
Report to: Planning Committee
Cabinet

Date of Meeting: 22 February 2012
1 March 2012

Subject: Core Strategy for Sefton: Report following consultation at the Options Stage

Report of: Director Built Environment

Wards Affected: All

Is this a Key Decision? Yes

Is it included in the Forward Plan?
Yes

Exempt/Confidential

No

Purpose/Summary

To provide Members with a full report on the responses to consultation following the Options stage of the Core Strategy, and to set out proposed next stages.

Recommendations

That Planning Committee

- (1) note the detailed Report of Consultation following the Options Stage of the Core Strategy and ask Cabinet to accept this Report of Consultation
- (2) note the proposals for further studies to be carried out which should be taken into account in agreeing a Preferred Option for the Core Strategy, and recommend that Cabinet agree to the programme of work as set out in section 12 of this report.

That Cabinet

- (1) accept the Report of Consultation following the Options Stage of the Core Strategy and agree the proposed programme of work as set out in section 12 of this report.
- (2) Agree to allow the Head of Corporate Finance & ICT Strategy to consider the use of one-off resources, towards the costs of this work programme, subject to availability and consideration of the Council's outturn position for 2011/12.

How does the decision contribute to the Council's Corporate Objectives?

	<u>Corporate Objective</u>	<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		✓	
2	Jobs and Prosperity		✓	
3	Environmental Sustainability		✓	
4	Health and Well-Being		✓	
5	Children and Young People		✓	
6	Creating Safe Communities		✓	

7	Creating Inclusive Communities		✓	
8	Improving the Quality of Council Services and Strengthening Local Democracy	✓		

Reasons for the Recommendation:

To inform Members of the results of the consultation and to agree next steps.

What will it cost and how will it be financed?

(A) Revenue Costs

The estimated cost of the further studies recommended in this report are in the order of £105,000. There is currently no identified resource within Planning Department budgets to meet this cost. Consideration may therefore need to be given to the availability and use of one-off Council resources, together with an ongoing commitment by the Department to try and find what funding it can to support this additional work programme.

(B) Capital Costs

None

Implications:

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

Legal The LD Number is LD707/12. The Options Stage is a necessary stage within the Core Strategy process and is required by the Planning and Compulsory Purchase Act, 2004.	
Human Resources None	
Equality	
1. No Equality Implication	<input checked="" type="checkbox"/>
2. Equality Implications identified and mitigated	<input type="checkbox"/>
3. Equality Implication identified and risk remains	<input type="checkbox"/>

Impact on Service Delivery:

None

What consultations have taken place on the proposals and when?

The Head of Corporate Finance (FD1357/12) has been consulted and her comments have been incorporated into the report.

The Head of Corporate Legal Services (LD707/12) has been consulted and her comments have been incorporated into the report.

Are there any other options available for consideration?

No.

Implementation Date for the Decision

Following the call-in period after Cabinet on 1st March.

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Background Papers:

Individual representations and petitions received as part of the consultation on the Core Strategy Options Paper.

Focus Group report, Mott MacDonald, October 2011

1. Overview

- 1.1 Members considered initial reports on consultation on the Options Stage of the Core Strategy at their meetings on 21st September and 16th November 2011.
- 1.2 This report is a full summary of the consultation which took place, of the representations made to the Council during that consultation, and of the Council's proposed response. The detail of this is set out in an appendix which will be referred to in this report as the "Report of Consultation".
- 1.3 It is important to make two things clear :
 - the report does NOT recommend a 'preferred' option
 - the report does NOT recommend that particular sites should either be taken forward for development or ruled out. This applies to all sites including Green Belt sites and greenspace sites.
- 1.4 The report notes that issues and concerns have been raised during the consultation which need to be considered further. It recommends that further studies are needed to address these concerns and provide a solid basis for making decisions on the next stage of preparing the Core Strategy. It suggests that when these studies have been completed, a report is brought back to Members. The results of these studies will be used to help recommend a Preferred Option.

2. Background: what was the consultation about?

- 2.1 The reports to Planning Committee in September and November 2011 have already summarised the key outcomes of the consultation. However, some of it is repeated in this report as this is presenting the full Report of Consultation.
- 2.2 As part of its work to prepare a Core Strategy for the Borough, the Council consulted on an **Options Paper** during summer 2011. The Core Strategy is about much more than providing land for new homes and jobs. However, given that the amount of suitable land in the built-up area of Sefton is running out, three options were proposed offering different choices about which land might be used to meet anticipated needs.
- 2.3 The options were as follows:
 - Option One: urban containment
 - Option Two: meeting identified needs
 - Option Three: a stable population.
- 2.4 Option One does not involve any planned use of any land in the Green Belt to meet future needs. Options Two and Three included varying amounts of land in the Green Belt to meet these needs for new homes and jobs [2.6% and 4.2% of the total Green Belt in Sefton respectively]. The total proportion of Sefton's Green Belt which was shown as having potential for development as part of the consultation process was less than 6%.

3. What else was being consulted on?

3.1 In addition to the **Options Paper**, a number of supporting documents were also available for consultation.

3.2 These were:

- The draft Green Belt study
- The draft greenspace study
- The draft Infrastructure Study
- The draft Sustainability Appraisal of the Options.

3.3 These are referred to below in Section 8.

4. Review of the process of consultation

4.1 The 12 week consultation period for the Options Paper ran between 23rd May and 12th August 2011.

4.2 The requirements for consultation for this kind of document are set out in Regulation 25 of the Town and Country Planning [Local Development] [England] [Amendment] Regulations 2004 [as amended]. This states that a Local Planning Authority must invite 'specific' and 'general' consultation bodies who may have an interest in their area to make representations about what the Core Strategy ought to contain.

4.3 The consultation was carried out in line with both the statutory requirement and with the Council's own guidelines for consultation, the Statement for Community Involvement (SCI).

4.4 Despite meeting the statutory requirements and the SCI, and its efforts to make sure that publicity about the consultation was widely circulated, the Council acknowledges that this consultation did not reach as wide an audience as it had hoped.

4.5 When it became apparent at the early drop-in events that many people were not aware of the consultation, about 8,000 letters were sent to properties which were close to all of the sites identified as having potential for development. This included both sites in the Green Belt and greenspace sites (the latter are all within the built-up area).

4.6 Extra events were laid on during the latter weeks of the consultation when it became clear that people felt they had little chance to understand what the proposals might mean for their area. The Core Strategy team was stretched to full capacity during the 12 weeks of consultation. It organised 65 events (meetings, presentations and drop in events) attended by about 3,000 people. The team spoke to many of these either individually or in groups.

4.7 In addition to sending out individual letters and organising extra events, the Council also commissioned focus groups to try to make sure it had the views of a representative cross-section of the Borough's population. These were structured discussion groups of about 10 people, one in each Area Committee area, and

members of the group were drawn from the Council's citizens' panel. Each group considered the issues covered in the Options Paper.

- 4.8 What has been learned from this consultation? There is a balance between trying to let as many people as possible know about a consultation of this kind, and the costs of such publicity. This is a particular issue when the Council is having to make major savings. However, steps have already been taken to make sure that the next consultation in late 2012 reaches more people.
- 4.9 Two specific examples of improvements include:
- Twitter was not available to us during the 2011 consultation, but this could form one part of our approach to consultation next time
 - We are sending out requests with this year's Council tax information to invite people to let us have their contact details if they would like to be kept up to date with further consultations.
- 4.10 More information on the facts and figures of consultation is contained in Section 1 of the attached Report of Consultation.

5. Overview of comments

- 5.1 Despite some concern about lack of consultation, a large number of people commented. Around 2,500 individual representations have been received, together with 13 petitions.
- 5.2 Each person who submitted a representation made on average just under 10 separate points. Many of the comments raised similar concerns about the implications of developing sites e.g. extra traffic, lack of local facilities, the risk from flooding, high quality agricultural land, the need to develop brownfield land and use empty homes before building new houses in the Green Belt.
- 5.3 Individual responses
95% of all representations comprise objections to areas of land in the Green Belt, or greenspaces in the urban area, which had been suggested as being possibly suitable for development.
- 5.4 This is important. Relatively few individuals commented on the wider issues and challenges which were set out in the early part of the Options Paper. These included:
- ◇ Meeting needs for new homes and jobs
 - ◇ Providing for an ageing population
 - ◇ Meeting specialist housing needs
 - ◇ Responding to the challenge of climate change
 - ◇ Improving access to services and facilities
 - ◇ Increasing enterprise and encouraging new businesses
 - ◇ Improving health.
- 5.5 It is difficult to interest people in long-term issues which do not seem to relate to their immediate everyday lives. The prospect of developing on land which people have a view over, or which they enjoy walking on or observing nature in, inevitably

provokes a strong reaction. This was heightened by publicity in local papers and some leaflets circulated in the affected areas which implied that the consultation was about an imminent development rather than a long term plan looking 15 years ahead. Many people came to the drop-in events, not because they were interested in the wider issues raised in the Options paper, but with one thing in mind: How can I stop the development on the field/ greenspace near to where I live?

5.6 The main concerns which people expressed about development of sites in the Green Belt or on green spaces are listed below, including the percentages of people who commented:

- Wish to protect the Green Belt/ prevent urban sprawl 65%
- Concern over traffic issues 55%
- Impact on or lack of services/ facilities 40%
- Need to protect agricultural land/ concern over 'food security' 31%
- Desire to protect nature/ habitats 30%
- Green Belt land is used for recreation/ tourism 25%
- There are enough brownfield sites to meet need 23%
- Don't need new homes as there are too many vacant homes 22%
- Area prone to flooding 19%

[These figures do not add up to 100% as people were able to make multiple comments].

5.7 This is not the same as saying that people were against development on all Green Belt sites or on all green spaces. A number of people also suggested that other sites in the Green Belt might be suitable for development e.g. at Ashworth Hospital or the site nearby which, until recently, was being developed for a prison.

5.8 Of the 2,500 individual representations received, about 70% could be mapped [most of the rest did not provide either a house number or postcode, and 19 were from outside the borough]. Of those which could be mapped, just over 50% were within 50m from a Green Belt or green space site identified as having potential for development, and over 81% were within 250m of a Green Belt site and within 100m of a greenspace site. This shows a close match between responses received and the location of particular sites identified as possibly suitable for development.

5.9 Petitions

13 petitions were received, with over 7,700 signatures. The details of these are contained in Annex B of the Report of Consultation, with a plan showing the area to which the petition relates or the area where most of the petitioners reside.

5.10 Nine of the petitions relate to the proposed development of land in the Green Belt. Five relate to specific areas and four petitions oppose the development of Green Belt land in general.

5.11 A further four petitions object to the loss of specific green space sites.

5.12 Focus groups

Section 4.7 refers to the decision to hold focus groups as a way of trying to get a representative point of view from residents across the Borough. These were held

in each Area Committee area, and were organised and hosted by Mott McDonald. A number of themes emerged similar to those in the main public consultation e.g. :

- scepticism about need for more homes when the population is declining
- need to use empty homes and clean up brownfield land first
- general concern that Green Belt/ green spaces should be protected.

- 5.13 Members of the focus groups generally did not support either development in the Green Belt or on green space. In one key aspect, their views echo that emerging from the rest of the consultation - the Focus Group Report notes that “those less likely to be directly affected by the plans, that is not in the zones that could potentially be built upon, were more inclined to be accepting of green belt land being used” [p.41].
- 5.14 Comments about the approach of the Green Belt study and about development within the Green Belt are contained in Section 3 of the Report of Consultation. Objections to specific sites in the Green Belt identified as having potential for development are contained in Section 4.
- 5.15 Responses have been given, but these are provisional in a number of instances such as flooding, traffic congestion, lack of infrastructure: if the Council were to promote land in the Green Belt as part of its preferred option, further work would have to be carried out to address these concerns more fully.

6. Views of statutory consultees, and other organisations and interests.

- 6.1 There was often a different response to the Options Paper from statutory consultees and organisations representing wider interests. These often supported Options Two or Three (which involve varying degrees of building in the Green Belt).
- 6.2 Local authorities: the adjoining authorities of West Lancashire and Knowsley supported Option Two. Both authorities face similar shortages of land within their built-up areas. Both are currently identifying land in the Green Belt to meet future needs. Liverpool Council also gave qualified support for this Option. Their support for this option, and in particular for the release of Green Belt for housing, is conditional on a commitment by Sefton to explore and evaluate all ways of maximising the delivery of its urban land for housing and bringing back into use vacant properties.
- 6.3 It is telling that some organisations whose remit is to protect the environment gave qualified support to Option Two, not Option One which might have been expected.

Natural England, the Government’s advisors on the environment, recognise that there comes a point when it is no longer practicable to continue building in the urban area. They note that brownfield land, when left undisturbed, can acquire an ecological value. Their view is that in the longer term the preferred solution, in environmental terms, would be to allow some building in the Green Belt rather than to build ever more densely in the urban area.

The National Trust also generally support Option Two; they consider that Option One would not meet the needs of Sefton residents, could undermine the area's

economy and could lead to "planning by appeal" by the early 2020's and reduce funding for green spaces such as the Formby coast. However, in generally supporting Option Two, the National Trust would want to ensure that the most appropriate (brownfield, within centre etc) sites are released and developed first prior to Green Belt land being released.

Formby Civic Trust also support Option Two. However, the Council for the Protection of Rural England clearly support Option One.

- 6.4 Business community: in an electronic survey participated in by 20 members of the Sefton Economic Forum, 81% felt that Options Two or Three best met Sefton's economic needs. Peel Ports supported Option Three, although they noted that the Port remains critical irrespective of which Option is pursued. Peel Ports view is that Option Three offers the greatest potential for developing communities and business throughout the borough. This is likely to most closely align with their Master Plan on which Peel Ports consulted during 2011.
- 6.5 Developers and landowners also generally supported either Option Two or Three, often identifying land which they wished to see developed. Many developers, including the Home Builders Federation, support Option Three as they consider this is the only Option which is likely to bring economic growth and avoid decline. A number mentioned their concern about the rate at which the labour force would decline under Options One and Two. One Vision Housing supports Option Two.
- 6.6 Some landowners whose land has been identified as having potential for development said that they did not want their land to be developed for housing or employment.
- 6.7 There was some support for an approach between Option One and Option Two – i.e. an acceptance of some development in the Green Belt, but not as much as was implied by either of these Options. In general there was less opposition to identifying sites in the Green Belt for employment rather than for housing. This may be something which warrants further consideration

7. Comments on other aspects of the Options Paper

- 7.1 The questionnaire invited people to comment on other aspects of the Options paper. This included the following aspects:
- context
 - issues and challenges
 - vision, aims and objectives
 - principles
 - challenges
 - options.
- 7.2 Section 2 contains an analysis of people's views on these various aspects. However, as less than 25% of people completed the main consultation form, the results can only offer a very general guide to people's views.
- 7.3 The comments on these areas contained many helpful comments and observations e.g. about how the vision could be made more relevant to Sefton and how the Core Strategy could best meet the challenges the Borough faces.

There were quite a number of suggestions for changes in emphasis or additions. Some key points include the following:

- highlight cross-boundary issues more, need to be complementary to the strategies of adjoining authorities, and emphasise the Liverpool City region
- make more of the coast, one of Sefton's major assets
- be more flexible in the use of employment land and green space for alternative uses where they are redundant / no longer valued
- place greater emphasis on the value and importance of the landscape and townscape
- take the opportunity to exploit renewable energy technologies
- concern about infrastructure and how extra infrastructure would be financed
- concern that the regeneration of Bootle and Southport should not be at the expense of investment in other parts of the Borough
- make the vision more distinctive to Sefton and with a clear overarching theme.

These are reflected in more detail in Section Two of the attached Report.

8. Representations on the draft Green Belt, greenspace and other studies

- 8.1 The survey form asked for people's views on both the draft Green Belt and greenspace studies. It is clear from the representations that there was confusion between the studies, and what is Green Belt and what is greenspace, and both may have been thought to relate to any 'green' site on which there was the possibility of development. In any case, if people objected to either a Green Belt site OR a greenspace site, on almost every occasion they also objected to the approach taken to both the draft Green Belt study and the draft green space study.
- 8.2 Generally it seems to be the case that where people had read the two studies, they supported the overall approach taken even if they disagreed with the conclusions in relation to specific sites.
- 8.3 A summary of comments received on the draft Green Belt study is provided in Section 3 of the Report of Consultation. Comments on the draft greenspace study are included at Section 6 of the Report.
- 8.4 These studies will not be finalised until a Preferred Option has been chosen.
- 8.5 Comments on the draft Infrastructure Study and Sustainability Appraisal are recorded at Annex D of the Report.
- 8.6 A draft Infrastructure Delivery Plan and an updated Sustainability Appraisal will be published at the same time as the Preferred Option.

9. Other sites

- 9.1 Part of the evidence presented in the Options Paper is that land in the built-up area is running out and that, at some point, land outside the urban area may need to be considered for new homes and jobs. People were invited to suggest 'brownfield' sites in the built up area to make sure that the Council is aware of all

possible sites which may be able to contribute towards its housing requirement. These are listed in Annex C of the Report of Consultation.

- 9.2 Options Two and Three included consideration of sites in the Green Belt. The consultation invited people to put forward alternative Green Belt sites. These sites are listed in Section 5 of the Report of Consultation.

10. Changing context

- 10.1 The context for the preparation of development plans is changing. The Localism Act 2011 has begun to come into force and this will result in the abolition of Regional Spatial Strategies.
- 10.2 The draft National Planning Policy Framework (NPPF) came out in draft at the start of our Options consultations, and is expected to be issued in April 2012. This has been the subject of lively public debate nationally and many changes have been requested. However, it is not known how much the final version will differ from the draft and whether this will herald a noticeably different approach to development. In any event, additional issues and approaches may arise from the final NPPF which will need to be taken into account.
- 10.3 Regardless of these changes, the Government is clear about the various elements which local a local authority must take into account in preparing plans for their areas:
- Government policy
 - Up-to-date evidence about the key concern of the Borough – this includes an understanding of the needs for new homes and providing suitable land for jobs over a time period of about 15 years
 - The views of its local communities.

11. Issues raised by the consultation

- 11.1 The 2,500 representations raised a lot of detailed issues, and many of these are responded to in the Report of Consultation. However there are a few key areas which go to the heart of the work on the Core Strategy. These are listed in the following paragraphs

- 11.2 Housing requirement for Sefton: this topic was a key debating point during the consultation. Many people found it difficult to understand the evidence which lies behind these figures and queried the study which had been carried out on the Council's behalf.

Further information will become available in July following the release of the 2011 Census Small Area Statistics. This could change the housing requirement for Sefton, and it is essential to have this updated information before deciding on a Preferred Option.

- 11.3 Agricultural land quality: a major concern during the consultation was that a couple of the options involved building on Green Belt which was Grade 1

agricultural land. In view of the broad brush nature of the Agricultural Land Classification [ALC] maps, it is impossible to know the actual quality of the land without carrying out a vast number of soil samples. Detailed analysis in the past has often shown that the quality of land is lower than the more general ALC mapping would suggest.

Advice has been taken from the Government's advisers in these matters – Communities and Local Government, the Department of Food and Rural Affairs, and Natural England. In order to get a definitive view of the quality of the land and its value for food production, it is necessary to commission a study of agricultural land quality in the Borough and the implications arising from possible future development in the Green Belt. This will provide a sounder base on which recommendations can be made.

11.4 Employment Land and Premises Study: an employment land and premises study was carried out jointly with Halton, Knowsley and West Lancashire, with a base date of 2008. This set out Sefton's future needs to 2026. This needs to be rolled forward to assess needs to 2031, and to take account of subsequent changes to the supply and changes to the economic climate. Since the initial Study was carried out, the Port has prepared a Master Plan setting out its future land requirements. This is likely to require more land to be identified for employment use in the south of Sefton for non-port-related activities. As a result, this study needs to be updated to provide a robust evidence base.

11.5 Implications of the Options: the consultation raised many issues about the impact of the Options – environmental, economic and social. There were a number of uncertainties about the implications of different options as described in the Options paper e.g.

- would Options One and Two really have a harmful economic impact because of a declining population?
- would Options Two and Three lead to unnecessary environmental damage because of the development of land in the Green Belt?
- is the most being made of the potential of brownfield sites and empty homes to help meet the Borough's need for new homes?

It is also important to consider how to balance the consultation response against meeting the need for new homes.

There is scope to examine further the implications of all options, for both Sefton and adjoining authorities, in order to make sure that the Preferred Option is based on the fullest possible understanding of its implications.

12. Next stages

12.1 It is proposed that further work is required as described in Section 11 in order to better understand some of the key factors which have a bearing on finding the best way ahead for Sefton.

12.2 This would require four separate pieces of work which would have to be commissioned from external consultants. The studies are listed below together with an estimate of likely cost:

- an update of the housing requirement following the release of the Census Small Area statistics in the summer: £10,000
- an assessment of agricultural land quality in Sefton and the implications of possible development on some of this land: £25,000
- update of the employment land and premises study £20,000
- a review of the implications or consequences of the proposed options, both within the Borough and in adjoining authorities, taking account of environmental, economic and social factors: up to £50,000

This is a total estimated cost of around £105,000.

- 12.3 If it is decided to go ahead with these studies, the agricultural land study should be commissioned very soon, as it would form a key piece of background for the 'implications' study.
- 12.4 The implications study could be the next piece of work. However this would have to be done in two stages. It would have to wait for the outcome of the updated housing requirement study in late summer, before it could conclude, as this figure plays such a crucial part in the development of any strategy.
- 12.5 Further work on developing a Preferred Option should take account of the findings of these studies, and should be guided by a member working group, the principle of which has already been agreed.
- 12.6 It is anticipated that we will be able to report back with the implications of these studies later in 2012.

13. Financial Implications

- 13.1 The funding of additional work into 2012/13, as identified in section 12 above presents a challenge since, at this stage, the Planning Department cannot identify enough resource to fund the programme, which is estimated at £105,000.
- 13.2 Cabinet is therefore recommended to allow the Head of Corporate Finance & ICT Strategy to consider the use of one-off resources, towards the costs of this work programme, subject to availability, and with the understanding that the Planning Department itself will also continue trying to identify what resources it can towards meeting the costs.

Recommendations

That Planning Committee

- (1) note the detailed Report of Consultation following the Options Stage of the Core Strategy and ask Cabinet to accept this Report of Consultation
- (2) note the proposals for further studies to be carried out which should be taken into account in agreeing a Preferred Option for the Core Strategy, and recommend that Cabinet agree to the programme of work as set out in section 12 of this report.

That Cabinet

- (1) accept the Report of Consultation following the Options Stage of the Core Strategy and agree the proposed programme of work as set out in section 12 of this report.
- (2) agree to allow the Head of Corporate Finance & ICT Strategy to consider the use of one-off resources, towards the costs of this work programme, subject to availability and consideration of the Council's outturn position for 2011/12.