

REPORT TO: Executive Board

DATE: 31st March 2011

REPORTING OFFICER: Strategic Director – Environment and Economy

SUBJECT: Halton Core Strategy – Changes to Proposed Submission Document for a period of further public consultation

WARDS: Borough-wide

1.0 PURPOSE OF THE REPORT

- 1.1 This report seeks the approval of the Executive Board for changes to the Halton Core Strategy Proposed Submission Document, for a period of further public consultation on a revised document (**Appendix B**).
- 1.2 It is intended that the changes proposed be incorporated into the current Proposed Submission Core Strategy document and be subject to a further six week period of public consultation from the Friday 6th May 2011 to Friday 17th June 2011.

2.0 RECOMMENDATION: That

- (1) The changes to the Proposed Submission Document be approved for incorporation into the Core Strategy for the purposes of a secondary public consultation for a six week period under Regulation 27 of the Town and Country Planning (Local Development) (England) Regulations 2008.**
- (2) Further editorial and technical amendments that do not materially affect the content of the Halton Core Strategy Revised Proposed Submission document or the supporting documents be agreed by the Operational Director for Policy, Planning and Transportation in consultation with the Portfolio Holder and Leader of the Council as necessary, before they are published for public consultation; and**
- (3) The Halton Core Strategy be taken before Council later in the year prior to Submission to the Secretary of State for Independent Examination.**

3.0 SUPPORTING INFORMATION

Halton Core Strategy Proposed Submission Document consultation (November 2010 - January 2011)

- 3.1 On 18th November 2010, approval was received from the Executive Board to publish the Proposed Submission Core Strategy for an 8 week period of public consultation and for representations to be made. Between 29th November 2010 and 24th January 2011 this period of public consultation, known formally as the Publication Stage in accordance with Regulation 27 of The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008, took place. A number of stakeholders and members of the public asked for additional time to make representations on the Core Strategy and the final representations relating to this period of consultation were received in mid-February.
- 3.2 A total of 41 respondents, ranging from members of the public, neighbouring local authorities, Government agencies, landowners and developers made representations on the Halton Core Strategy Proposed Submission Document. The representations ranged from support for the document and its contents, comments, and objections which related to the legal compliance or “soundness” of the plan.
- 3.3 The term “soundness” relates to the requirement in the government’s Planning Policy Statement 12: Local Spatial Planning, that in order for a Core Strategy to be sound, it must be:
- **Justified** -
 - founded on a robust and credible evidence base,
 - the most appropriate strategy when considered against the reasonable alternatives
 - **Effective** -
 - deliverable,
 - flexible,
 - able to be monitored, and
 - **Consistent with National Policy**
- 3.4 Appendix A to this document sets out a list of the respondents to the Core Strategy and the policies their representations related to. Appendix B to this document sets out a summary of the main issues raised in the representations received on the Halton Core Strategy Proposed Submission Document (November 2010) and the Council’s proposed response to these matters, including suggested amendments to the Core Strategy.

Further public consultation

- 3.5 The related Regulations anticipate that local authorities will proceed straight to Submission following public consultation on the Publication version of the plan. Only minor changes to a plan (i.e. to improve the plan's legibility or to bring the plan up-to-date) are allowed to be made between Publication and Submission to the Secretary of State without the need for further consultation. Guidance suggests that it is necessary to reconsult the public and stakeholders when more major changes to the Core Strategy are required prior to Submission, to give interested parties the opportunity to comment on the most up-to-date proposals. If these issues are not addressed, the examination process may be protracted or, in the worst case, the Inspector might recommend the Development Plan Document is withdrawn after the examination has started, to avoid the document being found 'unsound'. This would mean the Council would incur considerable costs without a plan capable of being adopted.
- 3.6 At the Executive Board meeting in November 2010, Members were asked to resolve that they considered the Proposed Submission Core Strategy to be 'sound'. Whilst at that time, the Council felt that the plan was sound, following the responses received during the public consultation on small number of policy issues, this view has been called into question. Whilst it was anticipated that some representations would challenge the soundness of the plan, the Council has taken the view that some of the issues raised need to be addressed through amendments to policy wording.
- 3.7 The main policy areas questioned by respondents during the consultation period were:
- Availability of evidence upon which the policies within the Core Strategy were founded upon
 - Green Belt policy
 - Daresbury Strategic Site
 - Liverpool John Lennon Airport policy
 - Core Strategy plan period not covering the required period of 15 years from adoption
- The points raised by the public and stakeholders on these areas, plus the Council's proposed way of addressing the comments are summarised in the following sections. These major issues plus other matters raised through the consultation are summarised in Appendix B to the report.

Availability of evidence base

- 3.8 As listed above at paragraph 3.2, one of the elements of soundness that a Core Strategy is required to meet is that the policies within the plan need to be **Justified**, which includes the requirement that policies are founded on a robust and credible evidence base. It was the intention that all of the critical pieces of evidence upon which policies

contained in the Core Strategy have been based upon would be available for comment during the consultation period alongside the Core Strategy itself. Whilst draft versions of the entire evidence base documents referred to in the Core Strategy were available to the Council to inform the drafting of related policies, unfortunately final versions were not available. As such, due to unforeseen circumstances primarily relating to joint working with authorities in the Liverpool City Region, there were some pieces of the Core Strategy evidence base which were not made publicly available for review.

These included:

- Liverpool City Region Housing and Economic Development Evidence Base Overview Study (GVA)
- Mid-Mersey Strategic Housing Market Assessment (GL Hearn and Justin Gardner Consulting)
- East Runcorn Sustainable Transport Study (Mott MacDonald)
- Determining a Housing Requirement for Halton (Internal Topic Paper)

3.9 In order for stakeholders to be able to respond to whether they believe the Core Strategy to be founded on a robust and credible evidence base, it follows that the evidence base should be available for them to view in order for them to make an informed view. This issue was raised by a small number of respondents who also questioned the legal compliance of the Core Strategy with the associated Regulations.

3.10 In order to overcome these objections it is proposed that a further period of 6 weeks of public consultation is required on the Core Strategy to make the full evidence base available for comment. The evidence base will be available via the Council's website and also for inspection in person following a prior request. It is therefore felt that this will overcome the issues of legal compliance and soundness in relation to the availability of the evidence base.

Green Belt policy

3.11 Policy CS6 within the Proposed Submission Core Strategy deals with Green Belt land in the Borough. This includes reference to the potential future need within the mid/late part of the plan period for a partial review of current Green Belt boundaries in order to ensure a sufficient supply of deliverable development land to meet the requirements of the Borough's communities.

3.12 A range of comments were received on the issue of Green Belt. In general respondents were seeking more clarity on the mechanisms for triggering a Green Belt review and the scale of land needed to be removed from the Green Belt to serve future development needs. Neighbouring authorities also sought reassurance that any Green Belt review would be undertaken in consultation with them, given both the direct and indirect impact that releasing land currently within Halton's Green Belt could have on them.

- 3.13 In order to resolve the issues raised, it is proposed to add further detail to policies CS1: Halton's Spatial Strategy, CS3: Housing Supply and Locational Priorities and CS6: Green Belt regarding the precise circumstances (in relation to development land supply) where a Green Belt review would commence. Information on the scale of land which may need to be released from the Green Belt is included within the Housing topic paper. Therefore making the full evidence base supporting the Core Strategy available to view may also overcome some of the issues raised as it will add clarity as to why a Green Belt review may be necessary within the plan period.

Daresbury Strategic Site

- 3.14 Policy CS11 within the Proposed Submission Core Strategy concerns the East Runcorn Key Area of Change. Within this Key Area of Change, a Strategic Site is proposed at Daresbury, involving Daresbury Park, Daresbury Science and Innovation Campus and the currently undeveloped land in between. Designating a Strategic Site in a Core Strategy equates to allocating the site for development, and land use proposals must be shown on an Ordnance Survey based map to indicate the precise areas of land concerned. As such, the level of detail regarding delivery and infrastructure requirements is greater than for other locations referred to in a Core Strategy.
- 3.15 A variety of comments were received relating to East Runcorn and the Daresbury Strategic Site, with a number supportive of the Council's proposals for development in this area. The consortium of Parish Council's in the area sought more detail on a number of points in this policy, including the phasing of development site, traffic impacts arising from the new development and the requirement for community facilities and shops to support the proposed development. In order to demonstrate the deliverability of the Strategic Site, it is proposed that the infrastructure requirements for the area are revised both to be more realistic and to ensure all necessary infrastructure is included in the policy. Changes to the Strategic Site allocations plan are also required to ensure that it more accurately reflects the intentions of the development partners. Making these changes will hopefully allay the concerns of the adjacent Parish Councils and provide further detail regarding the deliverability of the development that the Planning Inspector will require.

Liverpool John Lennon Airport

- 3.16 Policy CS17 within the Proposed Submission Core Strategy relates to the operation and expansion of Liverpool John Lennon Airport. The policy supports, in principle, the future development and expansion of the airport in line with its 2007 Masterplan, including proposals for a runway extension and the Eastern Access Transport Corridor (EATC). The runway extension to the east of the existing airport boundary would

require a local change to Halton's Green Belt boundary and as such an Area of Search for Green Belt release is identified on the Key Diagram. The precise extent of this change and the detailed criteria to be met in its implementation would be set out in a Site Allocations DPD. The route of the EATC would be determined through the Development Management process.

- 3.17 A number of representations were received during the consultation period regarding the Liverpool John Lennon Airport policy and the airport's planned expansion. The majority of these related to the environmental and social impacts of the runway extension and the EATC. In particular concern was raised regarding public safety risk and the extension of the Public Safety Zone (PSZ), increased air pollution and noise levels, environmental mitigation, landscape value and the character of Hale Village. It is acknowledged and agreed that further details and consideration of these impacts should be given through the Core Strategy. It is therefore proposed that a Topic Paper be developed to support policy CS17: Liverpool John Lennon Airport and to provide further information on the potential future development and expansion impacts for residents of Hale Village and the Borough. It is also proposed to re-order the policy to emphasise the importance of ensuring that negative social and environmental impacts associated with the potential future development and expansion of Liverpool John Lennon Airport are appropriately addressed.

Plan period

- 3.18 There is a requirement within Planning Policy Statement 12 that Core Strategies must cover a minimum period of 15 years from the date of adoption. At present, the Proposed Submission Core Strategy covers a period from April 2010 – April 2026 (at the end of the 2025/26 financial year). However, a number of respondents noted that the previous proposed adoption date for the Core Strategy in early 2012, would mean that the Core Strategy would need to extend to 2027 (financial year 2026/27) as a minimum. In light of the additional period of public consultation proposed in this report and the consequential effect this will have on the programmed adoption date of the Core Strategy, it may be necessary to extend the plan period further into the financial year 2027/28. It is therefore proposed to extend the plan period accordingly to ensure compliance with national planning policy. This will have implications on policies relating to development land need and supply, where additional requirements will need to be added into the respective policies and also the Housing Trajectories at Appendix 1.

4.0 NEXT STEPS

- 4.1 It is the intention that a further 6 week period of public consultation on the Core Strategy Revised Proposed Submission document, incorporating the changes referred to in Appendix A, will take place

from Friday 6th May – Friday 17th June 2010. Once the consultation period has closed, the Council will be able to proceed to submit the Core Strategy to the Secretary of State. The approval of full Council will be sought prior to proceeding with the Core Strategy to the Submission stage. An Independent Planning Inspector will be appointed on behalf of the Secretary of State to consider the representations received alongside the soundness of the plan. Indicative timescales published by the Planning Inspectorate suggest that the examination would commence in the autumn. Using this indicative timetable, it is hoped that the Halton Core Strategy can be adopted in spring 2012.

5.0 POLICY IMPLICATIONS

- 5.1 The Core Strategy is the central policy document within the Halton LDF. The Core Strategy is more than a planning document: it is a significant corporate policy document and as such, it will have widespread policy implications for the Council and its partners. It is important that all efforts are made to ensure a successful outcome at the Core Strategy examination because of the time and resources that have been invested in the plan's production to date.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 A Healthy Halton

The Core Strategy Proposed Submission document contains a number of policies intended to directly or indirectly contribute to addressing the Borough's health problems. The SCS priority for a healthier Halton is strongly reflected across a number of policies, including through the maintenance of well-designed places and spaces, support for accessible sustainable travel options and through the provision of a healthy, green local environment. The Core Strategy Revised Proposed Submission Document includes policy CS22: Health and Well-being which specifically looks to support healthy environments and lifestyles in the Borough.

6.2 Halton's Urban Renewal

The Key Areas of Change highlight areas which will be subject to concentrated renewal. The other policies in the Plan seek to support the renewal and/or enhancement of the Borough's green and built environment, with a particular focus on housing areas, employment land and the Borough's town centres.

6.3 Children and Young People in Halton

A significant component of the content of the Core Strategy is aimed at supporting raising aspirations of younger people, and supporting the provision of opportunities for them to enter further education or employment. The Plan also address the need to encourage and provide opportunities for children and younger people to access and participate in physically active, healthy lifestyles.

6.4 Employment, Learning and Skills in Halton

One of the main thrusts of the Core Strategy is to support the maintenance and enhancement of the Borough's economy and hence economic growth. The Core Strategy also aims to consolidate and enhance linkages to the wider sub-region and deliver the economic benefits of Halton's strategic location and facilities to the Borough's residents and businesses.

6.5 A Safer Halton

Making Halton safer is a key consideration for the Core Strategy, which aims to ensure that Halton's communities, businesses and visitors enjoy access to a safe and sustainable physical environment with natural and man-made risks and hazards being minimised. A number of policies seek to create and sustain safer environments, which are well designed, well built, well maintained and valued by all members of society.

7.0 RISK ANALYSIS

7.1 In approving the Plan for a second round of consultation at the 'Publication stage' the Council is taking a more cautious approach rather than proceeding to submit the Core Strategy to the Secretary for Examination. Although procedurally, the Council is now able to submit the Core Strategy to the Secretary of State given the representations that have been received to date, it is felt that a safer approach is to make amendments to the Core Strategy at this stage while it is still able and then proceed to Submission.

7.2 Despite this more cautious approach, there is still the risk that the soundness and legal compliance of the plan could still be called into question by the Inspector at the Examination. Normally in these instances, the Inspector will call an Exploratory meeting to highlight their concerns and to decide whether any issues can be easily resolved through the provision of additional information.

8.0 EQUALITY AND DIVERSITY ISSUES

8.1 An integral part of the Core Strategy is to support a socially inclusive environment that takes into account Halton's diverse communities by breaking down unnecessary barriers and exclusions in a manner that benefits the entire Borough. Equality Impact Assessments have been undertaken on the Core Strategy at both the Preferred Options and Proposed Submission stages to demonstrate whether the Plan has any significant foreseeable implications for Halton's communities and ways that these potential effects should be mitigated.

9.0 REASON(S) FOR DECISION

- 9.1 In order to avoid being found 'unsound' for procedural reasons, it is recommended that a period of further public consultation be agreed.
- 9.2 Publication of the Core Strategy Revised Proposed Submission Document must be carried out for a statutory minimum 6 week period to allow interested parties ample opportunity to comment and to avoid legal challenge. As the Core Strategy is a Development Plan Document, publishing the document for public consultation requires the approval of Executive Board.

10.0 ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 10.1 As discussed at paragraph 6.1, the Council is able to proceed to Submission. Although the time and resource implications of undertaking a further period of consultation have been considered, given the scale of some of the issues raised in response to the Proposed Submission consultation, it was decided that in the longer term it would be more sensible to incur minor delays at this stage rather than to risk the Core Strategy being found "unsound" at Examination, resulting in a much longer delay and the Council having to cover the Planning Inspector's costs, without a successful outcome.

11.0 IMPLEMENTATION DATE

- 11.1 It is envisaged that the Core Strategy will be submitted to the Secretary of State in July 2011, with the examination phase commencing in autumn 2011, to be followed by adoption of the plan in spring 2012.

12.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document	Place of Inspection	Contact Officer
Copies of representations received on the Halton Core Strategy Proposed Submission Document (November 2010 - February 2011)	Places, Economy and Transport Team, Rutland House	Alasdair Cross
HBC detailed responses to representations received (March 2011)	Places, Economy and Transport Team, Rutland House	Alasdair Cross

Planning Advisory Service – Plan Making Manual	Places, Economy and Transport Team, Rutland House	Alasdair Cross
The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008	Places, Economy and Transport Team, Rutland House	Alasdair Cross
Halton Core Strategy Proposed Submission Documents (November 2010)	Places, Economy and Transport Team, Rutland House	Alasdair Cross
Executive Board Report – Halton Core Strategy Proposed Submission Document for Public Consultation (18 th November 2010)	Places, Economy and Transport Team, Rutland House	Alasdair Cross
Planning Policy Statement 12: Local Spatial Planning	Places, Economy and Transport Team, Rutland House	Alasdair Cross