local Plan Review is a Preferred Options Paper, which is essentially a draft Local Plan, with proposed policies included in draft and proposed site allocations. This Paper would be publicly consulted on in January / February 2018. This stage, together with the previous Issues & Options stage, forms the bulk of the requirements of Regulation 18.

Publication of Pre-Submission Local Plan, Submission and Examination and Adoption

- 2.11 The final few stages of the Local Plan Review reflect the more formal stages of the a Local Plan preparation, starting with the publication of the Pre-Submission version of the Local Plan. This is essentially the “final draft” version of the Local Plan which the Council wishes to submit for Examination. It is published to give members of the public and other stakeholders the opportunity to make formal representations on the Pre-Submission version of the Local Plan. These representations are then submitted, with the Local Plan, to the Secretary of State for the Examination of the Local Plan.
- 2.12 As such, this “publication” stage is not consultation, but simply seeking representations, and so the only events the Council would have at this stage would be exhibitions for information only, to help individuals to make their representations.
- 2.13 Following this publication period, the Council would then decide on whether to submit the Local Plan for Examination. Once the Local Plan is submitted, it is then in the hands of the Planning Inspectorate to appoint an Inspector to undertake the Examination and write a report concluding whether or not the Local Plan is sound, and outlining any changes that are necessary to make it sound. Once the Local Plan has been found sound, the Council can adopt it. If there are significant changes proposed by the Inspector (known as main modifications) there may need to be a further stage of consultation during the Examination, with all responses ultimately being considered by the Inspector.

Other local planning policy documents

- 2.14 As well as the Local Plan, the Council will be preparing at least one new SPD. There may well be more as the Local Plan progresses and specific matters arise which are best addressed in detail through an SPD, but at this time there is only one SPD with a timetable.
- 2.15 A year ago, the Council were preparing an Affordable and Specialist Housing SPD, and even consulted on a draft version. However, uncertainty about the status of national guidance on affordable housing in the Planning Practice Guidance following a challenge in the Court of Appeal and the subsequent introduction of Starter Homes as

affordable housing caused the Council to pause work on the SPD until greater clarity was available.

- 2.16 That clarity is beginning to emerge and so it is expected that the Council will be able to re-consult on a draft Affordable and Specialist Housing SPD in early 2017, with a view to adopting the SPD before the Summer of 2017.

Summary of Planning Policy documents to be produced

West Lancashire Local Plan															
Document Details	<p>Role & Content: Sets out the main planning context of the Borough, the development strategy for the Borough and priority locations for development, development management policies and site allocations;</p> <p>Status: Development Plan Document (DPD);</p> <p>Chain of Conformity: The Local Plan should conform with the National Planning Policy Framework (NPPF). Any additional DPDs or SPDs, and any Neighbourhood Plans, should conform with the Local Plan;</p> <p>Geographic Coverage: Whole Borough.</p>														
Timetable	<table> <tr> <td>Initial Regulation 18 Scoping Consultation</td> <td>October 2016</td> </tr> <tr> <td>Issues & Options Consultation</td> <td>February / March 2017</td> </tr> <tr> <td>Preferred Options Consultation</td> <td>January / February 2018</td> </tr> <tr> <td>Publication / Pre-Submission Consultation</td> <td>October / November 2018</td> </tr> <tr> <td>Submission to Planning Inspectorate</td> <td>December 2018</td> </tr> <tr> <td>Examination Period (inc. Hearings)</td> <td>January-November 2019</td> </tr> <tr> <td>Adoption</td> <td>December 2019</td> </tr> </table>	Initial Regulation 18 Scoping Consultation	October 2016	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
Initial Regulation 18 Scoping Consultation	October 2016														
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														
Arrangements for Production	<p>Prepared by Strategic Planning & Implementation Team;</p> <p>Input from other Council services;</p> <p>Input and approval from Members via Cabinet, Local Plan Cabinet Working Group, Planning Committee, Executive Overview & Scrutiny Committee and, for submission and adoption, Council;</p> <p>Adequate staffing resource is available within Department for production.</p>														

Affordable & Specialist Housing SPD	
Document Details	<p>Role & Content: Provide further policy guidance on the delivery of affordable and specialist housing within market housing schemes;</p> <p>Status: Supplementary Planning Document (SPD);</p> <p>Chain of Conformity: The SPD must conform with the Local Plan and the NPPF;</p> <p>Geographic Coverage: Whole Borough.</p>
Timetable	<p>Consultation on Draft SPD February / March 2017</p> <p>Adoption of SPD June 2017</p>
Arrangements for Production	<p>Prepared by Strategic Planning & Implementation Team;</p> <p>Input from the Housing Strategy and Development Programme Manager and the Development Management Team;</p> <p>Input and approval from Members via Cabinet and Planning Committee;</p> <p>Adequate resources available within Department for production.</p>

Chapter 3 The Evidence Base

3.1 A Local Plan Review requires an extensive evidence base covering a wide range of topics and the following provides a summary of what evidence the Council intend to collect, and when, to inform the Local Plan Review. This list could well change, especially if feedback from the scoping consultation identifies a gap in the proposed evidence base.

Topic Area	Evidence Base	
	2016/17	2017/18
Strategic Matters [Housing and Economic – Objectively-Assessed Need]	<i>Liverpool City Region Strategic Housing and Employment Land Market Assessment (SHELMA)</i> Strategic Housing and Employment Land Availability Assessment (SHELAA)	SHELAA cont. Assessment of Potential Site Allocations <i>Housing Needs Assessment [includes assessment of older persons accommodation and Travellers]</i> <i>Review of Economy Study</i>
Transport & Movement	<i>Highways / Traffic & Transport Assessment – Options</i>	<i>Highways / Traffic & Transport Assessment – Site Allocations</i>
Infrastructure & Services	Infrastructure Delivery Plan Sustainable Settlement Study	Infrastructure Delivery Plan cont. <i>Retail & Commercial Leisure Study</i>
The Natural Environment	<i>Review of Local Nature Conservation Sites and Ecological Framework</i> Green Infrastructure Strategy <i>Habitats Regulations Assessment</i>	<i>Open Space Study and Playing Pitch Strategy Update</i> Landscape Assessment Update <i>Habitats Regulations Assessment</i>
Climate Change	SFRA Level 1 <i>Renewables / Low Carbon Development Study</i>	SFRA Level 2
Higher Education	Student Accommodation Needs Assessment	
General Evidence	Thematic & Spatial Evidence Papers Sustainability Appraisal Scoping Report & Sustainability Appraisal Options Report Health and Equality Impact Assessments – Options	Sustainability Appraisal Report <i>Viability Assessment</i> Health and Equality Impact Assessments – Preferred Option

N.B. text in *italics* denotes an evidence document which requires external or consultancy expertise.

Chapter 4 Resources

- 4.1 The Local Plan Review and subsequent new Local Plan will be produced by the Council's Strategic Planning & Implementation Team but a document as wide ranging as a Local Plan will inevitably involve input from various parts of the Council as well as from external partners.
- 4.2 The Strategic Planning & Implementation Manager will take the lead role in developing the Local Plan Review, project managing the process and the preparation of a new Local Plan and all other local planning policy documents and CIL documents.
- 4.3 The Strategic Planning & Implementation Team will liaise closely with a number of other Council sections in developing the Plan, including:
- The Development Management Team (who will use the Local Plan to make decisions on planning applications)
 - The Heritage & Environment Team (on design, heritage, trees and landscaping)
 - The Economic Regeneration Team (on economic development and regeneration matters, and employment land)
 - The Housing Strategy and Development Programme Manager (on affordable and specialist housing)
 - The Leisure and Wellbeing Service (on leisure / public open space and health matters)
- 4.4 The staffing resource of the Strategic Planning & Implementation Team is as per the team structure chart below. It is considered that this level of staff and the existing financial budget of the team is sufficient to adequately resource the preparation of a new Local Plan, and its evidence, up to the point of submission as well as the following:
- Preparation of all other local planning policy documents;
 - Responding to new Government planning policies, and other Government strategies and plans related to Planning;
 - Engaging with adjacent authorities and other agencies on planning matters;
 - All monitoring required to prepare the Annual Monitoring Report and Housing Land Supply;
 - The on-going maintenance of the Infrastructure Delivery Plan and Infrastructure Delivery Schedule;

- Administration of the Community Infrastructure Levy and how it is spent;
- Implementation of key projects to help deliver the proposals within the Local Plan and other documents, particularly transport and infrastructure related;
- Involvement in the preparation of key Council strategies; and
- Advising the Council's Development Management Team on the interpretation of planning policies and, where necessary, attending planning appeals.

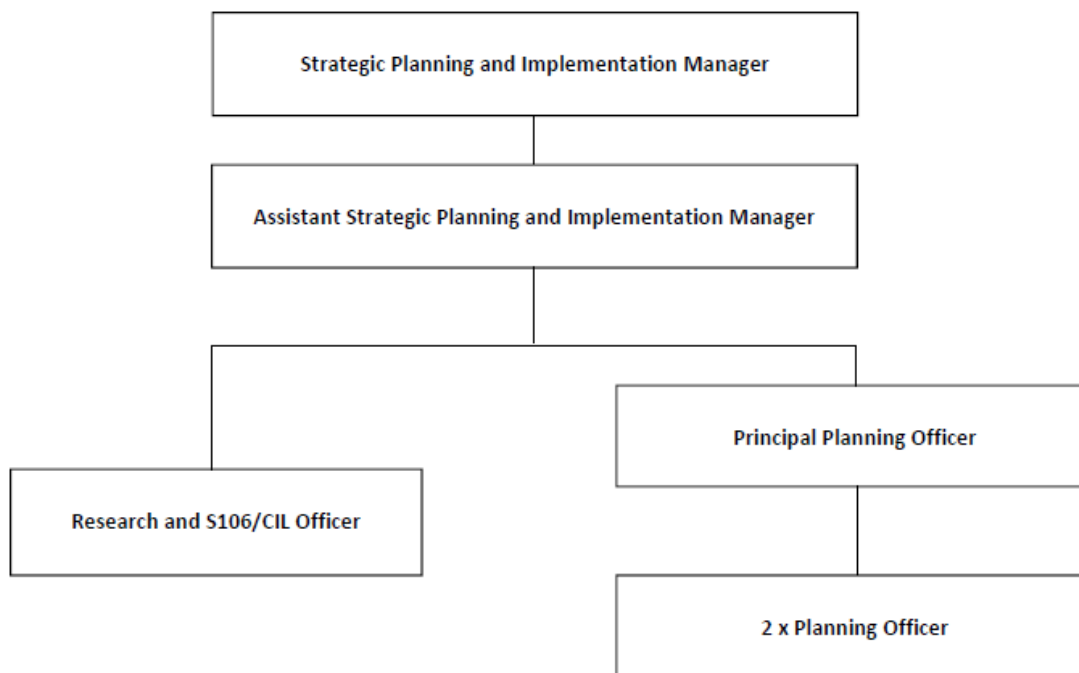


Figure 1: Strategic Planning & Implementation Team Structure

4.5 Given that West Lancashire Borough Council is a two-tier Authority with Lancashire County Council, the Strategic Planning & Implementation Team will also continue to liaise closely with the County, especially on issues of highways and transportation, as well as having reference to the County's planning policy work on Minerals and Waste and their role as Education Authority. On the issue of transport, the Strategic Planning & Implementation Team also liaise closely with Merseytravel as the public transport executive for Merseyside, extending into parts of West Lancashire, and Transport for Greater Manchester.

4.6 Resources have also been, and will continue to be, saved through effective partnership working with neighbouring Local Authorities. The Strategic Planning &

Implementation Team are working closely with their peers in Merseyside, Lancashire and Greater Manchester in order to deliver "joined-up" cross-border planning on many issues that are not restricted by Local Authority boundaries. This also helps to fulfil the Duty to Co-operate introduced by the Localism Act 2011.

- 4.7 The Strategic Planning & Implementation Team will also continue to liaise closely with a wide range of infrastructure providers to ensure that development is located where infrastructure is already provided or to consider how infrastructure can be provided over the Local Plan period to meet the needs created by development in the Local Plan.

Chapter 5 Risk Assessment

- 5.1 The planning system requires effective project management techniques to ensure, as far as possible, that stated timetables for Local Plan, and other local planning policy document, preparation are adhered to. Through the use of such techniques, the Strategic Planning & Implementation Team will endeavour to ensure that progress is kept 'on track', in accordance with the dates set out within this LDS. However, there are a variety of circumstances which alone, or in combination, can conspire to delay the preparation process.
- 5.2 It is important that the Council, the local community and all other stakeholders in the planning process, are aware of the possible risks to preparation. This is so that the risks can be minimised or mitigation measures put in place in the case of delays being occasioned. The following table identifies some of the more likely risks that could prejudice Local Plan preparation and the mitigation measures that could be employed.

Risk	Mitigation
<p>Legislation / Government Guidance</p> <p>Publication of national planning policy statements can generate new issues that the Local Plan, or its preparation, must address, sometimes causing delays.</p>	<p>Maintain close liaison with latest national guidance and its preparation.</p> <p>Revise Local Plan timetable if necessary.</p> <p>Adequate budgetary provision for consultancy support if required.</p>
<p>Planning Inspectorate</p> <p>Delays could be caused if the Local Plan or other documents takes longer than expected in the Examination process.</p>	<p>Keep in touch with Inspectorate and advise them of requests for Examinations at the earliest possible time.</p> <p>The Council will monitor Inspector's decisions elsewhere to seek to ensure the Council is following best practice.</p>
<p>Legal / Soundness</p> <p>Local Plan fails tests of soundness which would significantly delay process.</p> <p>Legal challenge to document could see Local Plan, or part of it, quashed.</p>	<p>Ensure robust evidence base and use soundness self-assessment toolkit.</p> <p>Draw on external expertise where necessary to ensure evidence and approach to policy is robust.</p> <p>Ensure procedures, Acts and Regulations are complied with.</p>

Risk	Mitigation
<p>Other External Bodies</p> <p>The planning system involves complex arrangements for co-operation, consultation, engagement and evidence gathering. Failure on the part of other bodies to respond on time or to provide adequate responses (which require subsequent clarification) could cause significant delay to work programmes.</p>	<p>Contact external bodies at the earliest opportunity and communicate clearly and regularly with them to minimise risk of no / poor responses and therefore delays.</p>
<p>Joint Working</p> <p>There can be challenges in achieving joint working with other local authorities on evidence base and ensuring that the Duty to Co-operate is fulfilled as each authority is working to their own programme and has their own particular concerns with regard an area of evidence. As such, projects / evidence studies can take longer when joint working is involved.</p>	<p>Establish clear working arrangements with other local authorities and ensure strong programme / project management.</p>
<p>Staffing</p> <p>Individual absences due to leave, personnel changes or sickness can cause delays in document production.</p> <p>Staff could leave the authority and could be difficult to replace, therefore causing delays to document production while the team is under-strength.</p>	<p>Local Plan timetable should be set on a realistic basis taking into account the staff resources available.</p> <p>Ensure quick replacement of staff wherever possible.</p> <p>Flexibility of staff within the Development and Regeneration Service enables secondment opportunities from other planning-related teams in the Service to help with workload.</p> <p>Some elements of work can be undertaken by consultants where there is financial resource available.</p>
<p>Political Direction / Management</p> <p>Members requiring late amendment to proposed documents or not willing to approve a document for consultation / submission / adoption.</p>	<p>Early consultation and information sharing with Members will reduce the likelihood of late amendments being required or documents being rejected.</p>
<p>Reduced Council Resources</p> <p>In the current climate of austerity, and reducing Council budgets, it is possible the resource available to the Development and Regeneration Service would be reduced affecting the speed at which a Local Plan can be prepared.</p>	<p>Explore all opportunities for joint working and service sharing.</p> <p>Maximise flexibility across the service.</p> <p>Revise Local Plan timetable if necessary.</p>