

URGENT ITEM

REPORT TO: Council

DATE: 17th April, 2013

REPORTING OFFICER: Strategic Director (Policy & Resources)

SUBJECT: Adoption of the Halton Core Strategy

WARDS: Borough-wide

1.0 PURPOSE OF THE REPORT

1.1 To approve amendments to the Core Strategy and adopt the final version of the Core Strategy.

2.0 RECOMMENDATION: That the Council adopt the final version of the Core Strategy incorporating authorised editorial amendments, as attached to this report.

3.0 SUPPORTING INFORMATION

3.1 On 12th December 2012, the Council resolved:

COU55 ADOPTION OF THE HALTON CORE STRATEGY LOCAL PLAN, INCLUDING CONSEQUENTIAL DELETION OF SPECIFIC SAVED UNITARY DEVELOPMENT PLAN POLICIES AND ASSESSMENT OF CONSISTENCY OF THE UNITARY DEVELOPMENT PLAN WITH NATIONAL PLANNING POLICY FRAMEWORK (MINUTE EXB 98 REFERS).

The Executive Board considered a report of the Strategic Director, Policy and Resources, on the formal adoption of the Halton Core Strategy.

The Halton Core Strategy was the key planning policy document for Halton, which set out the development framework for the 2010-2028 period. Production of the document commenced in 2006, and had undergone five periods of public consultation during its evolution. In July 2012, Council had considered the main modifications and other minor changes, which were subject to an eight week public consultation period.

The report detailed the main modifications to the Submitted Core Strategy. A total of thirteen representations were received, mainly on behalf of landowners in the Borough. The most significant issue raised was the proposed split in the housing requirement between Runcorn and Widnes/Hale, with objectors requesting that the distribution be amended to give a higher requirement to Widnes/Hale. On this, the Inspector had

now required a further 'minor' change to the distribution (split) of housing, which differed to that approved by Council on 18 July 2012.

It was noted that following adoption of the Core Strategy, Halton's development plan would consist of three documents:

- The North West of England Plan – Regional Spatial Strategy for the North West (2008);
- The Halton Core Strategy Local Plan (2012); and
- Saved Policies from the Halton Unitary Development Plan (2005).

In addition, when the Joint Merseyside and Halton Waste Local Plan was finalised, it would also form part of the development plan for Halton.

RESOLVED: That Council

- 1) accept the findings of the Planning Inspector's report into the soundness of the submitted Halton Core Strategy including the Main Modifications that are necessary for the document to be sound (Appendix A);
 - 2) authorise the Operational Director for Policy, Planning and Transportation in consultation with the Portfolio Holder for the Physical Environment, to make editorial amendments to the Halton Core Strategy prior to final publication. These amendments will be restricted to correcting minor errors and formatting text and shall not alter the meaning of the Core Strategy;
 - 3) adopt the Halton Core Strategy, including the Inspector's Main Modifications and Council's Minor Changes as part of the Development Plan for Halton, to be used for development management purposes;
 - 4) note that a number of saved policies in the Halton Unitary Development Plan (as listed in Appendix 4 of the Core Strategy), will be deleted and replaced by policies in the Core Strategy; and
 - 5) note the consistency with the NPPF of the remaining saved policies from the Halton Unitary Development Plan (Appendix B) and confirm that consistent policies will continue to be afforded full weight in determining development applications.
- 3.2 The report to Council on the 12/12/12 set out the detailed process the Council have followed in respect of the development of, consultation on, and adoption of the Core Strategy.
- 3.3 Editorial amendments have now been made to the Core Strategy as authorised by Council minute COU55.
- 3.4 The final version of the Core Strategy as amended is attached to this report.

- 3.5 The Council is asked to agree and adopt the final version of the Core Strategy as attached to this report.

4.0 POLICY IMPLICATIONS

- 4.1 The Core Strategy is the central policy document within Halton's Statutory Development Plan / Local Plan (previously known as the Local Development Framework). 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. Not only will the Core Strategy policies be used in the determination of planning decisions, but the policies will guide the Council's future development strategies. The Core Strategy has been in production since 2006 and reaching the adoption stage represents the culmination of significant work, public consultation, and investment of resources.
- 4.2 The Halton Unitary Development Plan, as part of the adopted Development Plan for the Borough is of huge importance in determining planning applications in Halton. It is therefore imperative that due weight is afforded to saved policies in decision making, until such a time that the Halton UDP policies are replaced by another Local Plan. The assessment of conformity finds that the policies in the Halton UDP are in compliance with the NPPF and should continue to be used in development control decision making, alongside the policies of the newly adopted Halton Core Strategy.

5.0 OTHER IMPLICATIONS

- 5.1 By definition the main impact of the Core Strategy will be in the area of development control.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 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 addresses the need to encourage and provide opportunities for children and younger people to access and participate in physically active, healthy lifestyles.

6.2 Employment, Learning and Skills in Halton

One of the main thrusts of the Core Strategy is to support the enhancement of the Borough's economy and hence deliver 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 advantageous geographic location.

6.3 A Healthy Halton

The Core Strategy 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 includes policy CS22: Health and Well-being which specifically looks to support healthy environments and lifestyles in the Borough.

6.4 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.

6.5 Halton's Urban Renewal

The Core Strategy's 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.

The Halton Unitary Development Plan sets out a strategy to regenerate key areas of the Borough through proactive planning policies. The assessment of conformity will allow full weight to be afforded to these policies so they can continue to be used to shape and improve Halton's urban environment.

7.0 RISK ANALYSIS

7.1 As the Planning Inspector has found the Halton Core Strategy to be sound, it is capable of being adopted. The Council must advertise its decision to formally adopt the Core Strategy, thereby allowing any person aggrieved by the adoption to apply to the High Court for permission to apply for a judicial review of the decision. Any such application to the High Court must be made within a six week period from the date of adoption and must be made on the grounds that:

- The document is not within the appropriate power; or
- A procedural requirement has not been complied with.

No such challenges are anticipated and the Council believe that the Core Strategy has been prepared in accordance with the relevant legislation.

- 7.2 Given the recent changes to the planning system, there is the potential that the Core Strategy may need to be revised to take account of new national policy or a wider change to the system of producing Local Plans. This could be progressed by either a partial review of the Core Strategy or by preparing a new plan. At present, the Regional Strategy for the North West (RSS) remains part of the Development Plan for Halton, although it is the Government's clear policy intention to revoke all regional strategies outside of London at the earliest possible date. The potential for Core Strategy policies based on RSS to be reviewed once it has been formally revoked has been highlighted in the document.
- 7.3 Failure to assess the conformity of all saved Halton UDP policies with the NPPF will prolong the decision making process and would lead to an unclear policy landscape if UDP policies are only assessed on an ad hoc basis as they are to be used in planning application decisions. Without assessment, the Council could expect to be challenged on the decisions it makes as local planning authority using policies in the Halton UDP to determine planning applications.

8.0 EQUALITY AND DIVERSITY ISSUES

- 8.1 It is not foreseen that the adoption of the Core Strategy will have a differential negative impact on the protected characteristics of the communities of Halton. Equality Impact Assessments have previously been undertaken on the Core Strategy at the Preferred Options, Proposed Submission and Revised Proposed Submission stages. No significant foreseeable impacts were identified at any of these stages.
- 8.2 All saved policies in the Halton Unitary Development Plan have been assessed for conformity with the NPPF. The policies apply equally to all sections of society in the Borough and therefore no equality and diversity issues have been identified.

9.0 REASON(S) FOR DECISION

- 9.1 A considerable amount of time and resources have been invested in the production of the Core Strategy since work commenced on the document in 2006. Officers from across the Council and Members from across all parties have been involved in the production of the document since its inception. It is therefore recommended that the Core Strategy be adopted to form part of the Development Plan for Halton.
- 9.2 The NPPF's transitional arrangements give authorities a 12 month grace period to ensure their existing saved policies are up to date with the guidance in the NPPF. After this time, policies can only be used in relation to their degree of conformity with the NPPF. An assessment of the consistency of policies within the NPPF has been undertaken and was reported to Council in December 2012.

10.0 ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

10.1 The Inspector has concluded that by making the main modifications appended to his report, the Halton Core Strategy Local Plan satisfies the requirements of Section 20 (5) of the 2004 Planning and Compulsory Purchase Act and meets the criteria for soundness in the National Planning Policy Framework. The only alternative option available to the Council would have been to withdraw the Core Strategy. This has not been considered as it would leave the Council without an up to date set of strategic planning policies and without the policy context for future work.

10.2 No alternative options have been considered on the matter of the conformity of the UDP policies. Without an assessment of conformity against the NPPF, the UDP policies used to determine planning applications would be subject to challenge after the 12 month grace period expired on 27th March 2013, as detailed in paragraph 215 of the NPPF. This assessment of conformity was reported to Council in December 2012.

11.0 IMPLEMENTATION DATE

11.1 The policies of the Halton Core Strategy have been used as a material consideration in development management decisions since the Council resolved to submit the document to the Secretary of State in July 2011. It is proposed that the Halton Core Strategy be formally adopted as part of the Development Plan for the Borough and as such, planning applications must be determined in accordance with the development plan from the date of this decision, unless material considerations indicate otherwise.

11.2 Additionally, those UDP policies that are in conformity with the NPPF and have been saved can be referenced in planning application decisions to demonstrate the continuing relevance of the saved policies of the Halton UDP.

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

Document	Place of Inspection	Contact Officer
Halton Unitary Development Plan (April 2005)	Municipal Building	Alasdair Cross
Halton Core Strategy Local Plan – Post Submission Changes (July 2012)	Municipal Building	Alasdair Cross
Council Report 12/12/2012 covering: <ul style="list-style-type: none">• Adoption of Core Strategy Local Plan• Deletion of specific saved UDP policies• Assessment of consistency of the UDP with NPPF	Municipal Building	Alasdair Cross
National Planning Policy Framework and Technical Guidance (March 2012)	Municipal Building	Alasdair Cross

Document	Place of Inspection	Contact Officer
The Town and Country Planning (Local Planning) (England) Regulations 2012	Municipal Building	Alasdair Cross
Planning and Compulsory Purchase Act 2004	Municipal Building	Alasdair Cross