

**REPORT TO:** Executive Board

**DATE:** 14<sup>th</sup> June 2012

**REPORTING OFFICER:** Strategic Director – Policy and Resources

**PORTFOLIO:** Physical Environment

**SUBJECT:** Halton Core Strategy – Post-Submission changes

**WARDS:** Boroughwide

## **1.0 PURPOSE OF THE REPORT**

- 1.1 This report seeks approval to consult on the changes required to be made to the Halton Core Strategy (**Appendix B**). Appendix B sets out three types of changes recommended to be made to the Core Strategy;
- a) **'Main Modifications' (MM)** identified as necessary following the examination hearing sessions into the soundness of the document and are required to make it capable of being found sound.
  - b) **Submission minor changes (SM)**, being those identified prior to formal submission (as set out in the submission document CS4 – Schedule of Minor Changes (Sept 2011) and
  - c) **Post submission minor changes (MC)** identified through the examination process or required as a result of the publication of the National Planning Policy Framework (27<sup>th</sup> March) and the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Core Strategy will then progress to adoption after the period of public consultation.

## **2.0 RECOMMENDATION: That Council be recommended to:**

- (1) **Approve the changes to be made to the Halton Core Strategy (APPENDIX B) for the purposes of a six week period of public consultation.**
- (2) **Agree that further minor editorial amendments as required be made to the Halton Core Strategy by the Operational Director for Policy, Planning and Transportation in consultation with the Portfolio Holder and the Leader of the Council, before commencing the period of public consultation.**
- (3) **Agree that the Core Strategy be brought back before Council later in 2012 for formal adoption as part of the Development Plan for Halton.**

### **3.0 SUPPORTING INFORMATION**

- 3.1 On 30<sup>th</sup> June 2011, approval was received from the Executive Board (ratified by Council on the 20<sup>th</sup> July 2011) to submit the Halton Core Strategy Revised Proposed Submission Document to the Secretary of State to commence the examination into the soundness of the document. On 22<sup>nd</sup> September 2011, the Halton Core Strategy was submitted to the Secretary of State for Communities and Local Government for independent examination. The Secretary of State appointed Planning Inspector Mr Robert Yuille MSc DipTP MRTPI to conduct the examination.
- 3.2 The main part of the examination commenced on 28<sup>th</sup> November and lasted until 22<sup>nd</sup> December 2011, which consisted of public hearing sessions held at Runcorn Town Hall. The main issues discussed at the hearing sessions were set by the Planning Inspector prior to their commencement. These were as follows:
- Housing Provision
  - Provision for Housing Needs
  - Provision for Employment and Economic Development
  - Key Areas of Change
  - Green Belt Review
  - Liverpool John Lennon Airport Extension
  - Waste and Minerals
  - Sustainable Development and Climate Change
  - Contaminated Land
- 3.3 The Council and the other interested parties who wished to attend the Examination Hearing Sessions were requested to make written submissions to the examination, stating their position and in the case of the other participants, the changes they were seeking through the hearing sessions. These formed the basis of the discussions at the examination hearing sessions.
- 3.4 Discussions at the hearing sessions centred around total housing provision (increase from 9,000 to 9,930 to accord with outgoing RSS), the proposed housing split between Runcorn and Widnes and the interrelated issue of the potential need for a Green Belt Review to ensure sufficient housing land exists. The majority of participants argued that the number of new homes to be provided in Widnes over the plan period should be greater, reflecting a number of factors including: the current population split between Runcorn and Widnes which is approximately 50:50, past high delivery rates of homes in Widnes and the balance of employment land (and hence new jobs) being greater in Widnes. The Inspector found that the part of the Council's evidence base for the proposed split of new homes of 57% Runcorn : 43% Widnes/Hale was unreliable and could not solely form the basis of the Core Strategy policy split for housing provision, suggesting an early review of the Green Belt would be necessary to bolster supply in Widnes / Hale.

- 3.5 As a consequence the Inspector held an additional hearing session to consider the distribution of housing provision between Runcorn and Widnes at which the Council presented further evidence to support its position. As a result the Examination has concluded that the Council's proposed 57:43 (Runcorn:Widnes) split is the most appropriate. However the Inspector also expressed concerns about the makeup of the identified housing supply, especially concerning the proportion of urban greenspace sites included in the supply and went on to conclude that the overall supply is likely to be insufficient to meet the overall housing policy requirement to 2028 and as such additional development land will be needed.
- 3.6 After the close of the hearing sessions, the Inspector wrote to the Council on the 12<sup>th</sup> January 2012 recommending that two key (main change) modifications be made to the Core Strategy to enable the plan to be capable of being found "sound". These changes were to:
- (1) Enshrine the percentage split in housing provision between Runcorn and Widnes/Hale into a policy requirement within the document, and
  - (2) Include a reference to an early partial review of Green Belt boundaries to serve the needs of Widnes/Hale.
- 3.7 The Chief Executive, following consultation with the Leader and Portfolio holder, replied to the Inspector's letter confirming that he had instructed officers to draft the necessary changes to address his outstanding substantive concerns, undertake the required sustainability and habitats regulations appraisals and to complete our necessary internal procedures to secure Council approval for the further round of public consultation. As such, officers have drafted amendments to the Core Strategy which form Appendix B to this report. The amendments seek to overcome the Inspector's concerns as outlined in the previous paragraph.
- 3.8 In addition to the changes arising from the hearing sessions, the National Planning Policy Framework (NPPF) was published on 27<sup>th</sup> March 2012. The Inspector has requested that a further modification be made to the Core Strategy to incorporate a policy concerning the "presumption in favour of sustainable development". This will provide a direct link between the plan and the NPPF, detailing how the presumption will be applied in Halton. The incorporation of the Inspector's recommendations has resulted in the following policies being substantially changed and these are included as Appendix A for information and completeness:
- CS1: Halton's Spatial Strategy
  - CS2: Presumption in Favour of Sustainable Development
  - CS3: Housing Supply and Locational Priorities
  - CS6: Green Belt

Other policies, notably CS5 and CS13 also contain Main Modifications, as set out in Appendix B.

Sustainability Appraisal and Habitat Regulations Assessment have been undertaken on the changes to the Core Strategy and the outcome of the appraisals has been fed into the document.

- 3.9 The Inspector has also stated that as part of the re-consultation, the opportunity be taken to seek views on any implications that the NPPF and the recent “Planning policy for traveller sites” may have on the strategy.

#### Next steps

- 3.10 Once approval to re-consult is received from full Council, the intention is to undertake a six week period of public consultation commencing on 20<sup>th</sup> July and ending on 31<sup>st</sup> August. Comments will be invited on the changes that have been made since the Core Strategy was submitted to the Secretary of State in September 2011, and on the document’s consistency with the NPPF and the new national planning policy for traveller sites.
- 3.11 After the consultation, the Council will compile any representations received and provide an initial response to the Inspector. The Inspector will then consider the points made in the representations before producing his report into the soundness of the Halton Core Strategy. At present it is anticipated that we will receive this report in September/October. After the Inspector’s report has been received and assuming the report is favourable, the Core Strategy will return to the Executive Board and Council to gain approval to adopt the plan so that it becomes part of the development plan for Halton. Timetabling suggests that the Core Strategy will be adopted in late autumn.

### **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. The Core Strategy has been in production since 2006 and therefore it is highly important that the Council presents a document that the Inspector finds capable of recommending for adoption. This will enable the Council to progress other documents within the Local Development Framework, having the Core Strategy as the long term planning policy basis for Halton.

### **5.0 OTHER IMPLICATIONS**

- 5.1 No other implications to the Council have been identified.

## **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. No changes have been made to this policy as a result of the Examination hearing sessions.

### **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.

## **7.0 RISK ANALYSIS**

- 7.1 By consulting upon the requirement that the Core Strategy includes a commitment to Green Belt Review around Widnes/Hale, there is the potential that any consultation may generate significant new representations from the public and other interested parties. It will be for the Planning Inspector when compiling his report to consider whether any representations received raise any new issues and whether the Core Strategy would benefit from further changes in response to the points raised.

## **8.0 EQUALITY AND DIVERSITY ISSUES**

- 8.1 It is not foreseen that the changes required by the Inspector 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.

## **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. Whilst the Council sought to resist the requirement to commit to an early Green Belt Review during the Examination Hearing Sessions and felt that the position in the plan could be justified, the requirement to include the housing delivery backlog accrued between 2003-2010 against the RSS requirement has placed further pressure on the available housing supply in Widnes/Hale. There is therefore greater reasoning behind the need for a Green Belt Review specific to Widnes/Hale within the plan period of the Core Strategy. As such, the recommended changes are necessary so that the Core Strategy can move towards adoption.

## **10.0 ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

- 10.1 There are two potential alternative options available to the Council. The first would be to resist the major changes sought by the Inspector regarding prescribing the split in housing provision between Runcorn and Widnes and the commitment to an early Green Belt Review. Following the recommendation of the Inspector, this is highly likely to render the plan incapable of adoption. As such, the Council could immediately withdraw the Halton Core Strategy and redraft the plan based on an alternative evidence base. This would result in a lengthy delay to achieving an adopted Development Plan for the Borough, including the potential for further challenges to the approach being promoted as the process is extended with the risk that any new updated evidence could potentially only support the same conclusions as today.

10.2 Alternatively, the Council could delay making a decision on whether to accept the Inspector's changes given the impending revocation of Regional Strategies. Consultation into the environmental impacts of the revocation ended in January 2012. After the consultation responses have been considered, it is anticipated that the Government will quickly move to formally repeal the regional tier of planning policy. The intention and legislation to do this already exists in the Localism Act, which was enacted in November 2011. The revocation of Regional Strategies would allow the Council to determine its own local housing requirement figure, without needing to justify a departure from the North West Regional Spatial Strategy (RSS) figure for Halton. The backlog in housing delivery which has been accrued against the RSS requirement could also be discounted. The Council could then make changes to the plan based on a lower housing requirement figure which may not necessitate the need for a review of Green Belt boundaries. This option would also lead to further delays to the process whilst the Council awaits the revocation of RSS. This approach runs the risk of the Inspector deciding to close the Examination and issue an unfavourable report on the basis of the Plan before him now. Alternatively, the Inspector could consider the implications of the revocation of RSS and still come to the conclusion that an immediate Green Belt Review is required.

## **11.0 IMPLEMENTATION DATE**

11.1 It is envisaged that the six week consultation on the changes to the Halton Core Strategy will take place during July-August 2012. After the close of the consultation, all responses received will be forwarded to the Planning Inspector who will consider the Council's proposed changes and the points raised during the consultation. He will determine whether any further changes are required to the Core Strategy to make the document sound, before issuing his Inspector's Report into the whole of the plan.

11.2 After this report has been received, the Council will move to adopt the Halton Core Strategy and this is anticipated to occur in late autumn 2012. Once adopted, the policies within the document will then replace certain policies of the current Halton UDP and be used for development management purposes in the determination of planning applications and to direct development to the most appropriate locations in accordance with the adopted spatial strategy for the Borough.

## **12.0 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>
Halton Core Strategy <u>Revised</u> Proposed Submission Document Supporting Documents (May 2011)	Places, Economy and Transport Team, Municipal Building	Alasdair Cross
Executive Board Report – Halton	Places, Economy and	Alasdair Cross

<b>Document</b>	<b>Place of Inspection</b>	<b>Contact Officer</b>
Core Strategy – Halton Core Strategy – Submission to the Secretary of State (30 <sup>th</sup> June 2011)	Transport Team, Municipal Building	
Halton Borough Council Hearing Statements: Issues 1-9	Places, Economy and Transport Team, Municipal Building	Alasdair Cross
Other Parties' Hearing Statements: Issues 1-9	Places, Economy and Transport Team, Municipal Building	Alasdair Cross
Letter from Planning Inspector regarding the need for changes (12 <sup>th</sup> January 2012) and Schedule of Modifications	Places, Economy and Transport Team, Municipal Building	Alasdair Cross
Letter from David Parr in response to the Inspector (27 <sup>th</sup> January 2012)	Places, Economy and Transport Team, Municipal Building	Alasdair Cross
Habitat Regulations Assessment of Changes, February 2012	Places, Economy and Transport Team, Municipal Building	Alasdair Cross
Sustainability Assessment of Changes, May 2012	Places, Economy and Transport Team, Municipal Building	Alasdair Cross
National Planning Policy Framework 2012	Places, Economy and Transport Team, Municipal Building	Alasdair Cross
Planning policy for traveller sites	Places, Economy and Transport Team, Municipal Building	Alasdair Cross
The Town and Country Planning (Local Planning) (England) Regulations 2012	Places, Economy and Transport Team, Municipal Building	Alasdair Cross
Planning and Compulsory Purchase Act 2004	Places, Economy and Transport Team, Municipal Building	Alasdair Cross