

<b>Report to:</b>	Cabinet	<b>Date of Meeting:</b>	1 October 2015
<b>Subject:</b>	Local Plan Update and Post Submission Changes	<b>Wards Affected:</b>	(All Wards)
<b>Report of:</b>	Chief Executive		
<b>Is this a Key Decision?</b>	Yes	<b>Is it included in the Forward Plan?</b>	Yes
<b>Exempt/Confidential</b>	No		

### Purpose/Summary

Since submission of the Local Plan for examination in August, it is proposed to make a number of changes to take account of representations where they will help to secure that the Plan is 'sound', updated evidence and to make minor editorial changes etc. This is regarded as good practice.

The report therefore seeks approval of proposed changes to the Local Plan (known as post submission changes) since it has been submitted for examination; approval of the Local Development Scheme and Authority Monitoring Report; and to provide an update on a number of recently completed studies.

### Recommendation(s)

That Cabinet approve the following:

- (i) The list of proposed post submission changes to the Local Plan for consideration by the Planning Inspector at the Local Plan examination, including changes to the Policy Map
- (ii) The adoption of the Local Development Scheme
- (iii) The Authority Monitoring Report for 2015.

### 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			
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**Reasons for the Recommendation:**

To have in place a number of proposed changes to the Local Plan prior to the examination hearings. This will help show how the Council intends to respond to a number of representations were it accepts the premise of the argument and which would help to make the Plan sound.

To fulfil the Council’s requirement to have an up-to-date Local Development Scheme and Authority Monitoring Report.

**Alternative Options Considered and Rejected:**

None. It is good practice to suggest post submission changes which the Council supports before the examination of the Local Plan. This will also help to reduce the length of the examination hearings, and would mean that officers are relying on out-of-date evidence.

**What will it cost and how will it be financed?**

**(A) Revenue Costs**

Within the Local Plans budget

**(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:

<b>Financial</b>	
Indirect consequences as set out above (alternative options considered).	
<b>Legal</b>	
The comments of the Head of Regulation and Compliance have been incorporated into the report.	
<b>Human Resources</b>	
N/A.	
<b>Equality</b>	
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 of the Proposals on Service Delivery:**

None

**What consultations have taken place on the proposals and when?**

The Chief Finance Officer has been consulted and it is noted the report indicates no direct financial implications for the Council. Any costs can be met from the Local Plans budget (FD3807/15)

Head of Regulation and Compliance have been consulted and any comments have been incorporated into the report. LD 3090/15)

**Implementation Date for the Decision**

Following the expiry of the “call-in” period for the Minutes of the Cabinet Meeting

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**Background Papers:**

The representations to the Local Plan can be accessed via [www.sefton.gov.uk/localplan](http://www.sefton.gov.uk/localplan) , the evidence base via [www.sefton.gov.uk/eamlibrary](http://www.sefton.gov.uk/eamlibrary) , the LDS via [www.sefton.gov.uk/lDs](http://www.sefton.gov.uk/lDs) , the AMR via [www.sefton.gov.uk/amr](http://www.sefton.gov.uk/amr) and the proposed SPDs on [www.sefton.gov.uk/spd](http://www.sefton.gov.uk/spd) .

## **1. Introduction/Background**

- 1.1 The Local Plan for Sefton was submitted to the Planning Inspectorate on 3 August 2015. Mr Martin Pike has been appointed as the Planning Inspector to examine the Sefton Local Plan. It is anticipated the examination hearings will take place from the third week in November. This will be confirmed following the Pre-Hearing Meeting which is scheduled to take place on 24<sup>th</sup> September. Invitations have been sent to everyone who has commented on the Local Plan, asking them if they wish to attend.
- 1.2 As we progress towards the Examination hearings there is an opportunity for the Council to suggest to the Inspector proposed changes to the draft Local Plan. These are known as 'post submission changes'. Whilst a number of these are minor changes, such as typographical errors or changes to improve accuracy, clarity and consistency, there are a number that change the meaning or direction of a policy. These may be a result of the Council responding to comments made during publication stage or as a result of new evidence that has emerged since the Council published the Local Plan in January. In a number of instances this also requires changes to the Policy Map.
- 1.3 One of the changes is that we will be adding a 'Key Diagram' which shows where the main development areas etc are located. We also need to refer to the need for an immediate review of the Local Plan as the draft Plan refers to an early review. It is also proposed to add further references to the need for improved rail access to the Port.

In addition it is important that the Council have an updated Local Development Scheme and Authority Monitoring Report in advance of the examination hearing. A Local Development Scheme is essentially a schedule of planning documents the Council intends to produce in the near future. It is intended to assist those who wish to be involved in the development of planning policy. More information on the Local Development Scheme is provided in Section 3 below.

- 1.4 The Authority Monitoring Report is a document which sets out how well the Council is doing in achieving its Planning Policy Objectives. It is a means to determine what outcomes policies are having and whether the policies need to be changed. The Authority Monitoring Report also reports on the Council's approach to meeting the Duty to Co-operate and what progress has been made with regard to Neighbourhood Planning and the introduction of the Community Infrastructure Levy. More information is provided in Section 4 below.
- 1.5 Since the Local Plan was submitted a number of documents have been completed which will be potentially be discussed at the examination hearings. These are updates of existing studies that have taken account of when preparing the Local Plan. More information is provided in section 5 below.

## **2. Proposed Post Submission Changes**

- 2.1 The Local Plan was submitted in August. It is good practice to propose changes to the Plan to respond to comments made. This will help to reduce the length of the examination hearings. There are a number of changes that the Council would like the Inspector to consider for the reasons set out above. Many of these are minor,

such as updating names of organisations, adding policy links, correcting typographical errors etc., but others are more substantial that will change or introduce new policy. A list of changes that the Council wish the Planning Inspector to consider during the Local Plan examination are provided at Annex A.

- 2.2 One of the key changes that is proposed is to update the capacity of a number of proposed allocation sites under Policy MN2, 'Housing, Employment and Mixed Use Allocations', based on recently granted planning permissions, developer feedback, and revised site areas.
- 2.3 Major changes are also proposed to Policies NH1 – NH3 to reflect work that has been undertaken on the Ecological Network. Changes to Policy HC2 are proposed to simplify the requirement for the number of properties in larger schemes [50 homes or more] to be three-bedroomed or less.
- 2.4 A number of changes are proposed to the Policy Map to reflect changes elsewhere in the Local Plan. The Nature Improvement Areas will no longer be shown on the Policy Map. Some housing allocations have had minor amends to reflect more up-to-date information, for example site MN2.46 is proposed to be reduced slightly to reflect the land required for the provision of the slip roads which are to be provided on the south side of the M58 motorway. The locations covered by the Tourism policy [Policy ED5] will be shown on the Policy Map. These comprise Southport Seafront and Central Area, Crosby Coastal Park, Aintree Racecourse and adjacent to the Leeds and Liverpool Canal.
- 2.5 It is likely that a further set of changes will need to be approved in November. These include revisions to Policy MN3 'Land east of Maghull' taking account of on-going work relating to the development of this site, and the provision of a new policy for the site at Moss Lane, Churchtown [site MN2.4]. This will indicate how the Council intends to address issues relating to this site which have emerged since the Local Plan was submitted. This includes addressing the risk from flooding and access issues.

### **3. Local Development Scheme**

- 3.1 A Local Development Scheme (LDS) is a document that sets out the timetable the Council will follow in its production of planning policy documents. Councils are required to produce under the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). It must be available publicly and kept up to date. A copy of the draft Local Development Scheme can be viewed at [www.sefton.gov.uk/lds](http://www.sefton.gov.uk/lds).
- 3.2 Since the previous Local Development Scheme of Sefton was published in January 2015 there have been changes that make the version produced out of date. The timetable of the Local Plan has been updated, and information has been added to indicate broad timetables for producing Supplementary Planning Documents, Community Infrastructure Levy and for Neighbourhood Planning. Specifically, the date of submission of the Local Plan to the Secretary of State has changed from May 2015 to August 2015 due to the volume of consultation responses received and due to the need to update critical evidence.

- 3.3 The Council has, or intends to, publish a number of draft Supplementary Planning Documents [SPD] for public consultation over the next six – nine months. Whilst the Council doesn't need to set out its timetable for SPDs in the LDS, it considers this is useful information for the public to see what documents will be available for comment and how emerging policy will be implemented.
- 3.4 The Council also intends to publish a draft Community Infrastructure Levy Charging Schedule for comment. This will need to be considered by Cabinet in the near future. The preliminary draft charging schedule will be available for comment in the first part of 2016, with a final draft available in spring 2016.
- 3.5 Finally the Council intends to update its Statement of Community Involvement starting later this year. Again, this will need to be approved by the relevant Cabinet Member before early consultation takes place in the spring.

#### 4. Authority Monitoring Report

- 4.1 Monitoring is a key element of the planning and a requirement under the Planning and Compulsory Purchase Act 2004 (section 35). The Localism Act 2011 and the subsequent Town and Country Planning [Local Planning ] [England] Regulations 2012 places a duty for the Local Planning Authority to prepare monitoring reports, known as Authority Monitoring Reports [AMRs], and to report these to the public.

LDS Function	Outcome
Reviewing progress of the Council's Local Plan	Progress with the Council's Local Plan has broadly been in line with the programme set out in the Local Development Scheme.
Reporting on how the Council has undertaken its Duty to Co-operate	A 'task and finish' group has been set up between the Merseyside Authorities and West Lancashire to manage the future approach to assessing housing and employment land requirements in the sub-region.
Reporting on Neighbourhood Planning	Lydiate Parish Council has applied for a Neighbourhood Plan Area to be designated. None of the other three Neighbourhood Plans under preparation (Formby, Melling and Maghull) have been submitted for independent examination
Reporting on progress with the Community Infrastructure Levy	A preliminary draft charging schedule is due to be reported to Cabinet in November
Providing information which the Local Planning Authority have collected for monitoring purposes	A whole range of monitoring on housing, employment and leisure is provided.

#### 5. Completion of Additional Studies to Support Local Plan

- 5.1 Since the Local Plan was approved for submission in July a small number of additional studies have been commissioned or completed. Others are still being

prepared. These will be ready in time to inform the examination hearings of the Local Plan.

- 5.2 The Council has had its Employment Land and Premises Study updated by the BE Group. The previous study was completed in 2010. It was considered important that this key piece of evidence was updated prior to the Local Plan examination hearings. The final Employment Land and Premises Study is part of the Local Plan examination library [document EM.1] and can be viewed at [www.sefton.gov.uk/examlibrary](http://www.sefton.gov.uk/examlibrary). This supports the allocations in the Local Plan.
- 5.3 Mott MacDonald were commissioned to undertake an assessment of the Traffic Implications of the Proposed Local Plan Housing and Employment Allocations. This concludes that it is likely there will be some areas where congestion is likely to be a concern over the period to 2030, mainly in the Crosby/Thornton area. The study suggests that further work is required to determine the exact location and nature of the issues and what improvements are required. This report is available in the Local Plan examination library [document TR.2] at [www.sefton.gov.uk/examlibrary](http://www.sefton.gov.uk/examlibrary).