

REPORT TO: Council

DATE: 8th December 2021

REPORTING OFFICER: Strategic Director – Policy and Resources

PORTFOLIO: Physical Environment

SUBJECT: Halton Delivery and Allocations Local Plan, including Policies Map – Post-Submission changes

WARDS: Boroughwide

1.0 PURPOSE OF THE REPORT

- 1.1 To seek approval for new modifications to the Delivery and Allocations Local Plan (DALP) document as previously approved by the Council prior to submission to Government, and approve a period of formal public consultation on those new modifications.
- 1.2 All representations received during the public consultation will then be considered by the government appointed Inspectors, who may decide to hold additional hearing sessions into the modifications, or issue their Report into the examination detailing whether the Plan is ‘sound’ and capable of being adopted by the Council.

2.0 RECOMMENDATION: That Council be recommended to:

- (1) Approve the modifications to be made to the Halton Delivery and Allocations Local Plan for the purposes of a six week period of public consultation. The modification are presented as follows:
 - Appendix A – Schedule of Modifications
 - Appendix B – DALP Written Statement with tracked changes
 - Appendix C – Proposal Map changes
- (2) Agree that further amendments, as required, be made to the Halton Delivery and Allocations Local Plan 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 or adoption.
- (3) Receive before Council the Halton Delivery and Allocations Local Plan for formal adoption as part of the Development Plan for Halton following receipt of the Inspectors Final Report.

3.0 SUPPORTING INFORMATION

Modifications

- 3.1 The independent Inspectors appointed by the Secretary of State to undertake an Examination in Public of the Delivery and Allocations Local Plan (DALP) have concluded that a number of changes are required to be made in order for the Plan to be found ‘*sound*’. These changes must be subject to a formal period of public consultation before the Inspectors can close the Examination and issue their Report to the Secretary of State.
- 3.2 The changes known as ‘Main Modifications’ together with a number of ‘Additional Modifications’ that do not affect the ‘soundness’ of the plan are set out in full in Appendix A.
- 3.3 It should be noted that the key elements of the spatial strategy, the housing, affordable housing, brownfield land, employment and retail requirements together with the introduction of a City Region-wide recreation impact management strategy for designated protected sites have all been assessed as being capable of being found ‘*sound*’.
- 3.4 The principal Main Modifications identified are the deletion of housing and safeguarded sites around Daresbury village, which is reconfirmed as Green Belt, and the deletion of six proposed housing allocations;

Housing sites to be deleted

- R83 Heath Road South, Runcorn
- R70 Pavillions Site, Sandy Lane, Runcorn
- R71 Land south of Beechwood Avenue
- R77 Former Dray Public House, Murdishaw
- D1 Land to the west of Chester Road, Daresbury
- W43 Land adjacent to the Foundary, Widnes

Safeguarded sites to be deleted

- SG2 Land to east of Chester Road, Daresbury
- SG4 Land south of Daresbury Lane, Daresbury
- SG9 All Saints Vicarage, Daresbury Lane

Mixed Use Area sites to be deleted

- MUA10 ‘The Heath’

- 3.5 The remaining proposed allocations are confirmed and no additional sites are required to be identified for development as a result of these changes.
- 3.6 As of yet no details have been received from the Inspectors on the removal of the sites from the DALP this information is expected to be contained within the inspectors Report following the consultation on the modifications.
- 3.7 There are a number of detailed changes to policy wording that will make the Plan more ‘*effective*’ or ‘*consistent with national policy*’, many of which were

negotiated by officers in collaboration with relevant Government agencies or third parties, or were agreed through the hearing sessions.

The Examination Process

- 3.8 The Delivery and Allocations Plan (DALP) has been in production for a number of years, during which there have been four formal periods of public consultation. Following the last of these on the 'Proposed Submission Draft' (Aug~Sep 2019) and approval from Full Council the DALP was submitted to the Secretary of State for Communities and Local Government for independent examination on 5th March 2020.
- 3.9 The Secretary of State appointed Planning Inspectors Caroline Mulloy BSc (Hons) DipTP MRTTP and David Troy BSc (Hons) MA MRTPI to conduct an examination of the Plan against the tests of '*soundness*', i.e. that it is *legally compliant, justified, effective and consistent with national policy*,
- 3.10 Following their initial consideration of the Plan, supporting material and all representations received to the Proposed Submission draft consultation, the Inspectors identified a number of 'Matters' for further consideration that formed the basis of the subsequent hearing sessions. Due to Covid considerations, the hearings were held online across 5 weeks between 9th March and 17th June 2021 using Microsoft Teams and uploaded to the Council's YouTube channel.
- 3.11 The Council and interested parties who wished to participate in the Examination were invited to provide additional written '*Matters Statements*' responding to 372 questions across the 27 Matters identified. All matters statements are available online <https://www3.halton.gov.uk/Pages/eip/examdocs.aspx> together with all other Examination documents.
- 3.12 In the case of the other participants, they were requested to state why they considered the Plan to be unsound and the changes they were seeking through the hearing sessions. The Council were required to provide additional information or carry out additional work in support of certain policies.
- 3.13 Discussions at the hearing sessions resulted in a number of agreed changes to the wording of policies and amendments to the Policies map to enable the plan to be capable of being found "sound". These changes are included in Appendix A. Whilst there are a number of wording changes they don't fundamentally change the direction of the proposed policies but provide clarity for conformity with the NPPF and/or legislation.

Next steps

- 3.14 Modifications are required to be subject to formal public consultation for a period not less than 6 weeks in compliance with the adopted Statement of Community Involvement and plan making regulations. This report seeks approval to consult on the changes (Main Modifications and Additional Minor Modifications) required to be made to the DALP and Policies Map (Appendix

- A). Appendix A sets out two types of changes recommended to be made to the DALP;
- 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) **Post submission Additional Minor Modifications (AM)** identified through the examination process.
- 3.15 An update of the Sustainability Appraisal and Habitat Regulations Assessment is scheduled to be undertaken on the changes to the DALP and the outcome of the appraisals will be fed into the document and be subject to consultation alongside the DALP. These are available as supporting documents.
- 3.16 Once approval to re-consult is received from full Council, the intention is to undertake a six week period of public consultation commencing no later than the 16th December.
- 3.17 Comments will be invited **ONLY** on the modifications that have been made since the DALP was submitted to the Secretary of State in March 2020 as they relate to 'soundness'. The Inspectors will only consider representations relating to the Main Modifications. This is not an opportunity to revisit issues already considered and found *sound* by the Examination.
- 3.18 After the consultation, officers will compile the representations received and provide an initial response to the Inspectors. The Inspectors will then consider the points made in the representations, and assuming no issues requiring the holding of additional hearing sessions arise, will close the Examination and produce their report into the soundness of the Halton DALP.
- 3.19 At present it is anticipated that we will receive this report in February 2022. After the Inspector's report has been received and assuming the report is favourable, the DALP will return to the Full Council to gain approval to formally adopt the Plan so that it becomes part of the development plan for Halton.
- 3.20 It is intended that a resolution to adopt will be able to be tabled at the meeting of Full Council on the 2nd March 2022.

4.0 POLICY IMPLICATIONS

- 4.1 The Delivery and Allocations Local Plan is the central policy document within Halton's Statutory Development Plan / Local Plan. The DALP 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 DALP has been in production since 2014 and therefore it is highly important that the Council presents a document that the Inspectors find capable of recommending for adoption. This will enable the Council to progress other documents within the Local Development Scheme, having the DALP 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 DALP 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 DALP is to support the enhancement of the Borough's economy and hence deliver economic growth. The DALP 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 DALP contains a number of policies intended to directly or indirectly contribute to addressing the Borough's health problems 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 DAP includes policy CS(R) 22: 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 DALP, 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 DALP key urban regeneration areas 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 changes to the DALP there is the potential that any consultation may generate 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 DALP 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 DALP at the 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 DALP since work commenced on the document in 2014. As such, the recommended changes are necessary so that the DALP can move towards adoption.

10.0 IMPLEMENTATION DATE

10.1 It is envisaged that the six week consultation on the modifications to the Halton DALP will take place during December 2021. 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. They will determine whether any further changes are required to the DALP to make the document sound, before issuing their Inspector's Report into the whole of the plan.

10.2 After this report has been received, the Council will move to adopt the Halton DALP and this is anticipated to occur in the first quarter of 2022. Once adopted, the policies within the document will then replace the Halton UDP saved policies, and Core Strategy (except CS23 Managing Risk and Pollution and CS24 Minerals) 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 spatial strategy for the Borough.

11.0 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,	Alasdair Cross

	Widnes	
Halton Local Development Scheme 2017	Municipal Building, Widnes	Alasdair Cross
Sustainability Appraisal 2019	Municipal Building, Widnes	Alasdair Cross
Habitat Regulations Assessment (AECOM) 2020	Municipal Building, Widnes	Alasdair Cross
The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)	Municipal Building, Widnes	Alasdair Cross
National Planning Policy Framework (2019)	Municipal Building, Widnes	Alasdair Cross
Halton Core Strategy Local Plan (2013)	Municipal Building, Widnes	Alasdair Cross
Waste Local Plan (2013)	Municipal Building, Widnes	Alasdair Cross