

REPORT TO: Executive Board

DATE: 10 December 2015

REPORTING OFFICER: Strategic Director – Community and Resources

PORTFOLIO: Physical Environment

SUBJECT: Revised Delivery and Allocations Local Plan (DALP)
Scoping Report

WARDS: Boroughwide

1.0 PURPOSE OF THE REPORT

- 1.1 This report seeks approval for the publication of a revised Delivery and Allocations Local Plan Scoping Document for a six week period of public consultation under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 1.2 In addition, approval is sought to publish a Community Infrastructure Levy Scoping Document for a six week period of public consultation, this will allow the Council to start discussions with stakeholders and neighbouring authorities about the rate of levy to be introduced, subject to approval.

2.0 RECOMMENDATION: That

- 1) the revised Delivery and Allocations Local Plan Scoping Document (Appendix 1) is approved by Executive Board for the purposes of public consultation for a six week period. This is scheduled to begin in January 2016;**
- 2) the Community Infrastructure Levy Scoping Document (Appendix 2) is approved by Executive Board for the purposes of public consultation for a six week period. This is also scheduled for January 2016; and**
- 3) any minor drafting amendments to be made to the scoping documents prior to public consultation be agreed by the Operational Director, Policy, Planning and Transportation in consultation with the Executive Board Member, Physical Environment.**

3.0 SUPPORTING INFORMATION

- 3.1 It is a statutory requirement for a local authority to produce a development plan for its area. Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 3.2 Reg.18 consultation is the first stage in the production of a Local Plan and is the starting point for discussion on what the Local Plan should include and what should inform its preparation. Executive Board previously approved consultation under Reg.18 at the meeting of the 9th January 2014 on the scope of the Delivery and Allocations Local Plan (DALP). Since that time however, implications arising from the implementation of the National Planning Policy Framework, national Planning Policy Guidance and local evidence base studies have indicated the need to widen the 'scope' of the DALP to encompass selected policies from the Core Strategy Local Plan. This necessitates repeating the (Reg.18) scoping consultation.

Delivery and Allocations Local Plan

- 3.3 A number of significant developments occurred during, or shortly after the production of the Core Strategy:
- a) Government revoked the Regional Strategy for the North West
 - b) The National Planning Policy Framework (NPPF) was published whilst the Core Strategy was at Examination / Main Modifications stage.
 - c) The national Planning Policy Guidance (PPG) was published post adoption of the Core Strategy.
- 3.4 The successful legal challenge to the revocation of Regional Strategy meant that it was in force at the time of the Core Strategy Examination, and the Inspector concluded that the Core Strategy housing requirement (CS1 & CS3) had to be in compliance with that Regional Strategy.
- 3.5 The NPPF introduced a number of changes / requirements including the need to identify and meet the '*Objectively Assessed Need*' for housing and the need to maintain a 5 year supply of housing land that includes either a 5% or 20% additional buffer.
- 3.6 The PPG sets out the detail for the assessment of Objectively Assessed Need for housing including formalising the relationship between housing requirements and economic aspirations (i.e. authorities must identify housing provision for all the workers associated with their economic aspirations / allocations).

3.7 The cumulative effects of these changes suggest it will be advisable to revisit a number of the policies within the Core Strategy to comply with these changed national requirements and the emerging local evidence base.

3.8 Policies that may need to be revisited include;

- CS1 – Spatial Strategy
Includes reference to housing, employment and retail requirements (see CS3, CS4 and CS5).
- CS3 – Housing Supply and Locational Priorities
Difference between Regional Strategy derived housing figure and newly commissioned figure for 'Objectively Assessed Need' for housing
- CS4 – Employment Land Supply and Spatial Priorities
Potential issue between 'take-up rate' derived employment land policy figure, newly commissioned economic forecasts and OAN for housing calculation.
- CS5 – A Network of Centres (Retail)
New (post-recession) Retail Study commissioned will provide updated floorspace requirements
- CS8; CS9; CS10; CS11 – Key Areas of Change
Relationship between Core Strategy 'pen picture' key area of change policies and detailed allocations policies may render aspects of Core Strategy policies redundant as the DALP will allocate specific sites within these Key Areas.
- CS12 – Housing Mix
New Strategic Housing Market Assessment (SHMA) has provided revised housing types, and needs assessment.
- CS13 – Affordable Housing
New Strategic Housing Market Assessment (SHMA) has provided revised affordable housing needs assessment.
- CS14 – Meeting the Needs of Gypsies and Travellers and Travelling Showpeople
The Gypsy and Travelling Showpeople Accommodation Assessment (GTAA) published in March 2014 has provided policy figures that need incorporating into the Local Plan.
- CS16 – The Mersey Gateway Project
Current policy seeks to prevent development that may prejudice the delivery of the Mersey Gateway. Policy will be redundant by adoption date of DALP, and could be reframed to assist in securing the MG Regeneration Strategy.

- 3.9 The degree to which individual policies may need to be altered, or indeed, whether they need to be altered at all, will become clearer as the final parts of the evidence base are completed and as detailed policy options are drafted. It is however, considered advisable to identify them within the potential revised scope of the Delivery and Allocations Plan at this time to allow the flexibility needed to properly consider issues arising from the national changes detailed above.
- 3.10 In addition, it will allow Halton to progress with the Delivery and Allocations Local Plan in a timely manner, whilst informing the emerging Liverpool City Region strategic planning work under the devolution agreement.

Community Infrastructure Levy

- 3.11 Production of the Community Infrastructure Levy is listed in our Local Development Scheme (LDS), our formal timetable for the production of planning documents. To date, we have not undertaken consultation on the production of this document and there are economic efficiencies to be achieved by combining this statutory stage with that for the revised DALP.

4.0 POLICY IMPLICATIONS

- 4.1 The Delivery and Allocations Local Plan was intended to replace the remainder of saved UDP (2005) policies that have not already been replaced by the Halton Core Strategy (2013) or the Joint Waste Local Plan (2013). It will therefore be a key policy document for the future development of the Borough and the Council's investment and economic prosperity aspirations.
- 4.2 The recommendation is to widen the scope of the DALP Local Plan to include revisiting certain of the policies in the Core Strategy. The intention is not to revisit the broad thrust of planning strategy for the Borough, but simply to enable the Council to have the flexibility to address identified problems resulting from recent changes in national planning requirements and local evidence base.
- 4.3 The revised scoping consultation can be undertaken whilst work continues on finalising the evidence base and policy drafting with minimal impact on the timetable.
- 4.4 The production of the Community Infrastructure Levy is programmed within the Council's Local Development Scheme and it is economically efficient to seek to undertake parallel consultations on the two documents.

5.0 FINANCIAL IMPLICATIONS

- 5.1 There will be minor cost implications for the undertaking consultation on the revised Scoping Document for the Delivery and Allocations Local Plan, including placing statutory notices and staff time. Costs will be minimised by undertaking consultation on the CIL documentation at the same time. Costs will be met from within existing planning budgets. These costs are unavoidable as it is a statutory duty to produce a Local Plan for the Borough. It is imperative that new land allocations are made to replace the UDP Proposals Map with an updated set of land allocations to deliver the Borough's development needs.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 Children & Young People in Halton

The DALP recognises the importance of raising aspirations of younger people, and supporting the provision of opportunities for them to enter further education or employment. Widening the scope of the document will have negligible impact.

6.2 Employment, Learning & Skills in Halton

The DALP will allocate sites for employment purposes supporting the enhancement of the Borough's economy and assisting in delivering economic growth. Widening the scope of the document will have negligible impact as the revised DALP will deliver Halton's economic growth requirements.

6.3 A Healthy Halton

The DALP will contribute to a healthy Halton through ensuring well-designed places and spaces, supporting accessible travel options and through the provision of a healthy, green local environment. Widening the scope of the document will have negligible impact.

6.4 A Safer Halton

The DALP will seek 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. Widening the scope of the document will have negligible impact.

6.5 Halton's Urban Renewal

The DALP will be a key tool in bringing forward development on sites in the urban area by setting out allocations for specific land uses. It will also be vital in ensuring a high standard of development across the Borough, through

development management policies on matters such as design, access and parking. Widening the scope of the document will have negligible impact as the revised DALP will deliver land allocations to meet the Borough's needs.

7.0 RISK ANALYSIS

7.1 There are negligible risks associated with the 'widening' of the scope of the Delivery and Allocations Local Plan. The evidence base for the 'widened' scope is the same as for the original DALP and is largely commissioned or programmed. Widening the scope to cover selected policies from the Core Strategy will inevitably lead to representations / debate covering topics decided previously in the Core Strategy, however, it is considered that these issues will be raised should we continue with the DALP as originally framed, but that the narrower scope of the document will constrain the flexibility available to the Council to fully consider options / potential solutions.

7.2 To continue with the DALP as originally framed, risks insurmountable problems emerging between the Core Strategy, the evidence base and the DALP later in the production process, perhaps at Examination. It is imperative that a future examining Inspector finds the DALP 'sound' so that it may be adopted. Widening the scope of the document without appropriate consultation risks future legal challenge to the finally adopted Plan on procedural grounds.

8.0 EQUALITY AND DIVERSITY ISSUES

8.1 The policies in the Delivery and Allocations Local Plan would be applied equally to all sections of Halton's communities. An Equality Impact Assessment will be carried out during the production of the Local Plan to identify the potential impact of proposed policies on Halton's residents. Consultation on draft policies will take place with stakeholders and the Borough's population and efforts will be made to ensure that all sectors of the community are reached.

9.0 REASON(S) FOR DECISION

9.1 The decision has been included on the Forward Plan as it affects all wards. The reasons for the decision are set out in Section 3, but in summary:

- A Local Plan is a statutory requirement, the UDP (2005) needs updating, developers need the confidence of land allocations to bring forward development.
- The Government's recent changes to the national planning system require amendments to adopted policies

- New evidence documents have been produced that require changes to adopted policies.

10.0 ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

10.1 The alternative to taking stock of emerging evidence, reframing and re-consulting on the scope of the Delivery and Allocations Local Plan would be to continue with the production of the DALP document as initially intended, or to widen the scope but not repeat the Regulation 18 consultation stage.

10.2 To continue with the DALP as originally framed risks insurmountable problems emerging between the Core Strategy, the evidence base and the DALP later in the production process, perhaps at Examination. Widening the scope of the document without appropriate consultation risks future legal challenge to the finally adopted Plan on procedural grounds.

11.0 IMPLEMENTATION DATE

11.1 The Delivery and Allocations Local Plan Scoping Document and the Community Infrastructure Levy Scoping Document, if approved for consultation by the Executive Board, will each be subject to a 6 week public consultation period. This is currently scheduled to begin in January 2016.

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

Document	Place of Inspection	Contact Officer
Executive Board Report 9 th January 2014 Delivery and Allocations Local Plan Scoping Consultation	Planning and Transport Strategy, Municipal Building, Widnes	Alasdair Cross