



AGENDA ITEM:

**EXECUTIVE OVERVIEW & SCRUTINY
COMMITTEE: 24 February 2022**

CABINET: 8 March 2022

Report of: Corporate Director of Place and Community

Relevant Portfolio Holder: Councillor Gaynar Owen

**Contact for further information: Ms Heidi McDougall (Extn. 5191)
(Email: heidi.mcdougall@westlancs.gov.uk)**

SUBJECT: UPDATE TO LOCAL DEVELOPMENT SCHEME

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To consider an updated Local Development Scheme for West Lancashire, reflecting changes in the timetable for preparing the Local Plan, and the inclusion of two additional planning policy documents in the Local Development Scheme.

2.0 RECOMMENDATIONS TO EXECUTIVE OVERVIEW & SCRUTINY COMMITTEE

2.1 That the Committee consider the content of the Update to Local Development Scheme report, and the March 2022 Local Development Scheme within Appendix A, and that the agreed comments of Executive Overview and Scrutiny Committee be passed to Cabinet for their consideration.

3.0 RECOMMENDATION TO CABINET

3.1 That Cabinet, having regard to the content of this report and to the agreed comments of Executive Overview & Scrutiny Committee, approve the updated March 2022 Local Development Scheme within Appendix A.

4.0 BACKGROUND

- 4.1 The Local Development Scheme (LDS) is essentially a timetable / project plan for preparing the West Lancashire Local Plan and other important planning policy documents for the Borough. The most recent LDS for West Lancashire was approved by Cabinet in September 2021.
- 4.2 The proposed updated March 2022 LDS provided at Appendix A includes an amended timetable for the preparation of the new West Lancashire Local Plan 2023-2040, as follows:

Issues & Options Consultation ('Regulation 18')	Completed early 2022
Policies, Development Requirements & Site Allocations Consultation	Summer 2023
Publication / Pre-Submission ('Regulation 19')	Summer 2024
Submission to Planning Inspectorate	October 2024
Examination in Public (including Hearings)	October 2024 – Summer 2025
Adoption	July 2025

'Regulations' refer to the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

- 4.3 Overall, this represents a delay in the adoption of the new Local Plan compared with the LDS approved by Cabinet in September 2021. The primary reason for the revised timetable being necessary is due to current vacancies within the team. Whilst every effort is being made to recruit to the vacant posts, it is inevitable that delays will be incurred whilst these vacancies are filled. The above Local Plan timetable will be reviewed once the team is fully staffed and, if possible, a revised timetable proposed.
- 4.4 The March 2022 LDS also includes two additional elements that were not included in the September 2021 LDS. The first of these is a new Supplementary Planning Document (SPD) on a Recreation Mitigation Strategy for West Lancashire and the Liverpool City Region which is being prepared jointly with the six Liverpool City Region Councils and the Liverpool City Region Combined Authority. This new SPD is needed to provide information to assist individuals and developers submitting planning applications to meet requirements under the Conservation of Habitats and Species Regulations 2017 (as amended) ('the Habitats Regulations as amended'). The SPD is likely to include an optional per-dwelling tariff for new residential development and an implementation framework for managing and improving designated European habitats sites or alternative greenspaces.

- 4.5 The reasons for West Lancashire Borough Council joining the joint Liverpool City Region Recreation Mitigation Strategy have been set out in previous reports, comprising a Record of Decision (September 2021) and a Members Update (no.3, November 2021) which are available on the Council's website. In summary, it is a requirement that plans and projects (which include local plans and planning applications) provide mitigation for disturbance to designated European habitats sites (which include Martin Mere and the Ribble Estuary in West Lancashire and the nearby Sefton Coast outside the Borough) as a result of recreation arising from new residential development. If new residential development is proposed without an agreed mitigation solution, irrespective of the effect on scheme viability, then the plan or project cannot be lawfully permitted.
- 4.6 The second additional element is a revision to the Community Infrastructure Levy (CIL) Charging Schedule. This is the subject of a separate Cabinet report. The CIL Charging Schedule, once adopted, sets out how much CIL will be charged on new development in the Borough, and charges may vary with proposed use, location and development size. The stages of preparing a CIL Charging Schedule are set out in the Government's CIL Regulations 2010 (as amended). The work is a significant undertaking and would involve commissioning expert consultants to undertake a viability assessment of Local Plan policies, consultation with developers and other interested parties, and an examination in public.
- 4.7 The current CIL Charging Schedule was adopted in July 2014, following the adoption of the West Lancashire Local Plan in 2013. As the CIL Charging Schedule now approaches its eighth year of operation, and as the Council prepares the new Local Plan against a backdrop of changing financial burdens and policy requirements, it is considered appropriate and timely to undertake a review of the CIL Charging Schedule in conjunction with the preparation of the new Local Plan. For example, the likely financial impact of proposed new Local Plan policies on such matters as biodiversity net gain, affordability of housing, and energy efficiency can be evaluated and the viability evidence can be used iteratively to help decide whether / by how much CIL charges should change.

5.0 SUSTAINABILITY IMPLICATIONS

- 5.1 There are no direct implications for sustainability from the recommendations in this report.

6.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 6.1 The new Local Plan will be produced by the Council's (currently named) Strategic Planning, Regeneration & Implementation Team. However, a document as wide-ranging as a Local Plan will inevitably involve input from various parts of the Council (as well as external stakeholders and partners).
- 6.2 The costs of preparing the Local Plan will be covered by existing general revenue budgets together with the previously agreed contribution from Council Reserves

for the costs of additional evidence studies and the Examination of the Local Plan.

- 6.3 For further detail, please see chapter 4 of the LDS at Appendix A, which covers the issue of resources for the preparation of the Local Plan.

7.0 RISK ASSESSMENT

- 7.1 Please see chapter 5 of the LDS at Appendix A, which covers the issue of risk assessment for the Local Plan and sets out a number of possible risks and mitigation measures. This includes a risk assessment associated with the impact any further restrictions related to Covid 19 (or similar matters) may have on Local Plan preparation, and with further changes to staff within the Strategic Planning team.

- 7.2 One risk worth flagging is the impact that changing national policy can have on the preparation of a Local Plan, sometimes causing considerable delays while whole sections or policies are re-written to reflect new national guidance. This is perhaps a significant risk for Members to note as we prepare the new West Lancashire Local Plan because of the proposals in the Government's Planning for the Future White Paper (August 2020). Whilst a local plan would still be central to such a system, what goes into a local plan could be considerably different as a result of any changes the Government proposes over coming months.

8.0 HEALTH AND WELLBEING IMPLICATIONS

- 8.1 There are no direct implications for health and wellbeing from the recommendations in this report.

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

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 A – Local Development Scheme March 2022

