

# Public Document Pack



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To: Members of the Council

Date: 20 January 2015

Our Ref:

Your Ref:

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Dear Councillor

## **COUNCIL - THURSDAY 22ND JANUARY, 2015**

I refer to the agenda for the above meeting and now enclose the following documents which were unavailable when the agenda was printed.

### **Agenda No.**

### **Item**

**5. Matters Raised by the Public (Pages 487 - 490)**

Details of the petitions submitted by members of the public attached

**8. Local Plan for Sefton - Publication Draft Plan (Pages 491 - 518)**

The supplementary note of the Director of Built Environment and copies of the Committee and Cabinet Minutes on this issue are attached

Yours sincerely,

M. CARNEY

Chief Executive

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## COUNCIL – 22 JANUARY 2015

### PUBLIC PETITIONS

In accordance with the Council's Petition Scheme set out in Chapter 12 of the Council Constitution, 4 public petitions have been submitted for consideration at the Council meeting.

The lead petitioner for each petition deputation will be given five minutes to present the petition at the Council meeting and the petition will then be discussed by Councillors for a maximum of 15 minutes. The Council will decide how to respond to the petition at the meeting and the lead petitioner will receive written confirmation of the decision.

Details of the 4 petitions received are set out below:

- (1) The first petition containing 2,850 signatures has been submitted by the **Aintree Village Residents Group** which states:

"We the undersigned urge the Council to amend the 'Preferred Option' to Option 1, address the issues surrounding our lack of amenities and infrastructure and work with the community to reflect what they want and not what the developers want, whose only aim is to make big profits from local communities."

Justification:

Sefton MBC's Local Plan has proposals which will damage the green belt and make Aintree a worse place to live. In the coming months, the Council will undertake a Public Consultation Process. They currently have used inaccurate household population growth information which is 10 years out of date. They do not address the real need for affordable/type of housing but allow developers to build 3/4/5 bedroom executive homes on greenbelt, which none of us would be able to afford. Our amenities are non-existent and they severely underestimate the effect any further development will have on our schools, roads, dentists and GP service. We don't even have a library and the current plan would lead to a decline in the local quality of life.

# Agenda Item 5

- (2) The second petition containing 3,060 signatures has been submitted by the **Maghull and Lydiate Action Group** which states:

“We ask the Council to listen to the community, to re-examine and vote for option 1, which is building on brownfield sites only and not on green belt and high grade agricultural land, this is now possible due to a sharp fall in housing need.”

Justification:

Sefton's Local Plan continues to encroach on our beautiful high grade agricultural/green belt land. More accurate up-to-date figures show a significant reduction in housing need. Maghull and Lydiate does not have the infrastructure in place to cater for any additional capacity, roads are already badly congested, schools are oversubscribed, traffic and parking is a major problem and we are already experiencing significant flooding problems.

- (3) The third petition containing 3,330 signatures has been submitted by the **Formby Residents Action Group – Opposition From Formby (FRAGOFF)** which states:

“We the undersigned urge the Council to amend the 'Preferred Option', reconsider Option 1, rectify current failings in the Local Plan and fully address infrastructural matters, furthermore work with the community to better reflect their needs and place their concerns above those of the developers, as they are the major stakeholders in Sefton.”

Justification:

The latest Government figures for Sefton show that the population increase in the Borough has been over estimated by more than 50%. Central Government estimate we only need to build about 420 houses per year. Despite this the Council are now proposing to build over 700 homes every year in their Draft Local Plan. As it stands Sefton's Draft Local Plan does not meet the needs for Formby's Roads and infrastructure, schools and health services and fails to address flooding and drainage concerns.

- (4) The fourth petition containing 4,886 signatures has been submitted by the **'Save the Botanic' Campaign** which states:

“It is understood that Sefton Council may be planning to make staff at Botanic Gardens redundant. Such plans could see the outsourcing of the aviary and the fernery as well as causing significant detriment to the planting within the park. The latest plans throw into real doubt whether Sefton Council know what Southport residents value and hold dear. We the undersigned oppose Labour-run Sefton Councils plans to cut staff and services in the Botanic Gardens.”

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## Local Plan for Sefton – Publication Draft

### Supplementary Note by the Director of Built Environment

This Note comprises a number of suggested changes to the Publication Draft Local Plan :

- Pages 1-4: changes made due to comments from Natural England and Natural Resources Wales regarding the Habitats Regulations Assessment report
- Pages 5-7: changes to the explanation to the policy on open space (Policy NH5) to make clear that “open space” not only includes publicly owned open space, but also open space of public value (specifically sports club sites), and to ensure the latter are shown as open space on the Policy Map.
- Page 7: two further minor changes.

#### **A. Changes made due to comments on the Habitats Regulations Assessment report made by Natural Resources Wales and Natural England**

##### ***Reason for changes:***

*The report to Cabinet and Council noted that the Habitats Regulations Assessment report was forwarded to Natural England and Natural Resources Wales for a statutory three week period for comment ending in mid-January, and that any comments which would result in changes to the draft Plan would be reported to Council.*

*Natural England’s main concern is in relation to the protection of Seaforth Nature Reserve within Policy ED1 ‘The Port and Maritime Zone’; that the policy should reflect Habitats Regulations requirements. Natural Resources Wales’ main concern was that the same policy be amended to ensure sufficient protection for Liverpool Bay Special Protection Area. These concerns are reflected in changes to policy ED1 and its explanation, and to Policy NH2 “Protection and enhancement of nature sites, priority habitats and species”. Changes to chapter 12 “PlanImplementation and Monitoring” re-iterate these.*

*The other key concerns of Natural England and Natural Resources Wales reflect the need for on-going monitoring and mitigation measures if necessary, and regarding Hesketh Golf Course.*

*The changes to the Local Plan needed in the light of these comments are set out below.*

#### **Chapter 7 Economic Development and Regeneration**

##### Policy ED1 The Port and Maritime Zone

Policy amended to say:

1. ~~Significant-d~~Development and re-structuring will be permitted in the Port and Maritime Zone (as shown on the Policy Map) including the expansion of the operational port area to the A565 (Derby Road, Rimrose Road and Crosby Road South), ~~Development that requires planning permission within this area (including any development of the Seaforth Nature Reserve) will be permitted~~ provided that the following criteria are met:

- a) The development is a port-related activity and does not prevent the comprehensive redevelopment of the area for such purposes;
- b) Buildings are suitably designed so that they integrate into and respect the surrounding natural, built and historic environment;
- c) Appropriate landscaping and/or screening and other forms of mitigation are provided to minimise the impact of the development on sites which abut the landward edge of the Port and Maritime Zone;
- d) The development is designed to encourage walking and cycling, and has incorporated, where possible,

# Agenda Item 8

## **A. Changes made due to comments on the Habitats Regulations Assessment report made by Natural Resources Wales and Natural England**

water and rail as alternatives to road transport; ~~and~~

- e) Appropriate mitigation is included that ensures that impacts resulting from noise, dust, smells or other forms of pollution on the amenity of other occupiers within the area and on adjacent communities are mitigated and minimised; ~~and~~
- f) It can be demonstrated that there is no significant risk of any impact upon the important ecological interests of Seaforth Nature Reserve.

2. The expansion of the operational port area onto all or part of the Seaforth Nature Reserve will **only not** be permitted ~~provided that unless~~ the proposals:

- a) Demonstrate **both** that there are:
  - (i) ~~n~~**No** alternative sites available; ~~and~~
  - (ii) ~~'i~~**imperative reasons of overriding public interest'** as to why the development should be permitted in this location; and ~~s~~**ubsequently**
- b) Provide suitable compensatory habitat and necessary mitigation for an appropriate period to end once monitoring confirms that the compensatory habitat is performing a function identical to that of Seaforth Nature Reserve; ~~and.~~
- c) Demonstrate that there are no likely significant effects on the Liverpool Bay Special Protection Area or other internationally important nature sites.

3. Improvements to access will be required to support the expansion of the Port. This may require a new road and /or substantial improvements to the surrounding highway network beyond the Port area, as well as other modes of transport.

4. Planning conditions and / or legal agreements will be used to ensure appropriate compensation, mitigation, infrastructure and appropriate local economic, environment and community benefits are secured and provided.

Para 7.16 amended to say:

7.16 The Seaforth Nature Reserve is a Ramsar Site and Special Protection Area and as such is internationally important for nature conservation and is part of the Natura 2000 network of international nature sites. Under the Habitats Regulations 2010 the Council has a duty to prevent adverse effects on the integrity of sites of international nature importance. This includes sites within or outside Sefton, such as Liverpool Bay Special Protection Area. As development at Seaforth will result in direct land take in relation to the Mersey Narrows and North Wirral Foreshore Special Protection Area and Ramsar site, along with other effects identified in the HRA of the Local Plan, adverse impacts cannot be ruled out at the Plan stage. As a result it will be necessary to consider alternatives and imperative reasons of overriding public interest before considering compensation measures (Regulations 62 and 66 of the Habitats Regulations, respectively). Accordingly the policy, especially section 2, is clear that planning permission will not be granted for port related development at Seaforth Nature Reserve unless the necessary requirements of the Habitats Regulations can be met. A number of tests need to be satisfied, including demonstrating that there are no alternative solutions, that the development is needed for "imperative reasons of overriding public interest" and that appropriate compensatory habitat will be provided, and if necessary additional mitigation will be provided before development begins. Any compensatory habitat will have to have the same functions as would be lost at Seaforth Nature Reserve. An agreement will need to be in place, before development commences, to protect the adjacent internationally important sites at Crosby, ~~and beyond~~, including the Sefton Coast Special Area of Conservation (SAC), ~~and~~ the Ribble & Alt Estuaries Special Protection Area (SPA) ~~and Ramsar site and Liverpool Bay SPA. This may include specific monitoring and/or mitigation or compensation. More information is set out in the Habitats Regulations Assessment of the Local Plan.~~



## **A. Changes made due to comments on the Habitats Regulations Assessment report made by Natural Resources Wales and Natural England**

### **Chapter 11 Natural and Heritage Assets**

#### **Policy NH2 Protection and enhancement of nature sites, priority habitats and species:**

Para 11.8, point a) amended to say:

11.18 The policy focus, hierarchical approach and strategic priorities are in line with national guidance and legislation. The hierarchy of designated sites, priority habitats, and priority or legally protected species and their significance is set out in the policy and is:

- a) Sites of international nature importance. (This also applies to sites and habitats outside the designated boundaries that support species listed as being important in the designations of the internationally important sites – often termed ‘supporting habitat’ - for example pink-footed geese feeding areas). In Sefton these are the Ribble & Alt Estuaries Ramsar site and Special Protection Area (SPA), the Mersey Narrows & North Wirral Foreshore Ramsar Site and Special Protection Area and the Sefton Coast Special Area of Conservation (SAC). [Sites outside Sefton include Liverpool Bay SPA and Manchester Mosses SAC.](#)

Para 11.23 amended to say:

11.23 Section 1 of the policy sets out the requirements for development which affects internationally important nature sites, whether in Sefton or elsewhere. [Habitats Regulations Assessment includes Appropriate Assessment and specific monitoring and/or mitigation or compensation where required.](#) Alternative solutions would be alternative locations, different scales or designs of development, or alternative processes, or not going ahead with the development. Alternatives should be considered at the earliest stage of development.

Para 11.24 amended to say:

11.24 The Habitats Regulations Assessment of the Local Plan (in its Appendix) identifies a number of allocated sites where a site-specific Habitats Regulations assessment will need to accompany any planning application. This is primarily to allow the Council to assess whether the sites support species listed as being important in the designations of Sefton’s Special Protection Areas and Ramsar sites and if so to make sure that appropriate protection is given to the integrity of this bird population [or to the amphibian populations of the Ramsar site.](#) [More information is set out in the Habitats Regulations Assessment of the Local Plan.](#) The Habitats Regulations Assessment of the Local Plan also refers to the need for site-specific Habitat Regulations assessments for development proposals that are likely to result in an increase of more than 1% in nitrogen inputs into the Sefton Coast Special Area of Conservation (SAC). Such proposals are likely to include those in or within 200 metres (m) of the SAC, and those which could increase traffic flows on roads within 200m of the SAC by over 1,000 vehicle movements per day or 200 heavy duty vehicle movements per day (in terms of annual average daily traffic flows). This might include housing developments of 200 or more homes, office developments of 7,000 m<sup>2</sup> or more, industrial estates of 15,000 m<sup>2</sup> or more, warehousing of 35,000 m<sup>2</sup> or more, hotels with 300 or more bedrooms and leisure facilities or exhibition centres of 9,000 m<sup>2</sup> or more.

Para 11.28 amended to say:

11.28 To comply with the Habitats Regulations 2010 (as amended), compensation for internationally important sites must be made before development begins, as set out in the policy. [More information is set out in the Habitats Regulations Assessment of the Local Plan.](#) For other designated sites or species, mitigation, replacement or other compensation can take place as part of the development (during the development process). This compensation may be provided by the applicant direct, or through another person or organisation, such as a local land manager. It is sometimes termed ‘biodiversity offsetting’. The SPD will include examples of how habitat for mitigation or compensation could be provided and managed.

# Agenda Item 8

## **A. Changes made due to comments on the Habitats Regulations Assessment report made by Natural Resources Wales and Natural England**

### Policy NH6 Urban Golf Courses

Para 11.57 amended to say:

11.57 This policy aims to retain the provision of golf facilities at Bootle Golf Course, at Southport Old Links Golf Course and the part of Hesketh Golf Course within the urban area. These urban golf courses are shown on the Policy Map. At the same time the policy aims to protect and enhance the Site of Scientific Interest and Local Wildlife Site at Hesketh Golf Course and the Local Wildlife Site at Southport Old Links Golf Course. [Development proposals for Southport Old Links Golf course or Hesketh Golf Course \(including in the Green Belt\) should be accompanied by a site specific Habitats Regulations assessment and provide appropriate protection to the integrity of the internationally important nature sites.](#)

### **Chapter 12 Plan implementation and Monitoring**

Para 12.8 amended to say:

12.8 Earlier chapters of the Plan set out the Council's commitment to managing visitor pressure on the [internationally important nature sites on the Sefton Coast](#) through mechanisms such as the Sefton Coast Partnership, Coast and beach management plans; and through management of public open space away from the Coast – protecting public open space, Countryside Recreation Areas and other outdoor sports and recreation facilities available to the public, and new public open space provision. These chapters also note that local authorities in the City Region, Natural England and other partners continue to work together to manage visitor pressure on the Sefton Coast. ~~It may be that in~~ In future this ~~will~~ requires a more formal framework or strategy for [monitoring and managing recreational access across the City region. The purpose of this is to take a strategic approach to managing access](#) to European sites. ~~hen necessary~~ This will be [supported](#) by visitor survey data. Natural England is commissioning work on recreational disturbance to the City Region internationally important nature sites to inform any future strategy. [These chapters also set out the Council's wider commitment to protecting the integrity of internationally important nature sites within or partly or wholly outside Sefton; for example in relation to nitrogen levels in the Sefton Coast Special Area of Conservation \(SAC\); or Liverpool Bay Special Protection Area.](#)

### **Appendix 1 Site Specific requirements**

The end of the section headed Site-specific Habitats Regulations Assessments amended to say:

[More information is set out in the Habitats Regulations Assessment \(HRA\) of the Local Plan, especially section 7.7.2, section 11.1 and the Appendix. Section 7.7.2 refers to these sites in general as well as specifically to MN2.23, MN2.24 and MN2.32. For example, the site-specific Habitats Regulations Assessment for s](#)Sites within sensitive areas for [birds listed in the Special Protection Area \(SPA\) /or Ramsar site citations](#) birds will [be likely to](#) require a non-breeding bird survey during autumn, winter and spring to support any planning application. [In such cases t](#)The site should be surveyed by an experienced ornithologist twice per month from September to March. The provision of replacement habitat will be required if the site is established to regularly support over 1% of the SPA/Ramsar population of that species. [In some cases the site-specific Habitats Regulations Assessment may need to focus on impacts on the integrity of the amphibian populations of the Ramsar site.](#)

**B. Changes made regarding open space, under policy NH5 which was called 'Protection of public open space, Countryside Recreation Areas, and other outdoor sports and recreation facilities available to the public'**

***Reason for changes:***

*It is considered more appropriate to show both public open space and other outdoor sports and recreation facilities available to the public as 'open space' on the Policy Map. Hence it is necessary to amend the text in the written statement to make clear that in Sefton open space comprises both public open space and other outdoor sports and recreation facilities available to the public. There is no change to the policy approach for each type of open space, and so the revised policy and explanation remains in line with the Framework.*

**Chapter 11 Natural and Heritage Assets**

Policy NH5 'Protection of open space and countryside recreation areas' (formerly called 'Public open space, countryside recreation areas and other outdoor sports and recreation facilities available to the public')

There are a number of changes to this policy and its explanation, set out below:

**~~PUBLIC OPEN SPACE, AND COUNTRYSIDE RECREATION AREAS AND OTHER OUTDOOR SPORTS AND RECREATION FACILITIES AVAILABLE TO THE PUBLIC~~**

11.48 Sefton's open space, which comprises public open space and other outdoor sports and recreation facilities available to the public, is a ~~are~~ significant and important part of the Borough's green infrastructure. Open spaces ~~They~~ provide recreation benefits including exercise through active sports, walking, cycling and use of play facilities. Sefton's countryside recreation areas offer important opportunities for informal recreation in a countryside or woodland setting. Access to green space, trees and nature is also good for people's health and well-being. Some ~~public~~ open spaces have heritage value, for example Botanic Gardens, Churchtown; Kings Gardens, Southport; Derby Park in Bootle; and Potters Barn and park, Waterloo.

11.49 National planning policy refers to the need to protect open space, which is defined as "All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity." The Council considers that in Sefton such open space comprises both public open space and other outdoor sports and recreation sites available to the public. Countryside Recreation Areas, shown on the Policy Map, are also important.

11.54 Policy NH5 deals with the protection of open space ~~public opens apce and other outdoor sports and recreation facilities available to the public~~. Policy EQ9 'Provision of public open space, strategic paths and trees in development' sets out the requirements for new provision of public open space, strategic paths and trees, linked to development. Sefton's approach to protection of built sports facilities follows that in the Framework.

**NH5 PROTECTION OF ~~PUBLIC OPEN SPACE~~ AND COUNTRYSIDE RECREATION AREAS ~~AND OTHER OUTDOOR SPORTS AND RECREATION FACILITIES AVAILABLE TL THE PUBLIC~~**

**1. The following types of development are acceptable in principle on ~~public open space~~ and other outdoor sports and recreation facilities which are available to the public:**

- a) Environmental improvements which enhance the site's environmental quality or green infrastructure benefits, including built facilities necessary for the use of the site;
- b) Other development proposals, where:
  - An assessment has been undertaken which has clearly shown the public open space or outdoor sports facilities to be surplus to Sefton's standards; or
  - The loss of public open space or outdoor sports facilities resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity *and*

# Agenda Item 8

## **B. Changes made regarding open space, under policy NH5 which was called 'Protection of public open space, Countryside Recreation Areas, and other outdoor sports and recreation facilities available to the public'**

quality in a suitable location;

- The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

**2. Development in Countryside Recreation Areas should protect and enhance their informal recreation use, subject to other Plan policies.**

### **Key policy links**

- Strategic policy NH1 Environmental assets
- EQ9 Provision of public open space, strategic paths and trees in development

### **Explanation**

11.55 The policy aims to protect ~~open space while allowing its recreation or other green infrastructure benefits to be enhanced, and to protect and enhance informal recreation in the Countryside Recreation Areas. Open space comprises~~ public open ~~space (which is also accessible nature space)~~ and other outdoor sports and recreation facilities which are available to the public. ~~This~~ Most open space in the urban area is shown on the Policy Map. Outdoor sports sites smaller than 0.25 hectares in the urban area (mostly bowling greens and tennis courts) are not shown on the Policy Map although the policy applies to them. ~~while allowing their recreation or other green infrastructure benefits to be enhanced. Sefton's approach to protection of built sports facilities follows that in the Framework. The policy also aims to protect and enhance informal recreation in the Countryside Recreation Areas. Sefton's approach to protection of built sports facilities follows that in the Framework.~~

11.50 ~~Of this open space,~~ Sefton's public open space in the urban area, ~~which is shown on the Policy Map,~~ comprises:

- Public parks (including local parks), ~~and~~ Blundellsands Key Park and play areas ~~(Mostly within the urban area)~~
- Public playing fields, pitches and outdoor sports sites
- Public nature sites
- Public water bodies used for recreation such Crosby Marine Lake, Southport Marine Lake and the canal and its towpath.
- Allotments
- Larger public amenity green spaces
- Public cemeteries in Southport and Thornton.

~~11.51~~ Public open space in the Green Belt includes the canal and its towpaths and some more formal parks or outdoor sports sites.

~~11.51~~ This public open space, ~~in both the urban and rural area,~~ is also accessible nature space. Natural England's 'Nature Nearby' (2010) recognises that accessible nature space is everyday nature, close to where people live, which takes many forms including nature sites, woodland, country parks but also urban parks and other public open spaces. There are also areas of the Green Belt which are particularly important for informal recreation, and these are identified as Countryside Recreation Area on the Policy Map. Like parts of the Sefton Coast, they are also accessible nature spaces.

11.52 Sefton's other outdoor sports and recreation facilities which are available to the public, include ~~sports c~~club pitches and outdoor sports sites which are used by local teams and sports leagues (including bowling greens within the grounds of some of Sefton's public houses and sports club sites), which are identified within approved or forthcoming Recreation and Playing Pitch Strategies as being used by local leagues or teams; and schools outdoor sports facilities where there are formal agreements for use by local sports teams, clubs or organisations.

- ~~Larger, landscaped churchyards and cemeteries to which the public have access for walking, cycling or~~

**B. Changes made regarding open space, under policy NH5 which was called 'Protection of public open space, Countryside Recreation Areas, and other outdoor sports and recreation facilities available to the public'**

~~quiet contemplation.~~

11.53 ~~While churchyards to which the public have access for walking, cycling or quiet contemplation may have informal recreation value, these sites are mainly designated as~~ These sites are not specifically designated on the Policy Map as public open space as they are not generally in the direct control of a public body. Most lie ~~within the~~ Primarily Residential Area ~~Or Green Belt designations~~ on the Policy Map.

11.54 The most recent Sefton Green Space Strategy (2008) and Recreation and Open Space Study (2009) remain the main basis for assessing existing local provision in relation to this policy, while policy EQ9 'Provision of public open space, strategic paths and trees in development' sets out the current basis for judging appropriate provision of new public open space in new housing development. The forthcoming Playing Pitch and Open Space and Recreation Strategies may result in revised standards, to guide the application of policy NH5 and EQ9.

11.55 Retention, provision and enhancement of public open space within or close to housing development sites, and in Countryside Recreation Areas, ~~also~~ makes an important contribution to managing recreation pressure on the internationally important nature sites on the Sefton Coast.

**Other minor changes:**

**1. Chapter 6: Meeting Sefton's Needs**

Para 6.19 currently says:

"The vast majority of these sites [in the Green Belt] can viably provide the full 30% affordable housing required by Policy HC1 and this will be funded by the developer.

It is proposed to delete the word 'vast', to reflect the fact that, following the Viability Study, a number of sites in the Green Belt may not be able to provide as much as 30% affordable housing.

However Policy HC1 will still apply. This expects 30% affordable housing to be provided on housing sites of 15 dwellings or more across most of the Borough unless an independent assessment of economic viability demonstrates otherwise.

**2. Appendix 1:**

Site MN2.41 'Former St Wilfrid's School, Orrell Road, Bootle.

It is proposed to delete the second bullet point relating to vehicular access as, on reflection, this requirement was considered to be unnecessarily prescriptive.

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## LOCAL PLAN FOR SEFTON: PUBLICATION DRAFT PLAN

### COMMITTEE AND CABINET RESOLUTIONS

#### OVERVIEW AND SCRUTINY COMMITTEE (REGENERATION AND ENVIRONMENTAL SERVICES) - 9 DECEMBER 2014.

#### 17. LOCAL PLAN FOR SEFTON: PUBLICATION DRAFT PLAN

The Committee considered the report of the Head of Planning Services in relation to the Local Plan for Sefton. The report presented the Publication Draft Plan, a key stage in the preparation of Sefton's Local Plan. The Plan set out issues and challenges facing Sefton that included:

- a vision for Sefton looking ahead to 2030
- a strategy for how Sefton's housing, business and other development needs can be met
- development management policies to help guide development and provide a policy framework for making decisions on planning applications
- detailed site allocations showing how needs can be met
- details of the Publication period and next stages.

It was reported that the Publication Draft Plan is an important corporate strategy document which is being developed within the statutory planning framework.

The Chair reported that two public petitions had been submitted for consideration at the meeting.

The Committee heard representations from Ms. Patricia O'Hanlon of the Maghull and Lydiate Action Group on behalf of a deputation who had submitted a petition containing the signatures of 26 residents of the Borough which stated:-

*"Sefton's Local Plan continues to encroach on our beautiful high grade agriculture/green belt land. With a falling population, why have you increased the numbers of houses? Maghull and Lydiate does not have the infrastructure in place to cater for any additional capacity, roads are already badly congested, schools oversubscribed, traffic and parking is a major problem and we are already experiencing significant flooding problems.*

*We, the undersigned, urge the Overview and Scrutiny Committee (Regeneration and Environmental Services) to listen to the community, to re-examine and vote for building on brownfield sites only and not on green belt and high grade agricultural land, this is now possible due to a sharp fall in housing need."*

Members sought a point of clarification in relation to Ms. O'Hanlon's representation in relation to the area of land East of Maghull being the area of specific concern.

# Agenda Item 8

Ms. Patricia O’Hanlon stated that it was the land East of Maghull where the proposal was to build 1400 houses, the land behind Mortons Dairy where the proposal was to build 295 houses and the Bells Lane site where the proposal was to build 40 houses.

The Committee then heard representations from Mr. Bob McCann of Formby Residents Action Group Opposition from Formby on behalf of a deputation who had submitted a petition containing the signatures of 25 residents of the Borough which stated:-

*“The recently published Draft Local Plan shows Green belt loss up from 3% to 3.6%, despite new figures from the ONS suggesting that the population is likely to be significantly less than previously projected. The assumptions and guess work used to inform the plan has moved significantly, this manipulation of data demonstrates that it is not an exact science and there is scope for interpretation and counter argument.*

*We the undersigned urge the Overview and Scrutiny Committee (Regeneration and Environmental Services) to scrutinise this plan fully to give yourselves the time to study it at length, to cross examine it and challenge the data and assumptions within.”*

Members raised the following questions, observations and comments:-

Question/Observation/Comment	Response
What work has been undertaken to ascertain flood risk within the development sites identified in the Local Plan?	Extensive work has been undertaken including flood risk assessments for sites where there is a risk of flooding. This has been undertaken in consultation with the Environment Agency and Sefton’s Flood Risk Team. They are satisfied that the identified sites within the Local Plan can be satisfactorily drained and comply with Government’s guidance; the policy is to ensure that any flood risk to development sites built on Greenbelt land should not increase, and the rate of surface water run-off should also not increase. A 20% improvement in the rate of surface water run-off is required from development on Brownfield sites.
The report refers to “The Consequences Study that evaluated the environmental impacts and concluded that under the proposed option they could often be mitigated or compensated for and, where this	The Consequences Study which was commissioned before the Preferred Option stage evaluated the social, economic and environmental consequences of each of three Options on the Borough, and



# Agenda Item 8

<p>was not possible, on balance the benefits of development outweighed the harm". Harm to whom?</p>	<p>adjoining boroughs, and it was concluded that the positives of the Preferred Option outweighed the negatives. The National Planning Policy Framework requires Local Authorities to promote sustainable development. This includes the benefits of providing homes to meet the needs of the local Community.</p>
<p>We are anticipating that sea levels will rise by 54 cm; there is no mention in the report of how this will be addressed.</p>	<p>The Environment Agency is satisfied with the development sites proposed through the Local Plan in terms of flood risk arising from the rise in sea levels.</p>
<p>Is it correct that Government are re-considering the position of Sustainable Drainage Systems (SuDS)? Will this result in a financial implication to the Local Authority?</p>	<p>There has been recent consultation with regards to SuDS. This has resulted in a delay in the regime being implemented and no final view has been expressed by Government. However, it is likely that the overall responsibility for the management of SuDS will fall to the Local Authority which will inherit the regulatory role. There could be financial implications; it's currently too early to know.</p>
<p>What requirement is there to provide affordable housing on the development sites identified in the Local Plan.</p>	<p>The Strategic Housing Market Assessment indicates that by 2030 the Local Plan should deliver over 7,000 affordable houses. The areas of highest demand are deemed to be Southport, Maghull, Lydiate and Formby.</p>
<p>The Keppie Massie viability study indicates that the site east of Maghull will not deliver 30% affordable housing.</p>	<p>We are aware that viability issues on some sites, and especially urban brownfield sites, may mean in some instances there will be failure to meet the 30% target of delivering affordable housing. The majority of Greenbelt sites are expected to provide 30% affordable housing, although one or two may fall below this threshold.</p>
<p>Is there a risk of affordable housing not being provided? The Keppie Massey viability study states apartments would be unviable.</p>	<p>The risk is at the margins. Most sites will deliver the target figure of 30% of affordable housing. All sites will be the subject of a viability assessment at the planning application stage where they propose to deliver less than the policy requirement. There is</p>

# Agenda Item 8

	<p>a risk with some sites not delivering 30% affordable housing; however we are reasonably confident that many of the sites will deliver affordable housing.</p>
<p>How will the target figure of 30% be delivered? Wasn't the question will the 7500 affordable housing units required be delivered?</p>	<p>There are various mechanisms of achieving the delivery of affordable housing. In addition to seeking 30% affordable housing through the planning application process through legal agreement, significant additional provision will be delivered through the private rented sector. The Council also liaises with the Homes and Communities Agency and Registered Social Landlords who also provide affordable houses through different funding mechanisms.</p>
<p>What is the definition of "Affordable Housing"?</p>	<p>This comprises social rented housing or affordable rented housing or intermediate housing. Our policy position strongly prefers social rented and affordable rented housing as these do more to meet affordable housing needs than the latter.</p>
<p>Review of Nathaniel Lichfield and Partners – we have referred to their methodology as being sound, is their work still to be trusted? What is the impact of the Inspector's recommendations during the Cheshire East Local Plan examination, do we need to make any changes as a result of this? Non-specialists find the housing calculation methodology difficult to understand, eg population shrinking and housing needs increasing.</p>	<p>We are confident that the figure of 615 quoted for Sefton is broadly of the correct order. Nathaniel Lichfield and Partners are independent consultants who have a very good track record of defending their housing requirement studies at examination, both for Local Authorities and for private clients. The Inspector's comments to Cheshire East related to the need to carry out an objective assessment of housing need according to Government's guidance.</p>
<p>Reference Paragraph 5.14 to the report – There is a desperate need in Southport for affordable homes and housing for the elderly. The Local Plan does not address this; the identified sites do not achieve the 30% target figure.</p>	<p>The Planning Inspectorate examine the Local Plan and aim to be satisfied that the Local Plan is doing what it can and is going as far as it can in meeting affordable housing requirements . When we package all the possible ways of providing affordable housing together we would hope to get close to the affordable housing target, albeit most local plan inspectors, including in the West</p>

# Agenda Item 8

	Lancs local plan inquiry, accept that not all affordable needs can or should be met. This will be debated at the Local Plan examination.
How are empty properties calculated, how are they factored into the requirements of the Local Plan?	Empty properties are calculated by adding the vacancy rate (4.34) to the second homes rate (0.29%) which gives a figure of 4.63%.
Empty Properties – assumption that this will remain the same at 4.63% (4.34% vacants and 0.29% second homes rate). 18 months ago at Preferred Option stage this was 4% - why has the figure changed?	The figure of 4% did not take account of almost 0.3% second homes rate. Other factors have also led to a slight increase in the vacancy and second homes figure we are currently using.
The provision of affordable homes depends on viability and it seems that the odds are in favour of the developer, what can we do to even the imbalance?	The viability appraisal will address this issue. There are challenges because both landowner and developer are expected to receive a reasonable return. We will try to secure as much affordable housing as possible, consistent with government guidance, as long as the development remains viable.
Viability: Concerns over the provision of infrastructure and the Community Infrastructure Levy (CIL). There is no guarantee infrastructure needs can be met through CIL, so is there a risk that community needs will not be met.	Discussions and negotiation with developers would take place site by site and as much of the relevant infrastructure achieved as possible.
20 Hectares business park at land east of Maghull – what uses would be allowed? Where will business park be located within the site?	Uses: light industrial, offices, research and development (B1), general industrial (B2) & warehousing and distribution uses (B8) – as in other business parks too. The business park use will be located in a linear strip to the east of the site, with links to M58 junction 1.
Traffic access to the Port and improvement to the eastern approach to Southport is vague in the Local Plan.	There is not a firm proposal yet with regards Port access. Modelling has taken place with regards the eastern approach to Southport and any improvements which may be required could be the subject of a bid to the Local Growth Fund.
The proposal of 1400 homes at land east of Maghull will have an impact on traffic, what traffic assessment has been carried out?	The developers have carried out traffic assessments for this site and, in addition, traffic modelling of the cumulative impact of development will be carried out as part of a business case for the new slip roads which

# Agenda Item 8

	would also consider trips generated to and from Kirkby.
Reference Page 122, paragraph 3 (a) reference to the timing of Maghull North station not being operational before 500 dwellings are completed, this does not give enough opportunity for individuals to develop travel patterns other than use of car.	The new rail station is programmed to be in place by 2018 - the policy sets out the worst case scenario.
Traffic flow - what is the “tipping point” for increase in traffic and at what stage do highway improvements become essential? What happens if traffic flows reach a point where mitigation is not possible?	There is no “tipping point”; there would be regular assessments of the flow of traffic, and of the implications for the highway network undertaken by Sefton’s Highways Team.
Concerns about traffic movement and the lack of public transport provision. National Planning Policy Framework constantly talks about sustainability but Government should restrict developments based on cars.	Noted.
How can we be sure 3 <sup>rd</sup> party infrastructure providers will be able to provide infrastructure when required? Some are privately owned companies. There is a risk.	There will always be a certain element of risk. However, we have regular discussions with those who have infrastructure responsibilities to check their ability to provide the appropriate infrastructure at the right time. We receive regular assurances that the proposed level and pattern of development is not likely to cause any problems.
How do we address the proposed concentration of development on Dunningbridge Corridor with a commitment to improve air quality and pollution issues in this area; what level of health impact is undertaken?	A Health Impact Assessment of the overall Plan would be undertaken as part of the Sustainability Appraisal. Local Authorities are required to carry out a review and assessment of air quality in their areas. Air Quality Management Areas are monitored closely and measures proposed to improve air quality and reduce pollution.
How can we resist developers building solely 3+ bedroom houses?	A new ‘housing mix’ policy (Policy HC2) is proposed to secure a better mix.
Will the Council have the resources to monitor compliance with planning conditions given the ongoing	This is something for the Council to decide in allocating resources.

# Agenda Item 8

reduction in resources	
No reference in the Local Plan of a vision regarding Education and the importance of education and retaining students within the Borough.	Noted.
What provision in Catholic Schools will be provided for those at land east of Maghull? Concerns regarding access to St. George's school which is via a single track wooden bridge over the canal.	There are three possible schools that could be accessed from this site. School places are assessed each year. If a particular school is popular then provision is closely monitored. The rate of development is relatively slow giving ample time to assess and address school provision issues. The highways authority has responsibility for monitoring the highway network and suggesting improvements as necessary.
Concerns raised regarding secondary school provision and the ability to meet Southport's needs given the closure of schools in Southport.	Unlikely to be more pupils over the plan period – some children may have to travel further to secondary schools than now.
Can you confirm that the area of search for wind farms at Ince Blundell is no longer proposed?	Yes – this is no longer proposed.
What proportion of agricultural land is taken up by development allocations in both Formby and Maghull?	Unsure at present, we will make this calculation.
Sub-regional review - review of land – would it be appropriate to include safeguarded land as part of this future review?	The local authority must provide for a certain amount of safeguarded land within the Local Plan, otherwise the Authority could be challenged at examination.
How do we ensure that our various plans are synchronised with other neighbouring Authorities and link into the Combined Authority, Liverpool City Region.	The Local Authority has good relationships with neighbouring authorities. Consistency of Plans across Districts can be a challenge because of different timetables. Officers attend regular meetings to discuss issues and comment as and when appropriate.
Are there any examples of Inspectors' reports where the conclusion was too much land was being released for housing?	No, not come across any reports where the conclusion has been too much land being released for housing. The consistent benchmark applied by planning inspectors is what is required to meet assessed housing needs, but if any have departed from this we would be interested to hear examples.

# Agenda Item 8

Reference paragraph 9.33 – request to amend the following wording: “The main opportunities for large scale renewable energy within Sefton are in the Greenbelt”.	We will examine this request further.
Request that wherever possible affordable housing is provided in Town Centres to boost regeneration.	We will endeavour to encourage Town Centre residential development wherever possible, but there are many difficulties in achieving this.
The National Planning Policy Framework definition of sustainable development and viability places greater emphasis on the requirements of developers and landowners than on the needs of communities who may be affected.	Viability is as defined within the Framework and this is what we have to work with. The National Planning Policy Framework defines sustainable development as having three dimensions – economic, social and environmental. The challenge is for the Plan to achieve these together.

The Chair, Councillor McKinley thanked Members of the Committee, Officers and Petitioners for all their contributions during the meeting.

He reported that the Senior Democratic Services Officer had recorded all questions, comments and observations and as proposed in the report, comments would be referred to the Cabinet and the Council.

## **RESOLVED:**

That the content, approach and conclusions of the Publication Draft Plan be noted and the above questions, observations and comments, together with the responses given, be referred to the Council for consideration.

## PLANNING COMMITTEE – 12 JANUARY 2015

### **99. LOCAL PLAN FOR SEFTON: PUBLICATION DRAFT PLAN**

Further to Minute No.17 of the meeting of the Overview and Scrutiny Committee (Regeneration and Environmental Services) held on 9 December 2014, the Committee considered the report of the Director of Built Environment in relation to the Local Plan for Sefton. The report presented the Publication Draft Plan, a key stage in the preparation of Sefton's Local Plan. The Plan set out issues and challenges facing Sefton that included:

- a vision for Sefton looking ahead to 2030
- a strategy for how Sefton's housing, business and other development needs can be met
- development management policies to help guide development and provide a policy framework for making decisions on planning applications
- detailed site allocations showing how needs can be met
- details of the Publication period and next stages.

It was reported that the Publication Draft Plan is an important corporate strategy document which is being developed within the statutory planning framework.

The Chair reported that two public petitions had been submitted for consideration at the meeting.

The Committee heard representations from Mr. Michael Gore of the Maghull and Lydiate Action Group on behalf of a deputation who had submitted a petition containing the signatures of 26 residents of the Borough which stated:-

*“Sefton's Local Plan continues to encroach on our beautiful high grade agriculture/green belt land. With a falling population, why have you increased the numbers of houses? Maghull and Lydiate does not have the infrastructure in place to cater for any additional capacity, roads are already badly congested, schools oversubscribed, traffic and parking is a major problem and we are already experiencing significant flooding problems.*

*We, the undersigned, urge the Planning Committee to listen to the community, to re-examine and vote for building on brown-field sites only and not on green belt and high grade agricultural land, this is now possible due to a sharp fall in housing need.”*

The Committee then heard representations from Ms. Judith Wilson on behalf of residents of Lynton Road, Southport who had submitted a petition containing the signatures of 31 residents of the Borough which stated:-

*“We the undersigned object to the inclusion of site AS02 as an additional site in the Sefton Local Plan for the following reasons:*

# Agenda Item 8

1. *the increased traffic around the entrance to the site and the increase in traffic at the Lynton Road, Sandon Road, Waterloo Road crossing which is a well known traffic black spot where several accidents have occurred in the last few years.*
2. *The environmental impact and the loss of the valuable green space if this site is included in the local plan. This area is home to many animal and plant species.*
- 3.

*We the undersigned therefore request that this site is removed from the Sefton Local Plan.”*

The Director of Built Environment advised the Committee of the changes to Policy MN3 “Strategic Mixed Use Allocation – Land to the East of Maghull” which were detailed within the Late Representations document.

Members raised the following questions, observations and comments:-

<b>Question/Observation/Comment</b>	<b>Response</b>
What is the definition of “Affordable Housing”?	This comprises social rented housing or affordable rented housing or intermediate housing. The policy position strongly prefers social rented and affordable rented housing as these do more to meet affordable housing needs than the latter.
Can you explain the changes to Policy MN2 ‘Land east of Maghull’ and explain why the 30% requirement for affordable / special needs housing has been removed from the policy?	Changes are proposed to ensure a more comprehensive and co-ordinated approach to the development of this site. The Keppie Massie viability study indicates that the site east of Maghull will not deliver 30% affordable housing.
How many recent developments have delivered 30% affordable / special needs housing.	Out of the seven qualifying recent developments one development (Liverpool Road, Ainsdale) has delivered 30% affordable / special needs housing.



# Agenda Item 8

<b>Question/Observation/Comment</b>	<b>Response</b>
What was the evidence that the stated amount of housing was needed?	The need for new housing in Sefton has been established through a number of key studies. The total need for housing in Sefton (including for market housing) has been determined through an objective Housing Requirement' study produced by Nathaniel Lichfield & Partners. This study has assessed how future population and household change will create a requirement for new housing to 2030, consistent with government guidance.
Projections demonstrated only a small population rise, why was there a large rise in housing demand?	The requirements of households were changing, which followed a national trend. The average number of people in a household was falling. More people were living on their own. Overall population was not the only driver for housing need, rather the change in the number of households.
Why had the latest household projections not been used in the statistics provided?	The latest data from household projections have been used, but new projections are due to be published in February 2015 and at that point we will have to take account of them.

# Agenda Item 8

Question/Observation/Comment	Response
<p>There are over 5,000 empty homes in Sefton and over 5,000 homes planned to be in the Green Belt; can these properties be brought back into use and reduce the amount of Green Belt land needed?</p>	<p>The number of empty homes in Sefton is just over 5,800, 4.63% of the total stock. This figure includes second homes. Excluding second homes, around 4.34% of Sefton homes are empty stock. The majority of these homes are based in the south of the borough and central Southport. The Council does not have the power to direct what can be done with an empty home.</p>
<p>How can infrastructure support the proposed development, in particular drainage has been an issue in any development near Maghull?</p>	<p>There are always issues with any development which need to be addressed. The Overview and Scrutiny Committee Infrastructure Working Group held discussions with relevant service providers. With regard to proposed development in the Maghull area, United Utilities have not expressed any concern with regard to the proposals.</p>
<p>Concern at the flood risk at Hightown and Thornton</p>	<p>Extensive work has been undertaken including flood risk assessments for sites where there is a risk of flooding. However, the onus will be on developers to produce sustainable drainage schemes.</p>

# Agenda Item 8

Question/Observation/Comment	Response
<p>Concern that school infrastructure will not be able to support further development.</p>	<p>The projection for the population of school age residents does not indicate significant increases. Sefton was currently a net importer of school pupils, but a population growth within the borough could be accommodated by reducing the number of pupils from outside the borough and freeing up places for more Sefton children. There was also scope to expand accommodation within many school sites if required.</p>
<p>The future development of the eastern Park and Ride site in Southport was raised - whether land could be safe-guarded for a possible new railway station; and whether there was a restrictive covenant currently in place at the site?</p>	<p>The eastern Park and Ride was not sustainable. It was agreed to check with Merseytravel whether there was any proposal for a new station. It was thought that any covenant on the land would not present a significant financial detriment but this would also be checked.</p>
<p>Concern was expressed that some proposed rural sites were not well-served by public transport.</p>	<p>There would be some expectations on developers to assist with infrastructure issues.</p>
<p>What consultation has taken place with West Lancashire Borough Council (WLBC)? And whether they could meet some of our housing need?</p>	<p>There was on-going consultation with WLBC. So far, they have declined to meet any of Sefton's housing need and have had to identify land in the Green Belt to meet their own needs.</p>

# Agenda Item 8

Question/Observation/Comment	Response
<p>Why was so much development proposed for Southport when it was clear that it was poorly served by both road and rail networks, which largely fall within west Lancashire?</p>	<p>Discussions with WLBC were continuing. However, there was no power to compel WLBC to prioritise highway and road improvements leading into Southport. A transportation study of the Southport Eastern Approaches was being carried out that would identify whether specific improvements were necessary.</p>
<p>The Maghull area had lots of high-grade agricultural land and there was a need to protect this in order to feed the community.</p>	<p>National guidance says that where significant development of agricultural land is considered to be necessary, authorities should seek to use areas of poorer quality land in preference to that of a higher quality. The Department for Environment, Food and Rural Affairs (DEFRA) considers significant to be sites greater than 20 hectares. This includes sites at:</p> <ul style="list-style-type: none"> <li>• Crowland Street, Southport</li> <li>• East of Maghull</li> <li>• Lambshear Lane, Lydiate</li> </ul> <p>It was inevitable that some higher quality land would be developed, but this loss must be weighed against the fact that the borough is required to meet its housing and employment needs. Inspectors' decisions support this.</p>

# Agenda Item 8

Question/Observation/Comment	Response
Does Government guidance give protection to the greenbelt?	No, the need to meet needs for development takes priority if this is the only option available to meet needs for development. The use of Green Belt to meet housing needs in Newcastle and Gateshead was recently accepted by the Planning Inspectorate.
Would brown-field sites be developed before green-field sites?	No. National planning policy does not allow us to prioritise brown-field sites.
Would delays in the adoption of a Plan lead to safe-guarded land being vulnerable to development.	Safe-guarded land could only become available when the Local Plan was being formally reviewed.
Have we exhausted all avenues, in particular in relation to brown-field sites?	We have regular 'call for sites' through which landowners, developers and others are invited to submit sites to be considered for development. All sites which are identified have to be suitable and available for housing development. We have also calculated the number of 'windfalls' we think are likely to be available taking account of Government advice on how to do this. We are reasonably confident we can defend this number but we could not support a much higher figure.
Are developers 'land-banking'?	Delays in development were very often to do with legitimate obstacles that had to be overcome, such as high development costs. Volume home builders generated their income from selling homes; land-banking did not serve their interests.

# Agenda Item 8

Question/Observation/Comment	Response
<p>Queries were raised on why the Lynton Road site was not included as one of the sites included in Appendix 1 of the Plan which require site-specific Habitats Regulations Assessments; why have we not seen Natural England's comments on the Plan? Also Sport England objected to the earlier draft Plan – have we satisfied their objections?</p>	<p>Lynton Road, Southport was not an international or European site of habitat interest. The area was designated as a local site of wildlife interest. The comments of Natural England will be fed into the Council meeting. Sport England had requested that a playing pitch strategy be prepared. The results of this would be taken into account in relation to those former school sites containing playing pitches.</p>
<p>Was there any way to encourage developments with more floors which consequently had smaller land foot-prints?</p>	<p>The Housing Market Renewal process demonstrated that the current market did not have much appetite for apartments. Developers were more likely to build property that would sell and yield a good return on their investment.</p>
<p>If large numbers of the public are opposed to the Plan and/or the Inspectorate says the Plan is unacceptable where are we left?</p>	<p>The Inspector can only take account of material planning factors, not the numbers of people who object. If we do not meet our needs for new homes and employment land, the examination would either be deferred for 6 months or we would have to go back a stage which would delay us by 18 months – 2 years. This would not be the best way to protect the Green Belt as it would lead to uncertainty. We would be likely to face speculative proposals for development in the Green Belt which could be approved by an Inspector.</p>

# Agenda Item 8

Question/Observation/Comment	Response
Queries were raised relating to employment needs within the Plan	Employment needs are an important requirement within the Plan. The Plan was more than about housing – there had to be a balance with business development too.
Concern was expressed that ED9 Crosby centre was not a robust statement for the support of Traders in Crosby.	This was a general policy which set out the key principles and would be supplemented by further guidance.

**RESOLVED:** That the Cabinet recommend the Council to approve:

- (1) the Local Development Scheme as set out in Section 2.6 and Annex A of the report;
- (2) the Authority Monitoring Report as set out in Section 20 of the report;
- (3) the further evidence which supports the Draft Plan, as outlined in Section 21 of the report, for consultation;
- (4) the Draft Plan for publication;
- (5) the approach to notifying people of the Draft Plan, as outlined in Section 22 of the report;
- (6) the delegation of powers to the Head of Planning Services to make minor editorial changes to the draft Plan before it is published, as referred to in Section 23.1 of the report;
- (7) the changes to the Plan, as detailed within Late Representations, relating to MN3 “Strategic Mixed Use Allocation – Land to the East of Maghull”; and
- (8) following the end of the publication period, and subject to there being no material change of circumstances, the submission of the draft Plan to the Secretary of State for examination.

# Agenda Item 8

## CABINET – 15 JANUARY 2015

### **47. LOCAL PLAN FOR SEFTON: PUBLICATION DRAFT PLAN**

The Cabinet considered the report of the Director of Built Environment in relation to the Local Plan for Sefton. The report presented the Publication Draft Plan, a key stage in the preparation of Sefton's Local Plan. The Plan set out issues and challenges facing Sefton that included:

- a vision for Sefton looking ahead to 2030
- a strategy for how Sefton's housing, business and other development needs can be met
- development management policies to help guide development and provide a policy framework for making decisions on planning applications
- detailed site allocations showing how needs can be met
- details of the Publication period and next stages.

The Publication Draft Plan was an important corporate strategy document which had been developed within the statutory planning framework.

The Director of Built Environment indicated that the Publication Draft Plan had been produced following a lengthy and rigorous planning process and that it had been considered and scrutinised in detail by the Overview and Scrutiny Committee (Regeneration and Environmental Services) on 9 December 2014 and the Planning Committee on 12 January 2015 and that following this meeting, the report would be submitted to the Council on 22 January 2015 for approval.

The Leader of the Council (Councillor P. Dowd) indicated that the Publication Draft Plan had been prepared in accordance with the National Planning Policy Framework produced by the Government and that the Council had legal obligation to produce a Local Plan that met the requirements of the Framework. Following the approval of the Publication Draft Plan by the Council, it would be published for a period of eight weeks and then be submitted to the Secretary of State for examination. All of the comments received on the Publication Draft Plan during that eight week period would be submitted to the Government appointed independent inspector for consideration at the examination hearing.

Cabinet Members expressed their appreciation for the inclusion of policies in the Draft Plan on health and wellbeing issues and the provision of sustainable growth in the Borough.

The Cabinet expressed their thanks to all of the Planning Officers who had been involved in the production of the draft Local Plan over a number of years.



## **Decision Made:**

That the Council be recommended to approve the following:

- (i) the Local Development Scheme as set out in Section 2.6 and Annex A of the report;
- (ii) the Authority Monitoring Report as set out in Section 20 of the report;
- (iii) the further evidence which supports the Draft Plan, as outlined in Section 21 of the report, for consultation;
- (iv) the Draft Plan for publication;
- (v) the approach to notifying people of the Draft Plan, as outlined in Section 22 of the report;
- (vi) grant delegated powers to the Director of Built Environment to make minor editorial changes to the draft Plan before it is published, as referred to in Section 23.1 of the report;
- (vii) following the end of the publication period, and subject to there being no material change of circumstances, authorise the draft Plan to be submitted to the Secretary of State for examination.

## **Reasons for Decision:**

The Council is required to prepare and adopt a Local Plan. Paragraph 153 of the National Planning Policy Framework states: "Each local planning authority should produce a Local Plan for its area". Under Section 39 (2) of the Planning and Compulsory Purchase Act 2004 a local authority exercising their plan making functions must do so with the objective of contributing to the achievement of sustainable development."

It will be necessary to have the Local Plan formally examined by a Government appointed independent planning inspector. The Local Plan must meet statutory planning requirements and will be assessed for 'soundness'. The Publication Draft Plan is considered to be the most appropriate option for Sefton when considering these various requirements. It is not an option for the Council to choose not to adopt a plan.

## **Alternative Options Considered and Rejected:**

None.

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