

REPORT TO: Executive Board

DATE: 19 October 2017

REPORTING OFFICER: Strategic Director – Enterprise, Community and Resources

PORTFOLIO: Physical Environment

SUBJECT: Delivery and Allocations Local Plan;
Approval for a formal period of public consultation pursuant to Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012

WARDS: Borough-wide

1.0 PURPOSE OF THE REPORT

1.1 This report seeks Executive Board approval to publish the Delivery and Allocations Local Plan (incorporating revised Core Strategy policies) Consultation Draft document, for a period of public consultation.

2.0 RECOMMENDATION: That

- 1) the Delivery and Allocations Local Plan (incorporating revised Core Strategy policies) Draft document be approved for the purposes of a six-week period of public consultation;**
- 2) further editorial and technical amendments that do not materially affect the content of the document be agreed by the Strategic Director – Enterprise, Community and Resources in consultation with the Executive Board Member for the Physical Environment, as necessary, before the document is published for public consultation; and**
- 3) the results of the statutory public consultation exercise on the document are reported back to the Executive Board.**

3.0 SUPPORTING INFORMATION

3.1 This will be the first of at least two statutory consultations on the content of the Delivery and Allocations Local Plan (DALP). Previously Executive Board have approved public consultation on the Scope and subsequently Revised Scope of the Plan.

- 3.2 It is a statutory requirement for local authorities to produce a development plan for their area. A development plan quantifies development needs and establishes what land use(s) would be acceptable on parcels of land across the area. The development plan is then the starting point for any decisions on planning applications, in what is known as the plan-led approach. Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Government sees it as increasingly important that local planning authorities have an up-to-date plan in place, and is introducing increasingly stringent sanctions where this is not the case.
- 3.3 The current Local Plan for Halton consists of Halton Unitary Development Plan 2005, the Core Strategy 2013 Local Plan and the Merseyside Waste Local Plan.
- 3.4 The Delivery and Allocations Local Plan (incorporating revised Core Strategy policy) Local Plan will replace the 'saved policies' of the Halton Unitary Development Plan (UDP) and update the policies of the Core Strategy in line with the most recent evidence and in accordance with the National Planning Policy Framework and Planning Practice Guidance. The majority of the UDP policies, along with its Proposals Map, were "saved" by agreement of the Secretary of State, in 2008 and hence continue in part to perform the role of the adopted development plan for Halton.
- 3.5 Specifically, this Local Plan document and associated Adopted Policies Map will:
 - a. Refresh and update, selected policies of the Core Strategy (adopted April 2013).
 - b. Replace the remaining saved policies of the Halton UDP (adopted April 2005).
 - c. Include allocations of land for residential, employment, retail, leisure and other land uses.
 - d. Identify areas to be designated and protected for landscape, nature conservation, environmental and heritage reasons.
 - e. Provide policies to guide decision making in the development management process.
 - f. Replace the existing UDP Proposals Map
- 3.6 Since the Core Strategy was adopted there have been a number of changes that needed to be addressed:
 - a. The introduction of the National Planning Policy Framework (NPPF) in March 2012.

- b. The introduction of National Planning Policy Guidance (PPG) in March 2014.
- c. The revocation of the Regional Strategy for the North West in May 2013.
- d. New housing evidence from the Strategic Housing Market Assessment (SHMA) in January 2016 for Mid-Mersey, commissioned jointly with St Helens and Warrington Councils.
- e. Emerging housing and employment evidence from the Liverpool City Region Strategic Housing and Employment Land Market Assessment (SHELMA).
- f. Liverpool City Region's Local Enterprise Partnership's Growth Strategy (2016)

3.7 The preparation of the DALP has involved a great deal of work over and above the preparation of the document itself. The document will be published for public consultation alongside a variety of supporting documents. Explanations of the roles of these supporting documents are as follows:

- **Infrastructure Plan:** The DALP and revised Core Strategy policies need to be supported by detail of what infrastructure will be provided in the local authority area, and in neighbouring areas, over the plan period. The Infrastructure Plan sets out the major infrastructure projects (physical, social and environmental), which are planned by the Council, its partners and third party agencies, detailing delivery mechanisms, timescales and funding for these projects.
- **Sustainability Appraisal (SA):** This important document serves to meet the requirements of the Strategic Environmental Assessment (SEA) Directive for DPD preparation, incorporating environmental considerations into an appraisal of the revised Core Strategy policy and DALP draft document in terms of its social, economic and environmental sustainability. The results and recommendations of the SA of the draft DALP Publication version will be taken into account during the preparation of the DALP Publication document.
- **Habitat Regulations Assessment (HRA):** This document serves to meet the requirements of the HRA Directive for DPD preparation.
- **Health Impact Assessment (HIA):** A HIA was undertaken on the DALP document to ascertain the impacts of the policies on the issue of health in Halton. The assessment indicated that there was no need for a "full", more detailed HIA to be undertaken, as the

policies were not anticipated to have any major detrimental effects on health. The recommendations of the report will be taken into consideration during the preparation of the Publication document.

- **Equality Impact Assessment (EqIA):** An EqIA was undertaken on the DALP document to understand its potential impacts on Halton's diverse communities, including minority and vulnerable groups. The recommendations of the resulting report will be taken into consideration during the preparation of the DALP Publication document.
- **Statement of Consultation:** This document summarises the responses received from the Scoping consultations in 2014 and 2016, and highlights how these have been taken into account in the drafting of the Core Strategy revised policies and DALP draft document.

4.0 PUBLIC CONSULTATION

- 4.1 It is proposed that the DALP Consultation Draft document be published for a period of public consultation, commencing as soon as practicable following approval, in compliance with the Town and Country Planning (Local Development) (England) Regulations 2012 and the Council's adopted Statement of Community Involvement (SCI).

5.0 NEXT STEPS

- 5.1.1 Subsequent to the period of public consultation on the DALP document and the collation and consideration of representations made, the team will begin work on the DALP Publication document. This will be the final stage of significant preparation of the DALP. The DALP Publication document will be published for a six-week consultation period, where representations will be able to be made. The preparation of the Publication document is due to commence in spring 2018, with it being published for consultation in the autumn. Following this period and the completion of any changes to the document, the DALP will be submitted to the Secretary of State for examination in autumn 2018.
- 5.2 Following the public examination, and taking into consideration the Inspector's Binding Report, it is anticipated that the Council will adopt the DALP in 2019.

6.0 POLICY IMPLICATIONS

- 6.1 The Delivery and Allocations Local Plan is set to replace the remainder of the Unitary Development Plan and proposals map that has not already been replaced by the Halton Core Strategy or the Joint Waste

Local Plan. It will also replace and update a number of policies within the current Core Strategy to reflect the most up to date evidence base.

- 6.2 The Delivery and Allocations Local Plan will therefore be a key policy document for the future development of the Borough and the Council's investment, regeneration and economic prosperity strategies.

7.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

7.1 Healthy Halton

The DALP document contains a wide variety of policy content focussed on addressing the Borough's health problems; efforts to address health problems through the maintenance of well-designed places and spaces, through the support of accessible sustainable travel options and through the provision of a healthy, green local environment.

7.2 Halton's Urban Renewal

Through the employment and housing allocations, Key Areas of Change and Investment and Regeneration area policies, the DALP highlights policy approaches to encourage, urban renewal, either on a local scale or on a larger scale in association with some of the major regeneration and development projects affecting the Borough over the plan period.

7.3 Children and Young People in Halton

A significant component of the content of the DALP draft document is aimed at raising aspirations of younger people and supporting the provision of opportunities for them to enter higher education and employment. The aim to safeguard and enhance learning opportunities through the protection and improvement of physical infrastructure associated with educational establishments, as well as supporting the plans and policies of the Council's learning partners.

7.4 Employment, Learning and Skills in Halton

The DALP supports the maintenance and enhancement of the Borough's economy and supports economic growth.

7.5 Safer Halton

Making Halton safer is a key consideration for the DALP Document aiming 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.

8.0 RISK ANALYSIS

- 8.1 At this current stage of policy development it is important to ensure that the document meets the Government imposed legal requirements for DPDs, so that the DALP can progress towards adoption. This will be documented as supporting information to the document to ensure and demonstrate compliance.

8.2 The main risk to the production of the Delivery and Allocations Local Plan is the limited resources to produce the document. There is a possibility that the timetable outlined above will not be met, and thus the eventual adoption of the document will be delayed. It is anticipated that the potential release of land within the Green Belt will generate a high level of interest both among residents and in the local press. Clear communication and public involvement will therefore be necessary at all stages.

8.3 Other risks include changes to Government policy, regulations and legislation. For example changes to the methodology for calculating the 'Objectively Assessed Need' for housing are currently being consulted upon, that may supersede / invalidate the previous work commissioned by the Council necessitating a change in the housing numbers within the Plan.

9.0 EQUALITY AND DIVERSITY ISSUES

9.1 An integral part of the DALP document 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. The EqIA demonstrates whether the policies have any significant implications for Halton's communities and ways that these potential effects should be mitigated.

10.0 REASON(S) FOR DECISION

10.1 The Delivery and Allocations Local Plan will form part of the statutory development plan for the Borough. Legislation allows Council's Executive Board to approve draft plans for public consultation. Later stages will need the approval of Full Council.

11.0 ALTERNATIVE OPTIONS CONSIDERED

11.1 The Council has a statutory duty to prepare and keep up-to-date a Local Plan for its area. This report is seeking approval for the first stage of public consultation on the proposed Local Plan. Should the Council choose not to prepare a Local Plan, it risks being directed to do so by the Secretary of State or having the Secretary of State prepare a Plan for it.

11.2 This report is seeking approval for a period of public consultation on the draft Plan. This is the first of a minimum of two public consultations on the content of the Plan. The results of this consultation and any resulting recommended changes to the Plan will be brought back to committee next year.

12.0 IMPEMENTATION DATE

- 12.1 Officers will endeavour to publish and advertise the documentation for consultation as soon as practicable after the date of committee.

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

Document	Place of Inspection	Contact Officer
Saved Policies of the Halton Unitary Development Plan	Municipal Building, Widnes	Alasdair Cross
Halton UDP Proposals Map	Municipal Building, Widnes	Alasdair Cross
Halton Local Development Scheme	Municipal Building, Widnes	Alasdair Cross
The Town and Country Planning (Local	Municipal Building, Widnes	Alasdair Cross
Planning) (England) Regulations 2012	Municipal Building, Widnes	Alasdair Cross
National Planning Policy Framework (2012)	Municipal Building, Widnes	Alasdair Cross
Halton Core Strategy Local Plan (2013)	Municipal Building, Widnes	Alasdair Cross