

**REPORT TO:** Executive Board

**DATE:** 22 March 2019

**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 Submission Document (incorporating revised Core Strategy policies) for a period of public consultation, and following that consultation, approval for submission to the Ministry of Housing, Communities and Local Government (MHCLG). Both the 'Written Statement' and the Policies Map are attached to this report as Appendices 1 and 2. The Written Statement is the document that sets out the background to the Plan and contains the policies that will be used for development control purposes.

## **2.0 RECOMMENDATION: That**

- 1) The Delivery and Allocations Local Plan (DALP) Submission Documents be approved (subject to recommendation 2) for the purposes of a six-week period of public consultation;**
- 2) Minor amendments to the DALP Submission Documents, as deemed appropriate, prior to publication for public consultation, be agreed by the Strategic Director – Enterprise, Community and Resources in consultation with the Executive Board Member for the Physical Environment; and**
- 3) Following consultation, the DALP Submission Documents, together with the results of the public consultation exercise, be reported to Full Council prior to submission to the Ministry of Housing, Communities and Local Government (MHCLG) for formal Examination.**

### **3.0 SUPPORTING INFORMATION**

- 3.1 This is the second statutory consultation on the full content of the Delivery and Allocations Local Plan (DALP). Executive Board have previously approved an earlier draft of the DALP (January 2018) for public consultation.
- 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 uses would be acceptable across the area. The development plan is therefore the starting point for any decisions on planning applications. This is known as the plan-led approach. Applications for planning permission must be determined in accordance with the development plan. Government sees it as crucial that local authorities have an up-to-date plan in place. Stringent sanctions are to be imposed where this is not the case. Government guidance states that development plans should be reviewed every 5 years, and that policies that have not been reviewed within that period may be considered out-of-date.
- 3.3 Halton's development plan consists of saved policies from the Unitary Development Plan [UDP] (2005), the Core Strategy (2013) and the Joint Halton and Merseyside Waste Plan (2013).
- 3.4 The Delivery and Allocations Local Plan (incorporating revised Core Strategy policies) 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 (as required by 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 have continued to comprise part of the adopted development plan for Halton.
- 3.5 Specifically, the DALP and associated 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 and its replacement in 2018.
  - 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)
  - g. The Government's standard housing methodology (2018).
- 3.7 The DALP will be published with 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, incorporating environmental considerations into an appraisal of the DALP Document in terms of its social, economic and environmental impacts.
  - **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, 2016 and the previous consultation 2018, and highlights how these have been taken into account in the drafting of the Core Strategy revised policies and DALP draft document.

### 3.8 Housing Needs Assessment – The 'Standard Methodology'

3.9 Since the consultation on the previous draft of the DALP in January 2018, Government have published two revised versions of the National Planning Policy Framework [NPPF 2018 and NPPF 2019] and more importantly, a new 'Standard Methodology' for identifying local housing needs, which will produce new housing figures every two years.

3.10 It should be noted, that nothing in the previous approach to calculating housing needs was unsound. The previously methodology required that account was taken of both demographics and the need arising from economic growth (i.e. the number of dwellings required to house sufficient workers to fill the expected numbers of jobs). This latter element drives up housing requirements, and was the determining factor in the January 2018 DALP figure of 466 dwellings per annum (dpa).

3.11 The Government's new 'Standard Method' looks at demographic need only and applies an adjustment based on the affordability of stock in the local area. Accordingly, the minimum number of houses the Plan needs to seek to accommodate is lower than the previous draft of the Plan. Unfortunately, the Government introduced this new methodology in September 2018, then consulted on interim changes in December 2018 (results awaited), and has now indicated they will introduce final changes within the next two years.

3.12 The revised DALP seeks to balance the need to protect valued open spaces with the provision of sufficient development land to meet the needs of Halton's residents and businesses. The revised DALP proposes housing provision at an average of 350 dwellings per annum (over the period 2014~37), resulting in an overall reduction of 2,668 dwellings when compared to the January 2018 draft. This is a significant reduction in housing numbers when compared to the Core Strategy annual average of 552 dwellings per annum.

## **4.0 PUBLIC CONSULTATION**

- 4.1 It is proposed that the DALP Submission Documents be published for a six-week period of public consultation, commencing as soon as is 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 The DALP Submission Documents will be published for a six-week public consultation period to commence during May 2019. During this time representations will be able to be made.
- 5.2 This report has been prepared at the end of February 2019 and the consultation period is planned to commence during May. Officers, in consultation with the Executive Board member for Physical Environment, will continue to develop the Submission Documents right up to the beginning of the consultation period.
- 5.3 Following public consultation, the DALP will be submitted to Full Council seeking a resolution to submit the DALP to the Ministry for Housing, Communities and Local Government (MHCLG) for formal examination.
- 5.4 Following formal examination, a Government Inspector's will publish a report, possibly suggesting modifications. If the modifications are accepted, it is anticipated that the Council could adopt the DALP as part of its statutory development plan in early 2020.

## **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 update a number of policies in the Core Strategy to reflect the latest evidence base (e.g. housing need evidence).
- 6.2 The Delivery and Allocations Local Plan is 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, 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's imposed legal requirements for local plans. This will be documented as supporting information to demonstrate compliance.

8.2 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.

8.3 Other risks to the production of the DALP include available resources to produce the document to a tight timetable. It is anticipated that the DALP will generate a high level of interest. Clear communications will therefore be necessary at all stages of local plan preparation.

## **9.0 EQUALITY AND DIVERSITY ISSUES**

9.1 An integral part of the DALP 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 EqlA 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 a 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. Should the Council choose not to prepare a Local Plan, it risks being directed to do so by the Secretary of State or the Secretary of State may prepare a Plan on behalf of the Borough.

## **12.0 IMPLEMENTATION DATE**

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

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

<b>Document</b>	<b>Place of Inspection</b>	<b>Contact Officer</b>
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	Municipal Building, Widnes	Alasdair Cross

(2018)		
Halton Core Strategy Local Plan (2013)	Municipal Building, Widnes	Alasdair Cross