



Dear Councillor,

CENTRAL LANCASHIRE STRATEGIC PLANNING JOINT ADVISORY COMMITTEE - THURSDAY, 26TH NOVEMBER 2015

The next meeting of the Central Lancashire Strategic Planning Joint Advisory Committee to be held in the Wheel Room at South Ribble Borough Council, Civic Centre, West Paddock, Leyland on Thursday, 26th November 2015 at 5.30 pm.

The agenda and accompanying reports for consideration at the meeting are enclosed.

The electronic agenda has been sent to both appointed and substitute Members. Any appointed Member who cannot attend on 26th November 2015 is asked to first contact their substitute to see if he or she can attend instead. Then please contact James Wallwork either by telephone or email at the address below to give their apology with an indication of whether the substitute Member will attend.

Yours sincerely

Gary Hall
Chief Executive of Chorley Council

James Wallwork
Democratic Services Officer
E-mail: JWallwork@southribble.gov.uk
Tel: (01772) 625306

Distribution

All members of the Central Lancashire Strategic Planning Joint Advisory Committee

Councillors

Councillors Alistair Bradley (Chorley Council), Mick Muncaster (Chorley Council), Paul Walmsley (Chorley Council), Councillor John Swindells (Preston City Council), Neil Cartwright (Preston City Council), Councillor John Potter (Preston City Council), Councillor Joseph Hughes MBE (South Ribble Borough Council), Jon Hesketh (South Ribble Borough Council), Rebecca Noblet (South Ribble Borough Council) and County Councillor Marcus Johnstone (Lancashire County Council).

Substitute Councillors:

Roy Lees (Chorley Council), Christopher France (Chorley Council), Paul Leadbetter (Chorley Council), Councillor Pauline Mary Brown (Preston City Council), Brian Rollo (Preston City Council),

Councillor Lona Smith (Preston City Council), Councillor Margaret Smith (South Ribble Borough Council), Mike Nelson (South Ribble Borough Council), County Councillor David Borrow (Lancashire County Council) and County Councillor David Howarth (Lancashire County Council)

Officers:

Gary Hall (Chief Executive, Chorley Council), Jennifer Moore (Head of Strategic Development, Chorley Council), Peter McAnespie (Policy and Design Team Leader, Chorley Council), Cathryn Filbin (Democratic and Member Services Officer), Chris Moister (Head of Governance and Property Services), Mike Molyneaux (Planning Policy Manager, Preston City Council), Chris Hayward (Assistant Director (Chief Planning Officer), Preston City Council), Mike Nuttall (Chief Executive, South Ribble Borough Council), Helen Hockenhull (Planning Manager, South Ribble Borough Council), Marcus Hudson (Head of Planning, Lancashire County Council) and Steve Browne (Director of Strategy and Policy, Lancashire County Council).

AGENDA

- 1 **Appointment of Chair for the Meeting**
- 2 **Welcome by Chair and Introductions**
- 3 **Apologies for absence**
- 4 **Confirmation of Minutes - 28 July 2015 (Pages 5 - 10)**
- 5 **Housing and Planning Bill (Pages 11 - 22)**
Report attached.
- 6 **Progression of Central Lancashire Gypsy, Traveller and Travelling Showpeople Local Plan (Pages 23 - 26)**
Report attached.
- 7 **Annual Monitoring Report (Pages 27 - 46)**
Report attached.
- 8 **Any other business**
- 9 **Dates of Next Meeting - 3 March 2016 - Preston City Council**

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Central Lancashire Strategic Planning Joint Advisory Committee

Tuesday, 28 July 2015

Councillor Paul Walmsley (Chair)	Executive Member (Public Protection), Chorley Council
Councillor Mick Muncaster	Chorley Council
Councillor Christopher France	Chorley Council (substitute)
Councillor Neil Cartwright	Preston City Council
Councillor John Potter	Preston City Council
Councillor Cliff Hughes MBE	South Ribble Borough Council
Councillor Jon Hesketh	South Ribble Borough Council
Councillor Mike Nelson	South Ribble Borough Council (substitute)
County Councillor Marcus Johnstone	Lancashire County Council

Officers in attendance:

Jennifer Moore	Head of Strategic Development, Chorley Council
Peter McAnespie	Policy and Design Team Leader, Chorley Council
Chris Hayward	Assistant Director (Chief Planning Officer), Preston City Council
Mike Molyneaux	Planning Policy Manager, Preston City Council
Denise Johnson	Director of Development, Enterprise and Communities, South Ribble Borough Council
Helen Hockenull	Planning Manager, South Ribble Borough Council
Marcus Hudson	Head of Planning, Lancashire County Council
Cathryn Filbin	Democratic and Members Services Officer, Chorley Council

1 APPOINTMENT OF CHAIR FOR THE MEETING

RESOLVED – That Councillor Paul Walmsley be appointed Chair for this meeting.

2 WELCOME BY CHAIR AND INTRODUCTIONS

The Chair welcomed everyone to the meeting and asked those present to introduce themselves.

3 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillor Bradley (Chorley Council), Councillor Swindells (Preston City Council), Councillor Rollo (Preston City Council), Councillor Noblet (South Ribble Borough Council), County Councillor Howarth and County Councillor Barrow.

4 MINUTES OF MEETING MONDAY, 15 DECEMBER 2014 OF CENTRAL LANCASHIRE STRATEGIC PLANNING JOINT ADVISORY COMMITTEE

RESOLVED – That the minutes of the Central Lancashire Strategic Planning Joint Advisory Committee meeting held on 15 December 2014 be approved as a correct record for signature by the Chair.

5 REVIEW OF THE COMMUNITY INFRASTRUCTURE LEVY

The Director of Development at Preston City Council submitted a report which provided members of the Joint Advisory Committee with an update on the current position with regards to the timing of a review of the Community Infrastructure Levy (CIL).

Mike Molyneaux gave an overview of the report. There had previously been the intention that the Central Lancashire CIL charging authorities would carry out a review of CIL charges relating to residential development would be carried out in 2015, prior to the introduction of Code for Sustainable Homes Level 6 from January 2016. However, earlier this year the government announced that Code Level 6 would no longer be introduced. This removed the immediate necessity to carry out a review of the relevant CIL charges. In addition, it had been announced that the government would be undertaking its own review of CIL in 2016.

Mike Molyneaux advised that a review would still be beneficial with regard to the extent of charging and the potential changes to the Regulation 123 list, which indicated those types of infrastructure that could no longer be funded through either S106 of the Town and County Planning Act 1990 or S278 of the Highways Act 1980, and consequently could only be funded through CIL. Nevertheless, officers considered that any review of CIL should be delayed until there was further clarity on both the timing of replacements for the Code for Sustainable Homes and on a review of CIL operation to be carried out by the Department for Communities and Local Government later in 2015.

Members of the Joint Advisory Committee discussed the content of the report and agreed that a delay in the review of CIL was appropriate at this time and that the delay in the review be communicated on the Councils websites.

RESOLVED –

- 1. that the current position with regard to the timing of a review of CIL be noted,**
- 2. it was agreed that a review of CIL was not currently appropriate,**
- 3. that each Central Lancashire CIL charging authority be responsible for communicating the delay of the review.**

6 CENTRAL LANCASHIRE CORE STRATEGY 27: SUSTAINABLE RESOURCES AND NEW DEVELOPMENTS

The Director of Development at Preston City Council considered a report which advised members of the Joint Advisory Committee of the implications of enactment of the Deregulation Act 2015 for continued implementation of Policy 27 of the Central Lancashire Core Strategy, which was concerned with incorporating sustainable resources into new development.

The Deregulation Act received Royal Assent on 26 March 2015. In a written Ministerial Statement to Parliament on 25 March the Secretary of State set out the government's policy on a range of matters that relate directly to the requirements of Policy 27 of the Central Lancashire Core Strategy. The main outcome was that the three Central Lancashire Planning Authorities would no longer be able to implement the next stage of Policy 27, which was due to come into effect from January 2016. There were also implications for a review of CIL which was considered in a separate report.

Members of the Joint Advisory Committee were advised that each local planning authority would have to consider the advice that it gave developers in the interim. Preston City Council had produced a position paper with suggested wording as set out in the report which it recommended that all three local planning authorities should adhere to for consistency

Members of the Joint Advisory Committee were advised that challenges regarding the code level were not expected.

RESOLVED – That the implications for implementation of the Policy and the position with regard to advising developers of the standards required in new housing were noted.

7 **CENTRAL LANCASHIRE GYPSY, TRAVELLER AND TRAVELLING SHOWPEOPLE'S ACCOMMODATION ASSESSMENT - JUNE 2015**

The Chief Executive at Chorley Council submitted a report which informed members of the Joint Advisory Committee about the revised Central Lancashire Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (GTAA) – June 2015.

Peter McAnespie gave an overview of the report which included the revised GTAA need for permanent pitches were as follows:

- Chorley – 10
- Preston – 22
- South Ribble – 1

In addition to the figures above, there was also a Central Lancashire need for 4 transit pitches to 2026. It was recommended that the Central Lancashire authorities work together to explore the opportunities of a joint provision to satisfy the need.

There was an aspirational need identified for 13 Travelling Showperson plots across Central Lancashire, even though there was no evidence to support there was an actual need for this number of plots. In the absence of more complete information, the study recommended that further engagement work was undertaken as part of the Gypsy and Traveller and Travelling Showpeople Local Plan in order to establish whether there was in fact a need for permanent Travelling Showpeople Plots.

It was noted that Councils were obliged to take into account local circumstances in addressing need. It was understood that the local Gypsy

and Traveller Community in Chorley may consider the level of pitch need to be overstated and required further investigation which may result in a lower figure for permanent need than that contained in the Gypsy and Traveller Accommodation Assessment (GTAA).

Peter McAnespie continued that the government undertook a public consultation on updating the Planning Policy for Traveller Sites (PPTS). This paper proposed to change the definition of Travellers and also proposed that draft planning guidance on assessing accommodation needs of gypsies and Travellers would be laid in Parliament. The commitment was re-affirmed in parliament on 10 June to be undertaken at the 'earliest opportunity'. Any changes to guidance may have an impact on the Gypsy and Traveller and Travelling Showpeople Local Plan, and the timetable for its adoption. It was therefore recommended that further work be undertaken by officers to ascertain when the government's revised guidance on Travellers was likely to be issued and to further explore the issue of local circumstances that may apply in Central Lancashire authorities.

Members of the Joint Advisory Committee discussed various aspects of the report which included the need for further work to be carried out to gather as much intelligence as possible prior to the progression of the Local Traveller Plan.

RESOLVED – That officers views in respect of the Assessment Document and delay in the progression of the Traveller Local Plan be noted.

8

LOCAL PLAN - UPDATE

Members of the Joint Advisory Committee received a verbal update on the Local Plans for each authority –

- Chorley Council – Local Plan adopted on the 21 July
- Preston City Council – Local Plan was adopted on 2 July 2015
- South Ribble Borough Council – Local Plan adopted on 22 July

It was noted that there was still time for a Judicial Review challenge for each of the plans which needs to be lodged within 6 weeks of the adoption date.

Lancashire County Council Onshore Oil and Gas SPD

Members of the Joint Advisory Committee also received an update on Lancashire County Council Onshore Oil and Gas SPD.

Since the last meeting of the Joint Advisory Committee the SPD had been made available for public consultation. However, the consultation did not generate as much interest as anticipated.

It was anticipated the final SPD would be finalised between late autumn and early new year.

RESOLVED - That the verbal update had been noted.

9 AFFORDABLE HOUSING SPD REVIEW

Members of the Joint Advisory Committee received a verbal update on the Affordable Housing SPD review.

Once the review of the SPD had been completed, it would be brought before a future meeting of the Joint Advisory Committee for information.

RESOLVED – That the verbal update be noted.

10 CITY DEAL UPDATE

Marcus Hudson submitted a report which provided an update on the delivery of the City Deal and work that had been carried out by local partners.

The report set out the latest position on several important aspects of the City Deal which included:

- Infrastructure delivery of the end of Year 1
- Monitoring Outputs in Year 1
- Appointment of consultations to give property advise on new developments
- Production of an Employment and Skills Plan

Members of the Joint Advisory Committee discussed the report with Marcus Hudson providing an update on various projects planned.

In response to a query regarding how the Working Group referred to in point 4.26 of the report cascaded information to schools, Marcus Hudson advised that six form schools and colleges had been engaged to cascade information down to mainstream education.

RESOLVED – That the progress of City Deal had been noted.

11 DATES OF FUTURE MEETINGS

RESOLVED – That the dates and host for future meetings of the Joint Advisory Committee be confirmed as follows –

- **26 November 2015 – South Ribble Borough Council**
- **3 March 2016 – Preston City Council**

12 ANY OTHER ITEM(S) THAT THE CHAIR DECIDES IS/ARE URGENT**Biodiversity SPD**

Peter McAnespie advised members of the Joint Advisory Committee that the Biodiversity SPD had been adopted by Chorley Council at its Council meeting on 21 July.

Farewell

The Chair announced that Helen Hockenhull (South Ribble) and Stephen Lamb (Chorley) were leaving their respective councils to take up new position elsewhere. The Chair, on behalf of the Joint Advisory Committee wished to thank both Helen and Stephen for their contributions to the Joint Advisory Committee and wished them all the best for the future.

Chair



Report of	Meeting	Date
Director of Development, Preston City Council	Central Lancashire Strategic Planning Joint Advisory Committee	26 November 2015

Housing and Planning Bill

PURPOSE OF REPORT

1. To advise members of the Joint Advisory Committee on the provisions of the Housing and Planning Bill and potential implications for the delivery of local planning policies in Central Lancashire.

RECOMMENDATION(S)

2. The Joint Advisory Committee is recommended to note the contents of this report. Individual authorities may wish to consider whether to submit evidence to the House of Commons Public Bill Committee.

EXECUTIVE SUMMARY OF REPORT

3. The Housing and Planning Bill had its first reading in the House of Commons on 13th October 2015 and second reading on 2nd November 2015. The House of Commons Committee stage of the Bill is scheduled to run from 10th November 2015 to 10th December 2015. Following that there will be a report stage and third reading in the House of Commons. The Bill will then go through the same stages in the House of Lords. The Bill contains manifesto commitments and by convention the House of Lords does not oppose Bills that contain government manifesto commitments during the second reading stage. There may, however, be amendments as the Bill progresses through Parliament and these will be reported to future meetings of the JAC. This is a heavyweight Bill and its progress through Parliament will take several months. It is not possible at this stage to give an indication of when the Bill may receive the Royal Assent and become law.
4. The Bill is lengthy, containing 145 clauses and covering the following:
 - Part 1 – New homes in England covering starter homes and self-build & custom housing
 - Part 2 – Measures to address rogue landlords and letting agents
 - Part 3 – Recovering abandoned premises
 - Part 4 – Social housing provision
 - Part 5 – Other changes to legislation regarding housing, estate agents and rentcharges
 - Part 6 – Planning
 - Part 7 – Compulsory Purchase
 - Part 8 – Other general provisions including transitional and consequential provisions.
5. The background paragraphs in this report provide more detail on each of these, focusing particularly on those parts of the bill that are relevant to the planning and delivery of planning policy in Central Lancashire.

REASONS FOR RECOMMENDATION(S)

6. To ensure members are aware of the content of the Bill.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

7. N/A

BACKGROUND

8. The bill is intended to support the delivery of the government's commitments as put forward in the conservative party manifesto and the productivity plan *fixing the foundations: creating a more prosperous nation*. In particular these relate to providing more housing 'that people can afford', increasing home ownership and improving housing management.
9. The accompanying guidance notes state that the government intends to do this in part by 'implementing reforms that will make sure that the planning system does not add any unnecessary obstacles to the delivery of new homes'.
10. The bill is in eight parts:

PART 1: NEW HOMES IN ENGLAND**Starter Homes – providing a statutory framework for the delivery of starter homes**

11. *Comment: Starter homes are to be new dwellings, sold at a discount of at least 20% of market value subject to a price cap of £250,000 outside Greater London (£450,000 within Greater London). They are to be sold to qualifying first-time buyers who are aged under 40 and have any other characteristics set out in regulations to be made by the Secretary of State; one example given in the Bill is nationality. The Bill provides that the Secretary of State can, through regulations, place restrictions on the sale and letting of starter homes. The purpose of such restrictions would be to ensure that starter homes are purchased by people who wish to own their home rather than by people who wish to use the property for rental investment or short-term speculation.*
12. *Local Planning Authorities must carry out relevant planning functions, e.g. making plans or determining planning applications, with a view to promoting the supply of starter homes and regulations may provide that a LPA may only grant planning permission for residential development of a specified description if requirements relating to the provision of starter homes are met. These requirements are also to be set out in regulations. The requirements could include the provision of a particular number or proportion of starter homes on site or the payment of a commuted sum to the local planning authority for the provision of starter homes. The Secretary of State will have flexibility to apply different requirements to different types of residential developments and to different areas, including conferring discretions on local planning authorities.*
13. *For example, the Secretary of State would be enabled, through regulations, to require that in relation to applications for residential development above a certain size there must be a planning obligation (S106 agreement) securing a certain proportion of starter homes on the site. The regulations may also specify that certain types of residential development should be exempt, or that certain areas should have a higher starter home requirement, or that local planning authorities should have discretion about certain requirements.*

14. *These provisions could have an impact on the ability to deliver the affordable housing as set out in Policy 7 of the Central Lancashire Core Strategy. In particular the Bill as drafted appears to give the Secretary of State powers to determine levels of starter homes provision and how that provision will be met. It is not clear how developers will react to this. Under current CIL regulations, starter homes would only benefit from discretionary relief from the CIL payment if developers agree to make them available in accordance the local authority's policies regarding allocations. They may, therefore, want to enter into negotiations with authorities to deliver starter homes as affordable housing complying with the plan's requirements to the extent that any future regulations on starter homes permit. The starter homes proposal in the Bill, combined with the introduction of a right to buy and the introduction of income thresholds for social housing rents is causing registered housing providers to reconsider how they deliver affordable housing, in particular moving away from providing new rented accommodation. There is emerging evidence in Preston of registered providers not wanting to engage with house builders to provide the rented element of affordable housing on new developments.*
15. *LPA's will be required to report on how they have carried out their functions in relation to the provision of starter homes and the Secretary of State will have powers to make a compliance direction if he is not satisfied that an LPA has not carried out its duties.*

Self-build and custom housebuilding –requiring local authorities to meet demand for custom-built and self-built homes by granting permissions for suitable sites

16. *Comment: This chapter amends and supplements the duties placed on local authorities under the Self-build and Custom Housebuilding Act 2015. That Act introduced new duties on local authorities to keep, and have regard to, registers of people seeking land for self-build and custom housebuilding. Those duties will be brought into force through regulations.*
17. *The Bill requires local authorities to grant sufficient suitable development permissions on serviced plots of land to meet the demand for self-build and custom housebuilding in their area. The demand for self-build and custom housebuilding is to be evidenced by the number of people on the register held by local authorities under the 2015 Act. The Bill defines a serviced plot of land as land that has access to a public highway and connections for electricity, water and waste water or land where these can be provided in specified circumstances or within a specified period. 'Development permissions' includes planning permission and 'permission in principle', which is a new concept introduced by the Bill (see below).*

PART 2: ROGUE LANDLORDS AND LETTING AGENTS IN ENGLAND

Private rented sector – providing greater powers for local authorities to identify and tackle rogue landlords

18. *Comment: This part of the Bill introduces banning orders prohibiting individuals from letting property or lettings management or property management or two or more of those activities, where an offence, to be specified in regulations, has been committed. It sets out penalties for breaches of banning orders. Banned persons may not hold an HMO licence under the Housing Act 2004 and where a person holding such a licence is the subject of a banning order, the local authority must revoke that licence. The Bill extends the powers of local authorities to make management orders in such circumstances.*
19. *The Secretary of State will establish a database of rogue landlord and letting agents and local housing authorities are required to enter a person on the database if a banning order has been made against that person, following that local authority's application for such an order. Local housing authorities can, in some circumstances, enter persons on the database*

as an alternative to applying for a banning order where offences are less serious and monitoring of activity may be more appropriate.

20. *The Bill introduces powers under rent repayment orders.*

PART 3: RECOVERING ABANDONED PREMISES IN ENGLAND

Private rented sector – reforming abandonment to more effectively recycle rented property

21. *Comment: This part of the Bill sets out a procedure that a landlord may follow to recover possession of a property where it has been abandoned, without the need for a court order.*

PART 4: SOCIAL HOUSING IN ENGLAND

Right to acquire – extending Right to Buy discount levels to housing association tenants

22. *Comment: The effect of this provision now is to provide a statutory basis for the voluntary agreement that the government has entered into with registered providers. The Secretary of State is empowered to make grants to registered providers to cover the cost of a discount awarded to the tenant of a provider when buying their home from that provider. The Secretary of State has the ability to direct the Homes and Communities Agency to make grants under the Agency's power in section 19 of the Housing and Regeneration Act 2008. One consequence of this is that the Office for National Statistics has reclassified private registered providers, including housing associations, as public sector non-financial corporations (from private non-financial corporations). This reclassification potentially has an impact on the credit ratings of registered providers and their ability to borrow to build more homes. The government, through the HCA, has taken steps to reassure the sector and there is the possibility of registered providers being returned to the private sector but the experience of the further education sector, which went through the same process between 2010 and 2012, suggests that it could take between 18 months and two years to return registered providers to the private sector.*

Vacant high value local authority housing – requiring local authorities to manage their housing assets more efficiently, with the most expensive vacant properties sold and replaced with new affordable housing in the area

23. *Comment: This enables the Secretary of State to require local housing authorities to make a payment to the Secretary of State calculated by reference to the market value of the high value vacant housing owned by the authority. The requirement only applies to local authorities that are required to keep a Housing Revenue Account recording revenue expenditure and income relating to an authority's own housing stock and there are currently 165 such local authorities in England.*
24. *The provisions also place a duty on local housing authorities to consider selling such housing and enable the Secretary of State to enter into an agreement with a local authority to reduce the amount of the payment, so long as the money is spent on housing or on things that will facilitate the provision of housing.*
25. *The definition of "high value" must be set out in regulations made by the Secretary of State and may be different in different areas.*

Reducing regulation – allows the Secretary of State to reduce regulations on housing associations

26. *Comment: This enables the Secretary of State to make regulations to amend regulatory provisions in the Housing and Regeneration Act 2008, with the intention of reducing regulatory control over private registered providers.*

High income social tenants – requiring tenants in social housing on higher incomes (over £40,000 in London and over £30,000 outside London) to pay market rate, or near market rate, rents

27. *Comment: This gives the Secretary of State the power to set the levels of rent that registered provider of social housing must charge high income social tenants ('HISTs'). Following consultation on some of the detail, regulations will determine how much rent a HIST should pay. Guidance may also be issued by the Secretary of State, which registered providers of social housing must follow.*
28. *Regulations made under this provision will define the meaning of "high income" by reference to income thresholds, including deciding what type of "income" is captured (for example, earnings or all types of taxable income). As indicated in the Budget announcement starting income thresholds will initially be set at £30,000 outside London and £40,000 in London, but the enabling powers are worded flexibly giving power to vary thresholds as may be considered necessary in the future. Regulations will also set out the reference period for calculation of income.*
29. *The accompanying guidance notes state that "the policy intent is to take 'household' income into account when determining whether the high income thresholds are met and the legislation makes it clear that the definition of household can be set by the Secretary of State".*
30. *Registered providers will be empowered to require tenants to provide household income information and to do so within specified time periods otherwise the default position will be that they will be deemed to be a high income household. The Bill also provides for verification of income from HMRC either directly to a registered provider or through the Secretary of State.*
31. *The average household income for a couple seeking an affordable house in Preston is £30,000 - £35,000. In future such applicants are more likely to seek intermediate or shared ownership (or starter) homes rather than rented affordable housing.*

PART 5: HOUSING, ESTATE AGENTS AND RENTCHARGES: OTHER CHANGES

Housing needs in England – simplifying the legislation governing the assessment of housing and accommodation needs of the community, whilst ensuring that the needs of all members of the community are assessed on an equal basis

32. *Comment: This makes amendments to Section 8 of the Housing Act 1985 and revokes section 225 and 226 of the Housing Act 2004.*
33. *Section 8 of the Housing Act 1985 requires every local housing authority to consider housing conditions in their district and the needs of the district with respect to the provision of further housing accommodation.*
34. *Section 225 of the Housing Act 2004 requires that every local housing authority must, when carrying out a review under section 8 of the Housing Act 1985, carry out an assessment of*

the accommodation needs of Gypsies and Travellers who reside in or who resort to their area.

35. *Section 226 of the Housing Act 2004 enables the Secretary of State to issue guidance on the carrying out of needs assessments for Gypsies and Travellers and the preparation of strategies to meet those needs and the process by which guidance must be laid before Parliament.*
36. *The amendments move away from separate definitions in housing legislation to make clear that when authorities are carrying out a review of housing needs that they consider the needs of all the people residing in or resorting to their district, without any references to Gypsies and Travellers.*
37. *The Bill amends Section 8 of the 1985 Act to include a duty to consider the needs of people residing in or resorting to their district with respect to the provision of:*
 - (a) sites on which caravans (as defined in Section 29 of the Caravan Sites and Control of Development Act 1960) can be stationed, or*
 - (b) places on inland waterways where houseboats can be moored.*
38. *It is not clear what the outcome of these changes will be. Local authorities will have to incorporate an assessment of future housing requirements including the requirement for caravans in their Strategic Housing Market Assessments without distinguishing the needs of Gypsies and Travellers. But in order to have an effective SHMA they will still have to have some idea of what the needs of that group are as they are a group of people who have a need that is specifically identified in the proposed amendment to the 1985 Act.*
39. *Other provisions in this part of the Bill involve:*
 - *Providing a stringent 'fit and proper' person test for landlords letting out licensed properties, such as Houses in Multiple Occupation, to help ensure that they have the appropriate skills to manage such properties and do not pose a risk to the health and safety of their tenants;*
 - *Allowing financial penalties to be imposed as an alternative to prosecution for certain offences;*
 - *Requiring Tenancy Deposit Scheme data to be shared with local authorities; and*
 - *Amending the Estate Agents Act 1977 to allow the Secretary of State to appoint the regulating authority*
 - *Enfranchisement and extension of long leaseholds, making provision for the valuation of minor intermediate leasehold interests in leasehold enfranchisement and lease extension cases to continue to be possible when using the legislation*
 - *Rentcharges, allowing the formula for calculating the amount needed to redeem a rentcharge to be amended by secondary legislation*

PART 6: PLANNING IN ENGLAND

Neighbourhood planning – simplifying and speeding up the neighbourhood planning process to support communities that seek to meet local housing and other development needs through neighbourhood planning

40. *Comment: This part of the Bill amends the Town and Country Planning Act 1990 Act in relation to the designation of a neighbourhood area. Under S61G of the 1990 Act a local planning authority may only designate a neighbourhood area where a relevant body (a parish council, where there is one, or an organisation or body which is, or is capable of being,*

designated as a neighbourhood forum) has applied to the authority for an area specified in the application to be designated. The authority must designate at least some of the area applied for (unless all of the area applied for is already designated).

41. *The amendment enables the Secretary of State to make regulations requiring a local planning authority to designate all of the area applied for if the application meets prescribed criteria or has not been determined within a prescribed period (subject to prescribed exceptions).*
42. *The provisions of the Bill also amend the 1990 Act and Planning and Compulsory Purchase Act 2004 Act to enable the Secretary of State to prescribe time periods within which local planning authorities must undertake key neighbourhood planning functions, including holding a referendum, and to enable the Secretary of State to prescribe a date by which a local planning authority must make a neighbourhood development order or plan that has been approved in each applicable referendum (unless the authority considers that making the order or plan would not be compatible with any EU obligation or Convention right).*
43. *The Bill also enables the Secretary of State, at the request of a parish council or neighbourhood forum responsible for neighbourhood planning in an area, to intervene in a local planning authority's decision whether to hold a referendum on a neighbourhood development order or plan proposal.*
44. *In non-parished areas, there is a new provision that requires a local planning authority, at the request of a neighbourhood forum, as defined in S61F of the Town and Country Planning Act 1990 and designated for the purpose of preparing a neighbourhood plan, in their area, to notify the forum of planning applications in the neighbourhood area for which the forum is designated. This would extend to neighbourhood forums a right afforded to parish councils by paragraph 8 of Schedule 1 of the 1990 Act. In relation to the Inner East Preston Neighbourhood Plan, Preston City Council already takes a pragmatic view and consults the neighbourhood forum on planning applications within the neighbourhood plan area.*

Local planning – giving the Secretary of State further powers to intervene if Local Plans are not effectively delivered

45. *Comment: In relation to the Local Development Scheme, an amendment to S15(4) of the Planning and Compulsory Purchase Act 2004 as amended by S111(3) of the Localism Act 2011, clarifies that a direction relating to the Local Development Scheme, (which sets out the development plan documents that the authority intend to produce and the timetable for their production) made by the Secretary of State can relate to the subject matter of documents specified in a scheme as well as geographical coverage.*
46. *This part of the Bill also gives powers to the Secretary of State to direct, in the case of a development plan document examination, the person appointed to carry out the examination to 'suspend' the examination, to consider specified matters, to hear from specified persons, or to take other specified procedural steps. Directions are given by notice to the appointed person.*
47. *It also extends the Secretary of State's default powers in relation to the preparation, revision or adoption of a development plan document to give directions to a local planning authority in relation to the preparation or revision of the document, submission for examination and adoption.*
48. *This effectively means that where a local plan setting out local land use policies has not been produced by a local planning authority in a timely fashion, it is proposed that the Secretary of State will have powers to prepare or revise the local plan or direct the local authority to submit a local plan to him for approval and that he should have the power to direct the local planning authority as to necessary steps to take throughout the local plan preparation process. While the Secretary of State already has default powers in relation to the*

preparation or revision of a local plan, this extends that power to enable the Secretary of State to direct local authorities to prepare one within a specified timeframe. The three Central Lancashire authorities are well placed in this respect, having up to date development plans.

Planning in Greater London – devolving further powers to the Mayor of London

49. *Comment: This specifies planning matters within Greater London that can be devolved to the Mayor of London.*

Local registers of land and permission in principle – creating a duty for local authorities to hold a register of various types of land, with the intention of creating a register of brownfield land to facilitate unlocking land to build new homes; and giving housing sites identified in the brownfield register, local and neighbourhood plans planning permission in principle, and providing an opportunity for applicants to obtain permission in principle for small scale housing sites

50. *Comment: This part of the Bill introduces a new planning concept of permission in principle. The Town and Country Planning Association has described this as introducing a ‘zoning’ type of planning, common in the US and parts of Europe, notably the Netherlands and Germany, and moving away from the more flexible, discretionary approach of the British planning system which allows unforeseen matters to be taken into account in determining whether planning consent should be granted. At the meeting of the Communities and Local Government Select Committee on 7th September 2015, Brandon Lewis, Minister of State for Housing and Planning, confirmed that the government was looking at planning practice in other countries and specifically mentioned the Netherlands. The key principle, as explained below is that planning permission for specified development is granted on adoption of a plan. The idea of permission being granted with the adoption of the plan is a key part of the Dutch system, but so too is the idea of the public sector as lead developers, backed by public sector investment. Significantly, off-plan speculative development does not occur on the same scale as in the UK. In Germany local land use plans are binding once they have been adopted so there is no opportunity for developers to challenge the system as they do in the UK. The US zoning system is different and involves the creation of very detailed zoning ordinances, usually on a block by block basis and separating land uses. There have been a number of criticisms of the US approach, primarily because it reduces the opportunity to create mixed use communities fundamental to sustainable development.*
51. *Qualifying development, the description of which will be set out in regulations, will be permitted in principle on land which is designated for that purpose. The current intention is that this land would be brownfield land designated in the register referred to below, and land designated in development plan documents and neighbourhood plans. The criteria which must be met in order to benefit from a permission in principle will be set out in an order.*
52. *A further process involving the grant of a “technical details consent” for development proposals which benefit from a permission in principle will permit the local planning authority to impose conditions which control the permitted development. Taken together the permission in principle and technical details consent will be similar to outline planning permission and reserved matters approvals.*
53. *Permission in principle can be granted through a development order or on application.*
54. *The development order process is set out in a new section 59A in the Town and Country planning Act 1990, inserted by clause 102 of the Bill. It is closely modelled on the existing section 59(2). Section 59A(1)(a) gives the Secretary of State the power, by a development order, to grant permission in principle to land that is allocated for development in a qualifying document.*
55. *The development order will set out the detail of the type of document which will allocate land for a permission in principle. Initially, the Government intends only land allocated in the*

Brownfield Register (see below), Development Plan Documents and Neighbourhood Plans will be capable of obtaining permission in principle. The development order will also set out what type and scope of development will be granted permission in principle. The Government's current intention is that this will initially be limited to sites suitable for housing (use), location and amount of development. If land is allocated in such a document and satisfies the requirements of the development order as to type and scope of development the development order will automatically grant it a permission in principle.

56. *Permission in principle will be granted at the time when a qualifying document is adopted or made by the local authority and a development order will set out how long the permission in principle will be valid for. It is not clear how this will affect land allocated for housing in recently adopted local plan documents i.e. whether any permission in principle will be granted, retrospectively, to the date of adoption or whether it will be granted on legislation coming into effect.*
57. *Permission in principle can also be granted on application. The new section in the 1990 Act gives the Secretary of State the power to set out, in a development order, the process that local authorities must follow in order to grant permission in principle following an application. The Development Management Procedure Order 2015 will be amended to set out the process that applicants and local authorities must follow, as well as the type and scope of development for which permission in principle may be granted by local planning authorities. The Government's current intention is to limit the type of development to minor housing development (the creation of fewer than 10 units).*
58. *The Development Management Procedure Order 2015 may also be amended to set out the process for an application for technical details consent. The Government intend to consult on the details of the application process for technical detail consent in due course.*
59. *The local planning register authority must hold and maintain a register of all permissions in principle for land in their area whether they are generated automatically by the development order or granted on application.*
60. *The Bill inserts a new section 14A into the Planning and Compulsory Purchase Act 2004. The new section will enable the Secretary of State to make regulations requiring a local planning authority in England to compile and maintain a register of particular kinds of land either wholly or partly within that authority's area. The Secretary of State intends to use the power to require local planning authorities which are responsible for deciding applications for housing development to each compile a register of previously developed land in their area, i.e. "brownfield land", which is suitable for housing development.*
61. *Subsection (1) of the new section allows the Secretary of State both to prescribe the description of land (subsection (1)(a)) and to prescribe any criteria which the land must meet for entry in the register (subsection (1)(b)). Suggested criteria prescribed by the Secretary of State could include that the land must be available already or in the near future for housing development, that it must not be affected by physical or environmental constraints that cannot be mitigated and that it must be capable of supporting five dwellings or more.*

Planning permission etc – levelling up the power which enables conditions to be attached to development orders for physical works so that they are consistent with those for change of use; extending the planning performance regime to apply to smaller applications; and putting the economic benefits of proposals for development before local authority planning committees

62. *Comment: This part of the Bill amends an existing power in section 60 of the Town and Country Planning Act 1990 under which planning permission may be granted by a development order subject to conditions or limitations i.e. "permitted development rights".*

63. *Subsection (2A) of section 60 already makes provision for development orders to require the approval of the local planning authority or the Secretary of State for a change of use, or in respect of matters relating to that new use. For example, in relation to a change of use which might generate extra traffic and be noisier than the existing use, the local planning authority may be given the opportunity to approve a transport strategy prepared by the developer, and a plan to address noise impacts.*
64. *New subsection (1A) of section 60 makes similar provision for permitted development rights in respect of building operations (as listed under section 55(1A) under the 1990 Act). It enables development orders to require the approval of the local planning authority or the Secretary of State for any matters related to the building operations or the use of the land following those building operations. This enables certain aspects of the permitted development right to be delegated to the local planning authority, so that local conditions and sensitivities can be taken into account.*
65. *It also expands sections 62A and 62B of the Town and Country Planning Act 1990 under which: (a) local planning authorities may be designated for not adequately performing their function of determining applications for major development; and (b) the developer may choose to make an application for major development directly to the Secretary of State where the authority has been designated.*
66. *The amendments allow the Secretary of State to designate a local authority for its performance in determining applications for categories of development described in regulations made by him (which could now include a separate category of non-major development). The amendments also allow the Secretary of State to provide that certain applications may not be made directly to him under section 62A. For example, if a local planning authority was designated for its performance in determining non-major applications, it may be appropriate for certain minor applications to continue to be dealt with at a local level.*
67. *Clause 106 inserts a new section 75A into the Town and Country Planning Act 1990 to ensure that potential financial benefits of certain development proposals are made public when a local planning authority is considering whether to grant planning permission. The new section 75A requires local planning authorities to make arrangements for officers' reports to planning committees, or to the authority itself, containing a recommendation on a planning application to include a list of financial benefits which are likely to be obtained by the authority as a result of the proposed development if it is carried out.*
68. *The financial benefits to be listed include local finance considerations (which will include sums payable under the Community Infrastructure Levy, and grants or other financial assistance provided by central government) or any other benefit which is set out by the Secretary of State in secondary legislation. A financial benefit must be recorded regardless of whether it is material to an authority's decision on a planning application, but the officer will need to indicate their opinion as to whether the benefit is material or not.*
69. *The amendment gives the Secretary of State the power to require a financial benefit to be recorded where it is payable to another person (including a body) rather than to the authority making the planning determination. The Secretary of State is also given power to set out in regulations any further information about a financial benefit which must be recorded in a planning report. This might include, for example, an estimate of the amount of the benefit in question.*

Nationally significant infrastructure projects – allowing developers who wish to include housing within major infrastructure projects to apply for consent under the nationally significant infrastructure planning regime Urban development corporations – creating a faster and more efficient process for creating Urban Development Areas and Corporations whilst ensuring that those with an interest locally are properly consulted at an early stage

70. *Comment: This part of the Bill provides the Secretary of State with the power to grant development consent for housing which is linked to an application for a nationally significant infrastructure project. Guidance produced by the Department for Communities and Local Government will set out details of the amount of housing that may be granted consent within a development consent order. This will include housing which is functionally linked to the infrastructure project (for example, housing that is required for workers during the construction phase of an infrastructure project or for key workers during the operation phase). It will also allow the Secretary of State to grant consent or housing where there is no functional link but there is a close geographical link between the housing and the infrastructure project.*
71. *The Bill makes two changes in relation to orders establishing urban development areas and urban development corporations in England. Firstly, it imposes new consultation requirements and, secondly, it changes the parliamentary procedure for making orders from an affirmative to a negative procedure. These changes put on a permanent footing the temporary changes that were made by sections 46 and 47 Deregulation Act 2015 (which were limited to orders laid before Parliament on or before 31 March 2016).*

PART 7: COMPULSORY PURCHASE ETC

Improving the compulsory purchase regime, so it is clearer, fairer and faster

72. *Comment: The Bill makes various amendments to legislation regarding Compulsory Purchase procedures.*

PART 8: GENERAL

73. *Comment: This includes transitional and consequential amendments.*

CONCLUSIONS

74. The provisions of the Bill are wide ranging and high level. One of the criticisms of the Bill in debate in Parliament has been the extent to which it devolves the detail of changes set out in it to regulations that have yet to be produced.
75. Some elements of the Bill are more relevant to local authority planning and housing functions than other parts. Particular issues are:
- The extent to which the requirements for starter homes will affect the ability of the local authorities to deliver affordable housing as currently defined in the National Planning Policy Framework.
 - The removal of the requirement to assess the accommodation needs of Gypsies and Travellers separately from all other housing needs, while, at the same time, having a new duty to consider the needs of residents of caravan sites.
 - Changes to the planning regime including changes to the neighbourhood and local planning regimes and the introduction of the concept of permission in principle.

Report Author	Ext	Date	Doc ID
Mike Molyneux	01772 906703	November 2015	***



Report of	Meeting	Date
Director of Development, Preston City Council	Central Lancashire Strategic Planning Joint Advisory Committee	26 November 2015

PROGRESSION OF CENTRAL LANCASHIRE GYPSY, TRAVELLER & TRAVELLING SHOWPEOPLE LOCAL PLAN

PURPOSE OF REPORT

1. To inform members of a proposed revised timetable for the progression of the Central Lancashire Gypsy, Traveller and Travelling Showpeople Local Plan.

RECOMMENDATION(S)

2. It is recommended that the Joint Advisory Committee note the contents of this report.

EXECUTIVE SUMMARY OF REPORT

3. Members were advised of the results of the Central Lancashire GTAA which was published in June 2015. In August, the government revised the 'Planning Policy for Traveller Sites' and set out its intention to produce further GTAA guidance.
4. This will necessitate a further revision of the GTAA results which has an impact on the progression of the Central Lancashire Gypsy, Traveller and Travelling Showpeople Local Plan as detailed in Appendix 1.

REASONS FOR RECOMMENDATION(S)

5. The revised Planning Policy for Traveller Sites changed the definition of Travellers and therefore has an impact on the assessment of the Gypsy, Traveller and Travelling Showpeople's housing needs in the Central Lancashire area.
6. It is therefore prudent to re-visit this assessment in light of the revised PPTS and the publication of the revised government guidance on GTAA methodology which is expected in November 2015. The revised GTAA findings will inform the approach taken to cover this issue in the proposed Central Lancashire Gypsy, Traveller and Travelling Showpeople Local Plan.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

7. N/A

BACKGROUND

8. A revised version of the Planning Policy for Traveller Sites (PPTS) was published by the department for Communities and Local Government on 31st August 2015 and its policies apply from the same date.
9. The revised PPTS :
 - Ensures that Local Planning Authorities (LPAs) are not required to address the accommodation requirements of one-off, largescale unauthorised encampments in their areas (para 12, PPTS);
 - Protects the Green Belt (paras 16, unnumbered para preceding para 25, and end of para 27, PPTS); and
 - Amends the definition of Gypsies and Travellers and Travelling Showpeople (Annex 1 paras 2/3, PPTS).

GUIDANCE ON UNDERTAKING GTAA

10. The publication of revised guidance on undertaking GTAA is expected in November 2015. Officers therefore recommend that the timetable for the preparation of the Gypsy and Traveller and Travelling Showpeople Local Plan be emended according to that set out in appendix 1.
11. The revised timetable would allow additional work to be undertaken on the GTAA from December 2015 to February 2016. The results of this work could then be reported to Council on 12th April before a 6 week consultation on the Issues and Options version of the Central Lancashire Gypsy, Traveller and Travelling Showpeople Local Plan.
12. This will allow officer time to assess the impact of the revised guidance on the existing GTAA (June 2015) findings and allow these to inform the progression of the Central Lancashire Gypsy, Traveller and Travelling Showpeople Local Plan.
13. Initial views from Arc4 are that the need figures across Central Lancashire may well be reduced as Gypsies, Travellers and Travelling Showpeople who have ceased to travel no longer come under the definition of 'Gypsies and Travellers and Travelling Showpeople' as set out in the Government's revised 'Planning Policy for Traveller Sites. (August 2015).
14. In other words Travellers who were included in the recent GTAA who cannot demonstrate that they 'travel' will no-longer have to be provided for. This is of particular relevance to the permanent pitch requirements and those Travellers currently residing in bricks and mortar.
15. Arc4 have suggested we contact them at the end of the year for further advice and they have also stated that they have a number of planning appeals in January from which they will be able to gauge government guidance/legal/inspector's interpretations of both the GTAA and PPTS guidance.
16. If, for example, Chorley's permanent need comes out at 5 or less, then we will only have to allocate for Transit and possibly Travelling Showpeople pitches in the Gypsy and Traveller and Travelling Showpeople Local Plan. The 5 permanent pitches will continue to be progressed at Cowling Farm and it may be that the nature of the need is such that there can be a phased release of pitches over the local plan period.

NEXT STEPS

17. If the government guidance emerges in November and the GTAA work undertaken by February, the Councils' Local Development Schemes will be updated in accordance with the timetable attached. Should there be any delays in the GTAA guidance publication, then the timetable will be amended accordingly.

18. There are also changes proposed to the way Councils are required to consider Gypsy and Traveller and Travelling Showpeople issues in the Housing and Planning Bill (see paras 34 to 28 of report). The timetable proposed will allow these changes to be considered in the progression of the Local Plan.

Report Author	Ext	Date	Doc ID
Peter McAnespie	5286	27 th October 2015	

Appendix 1

Revised timeframe for the preparation of a Gypsy and Traveller and Travelling Showpeople Accommodation Local Plan.

The following shows the timetable as set out in the current LDS which was prepared before the delay in the adoption of the Chorley Local Plan. The new timetable is shown in red.

Undertake additional GTAA work	June 2014 – Mar 2015	Dec 15–Feb 2016
Endorse results of additional work on GTAA and revise draft Traveller Local Plan Report to 12 th April Council	April/May 2015	Mar/April 2016
6 week consultation on Issues and Options and call for sites process at same time	May – July 2015	May - June 2016
Review Issues and Options stage and prepare responses to representations/preferred options stage Prepare - Soundness Self-Assessment, Statement of Consultation, Statement of Community Involvement, Sustainability Appraisal, Duty to Cooperate Statement, NPPF PAS Checklist, Equality Impact Assessment, Health Impact Assessment, Rural Proofing Assessment.	July – August 2015	July - Aug 2016
6 weeks consultation on Preferred Options	Sept – Nov 2015	Sep –Nov 2016
Review preferred options consultation stage and prepare responses to representations/publication stage	Nov – January 2016	Nov – Jan 2017
6 week consultation on Publication DPD	Feb – March 2016	Feb – Mar 2017
Review publication stage and prepare responses to representations/prepare for submission	April - May 2016	April -May 2017
Submission to SoS	July – August 2016	July–Aug 2017
Pre-Hearing Meeting with Inspector (8 weeks after submission, 6 weeks before examination)	September 2016	Sept 2017
Examination	October/Nov 2016	Oct/Nov 2017
Consultation on Inspectors Minded Modifications		November/Dec 2016
Inspector's Report	December 2016	Dec 2017/January 2018
Adoption of DPD	January 2017	January 2018



Report of	Meeting	Date
Director of Development, Preston City Council	Central Lancashire Strategic Planning Joint Advisory Committee	26 November 2015

CENTRAL LANCASHIRE CORE STRATEGY MONITORING REPORT 2014 -2015

PURPOSE OF REPORT

1. To advise members of the Joint Advisory Committee on monitoring the delivery of key performance indicators as set out in the Central Lancashire Core Strategy.

RECOMMENDATION(S)

2. The Joint Advisory Committee is recommended to note the contents of this report.

EXECUTIVE SUMMARY OF REPORT

3. This report is accompanied by the annual Central Lancashire Core Strategy monitoring report. The monitoring report covers the period April 2014 – March 2015 and reports on progress in delivering against Core Strategy policies. There have been policy changes nationally that may affect the ability to deliver against policies in the future and these are indicated below. They will, however, be formally reported in future monitoring reports and are not referred to in this year's monitoring report. Similarly there will be development that has taken place since April 2015 that is not reported in the Core Strategy Monitoring Report and it is important to keep in mind the period that the report covers. This is particularly important in the context of City Deal, which has different monitoring periods and reporting requirements.

REASONS FOR RECOMMENDATION(S)

4. To advise member of the Joint Advisory Committee on delivery of the Central Lancashire Core Strategy.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

5. N/A

BACKGROUND

6. The Town and Country Planning (Local Planning) (England) Regulations 2012 set out the monitoring requirements in relation to local plan documents that have been prepared. Local planning authorities must publish information at least annually that shows, amongst other matters, how the implementation of policies in the plan is progressing. Regulation 34 sets out what information the reports must contain, although the planning practice guidance indicates that there is other useful information that can be set out in monitoring reports. The annual monitoring report enables communities and interested parties to be aware of progress and local planning authorities can also use it to determine whether there is a need to undertake a partial or full review of the Local Plan.
7. The Central Lancashire Core Strategy has a monitoring framework set out at Appendix D. This monitoring report is the third report prepared since the Central Lancashire Core Strategy was adopted in 2012 and sets out progress against the monitoring framework. Members will be mindful that the monitoring report covers the period April 2014 – March 2015. There have been changes to government policy, made after March 2015, which may impact on the ability to implement some policies in the Core Strategy in the current and future years. While these are highlighted in this report, they will be reported formally in the next monitoring report covering April 2015 – March 2016.
8. Members will also be mindful that the report addresses specific measures so in some cases there will be timelags between actions taken by the Councils in relation to the delivery of policies and implementation of schemes on the ground. This is particularly true of housing completions and employment land take up where Councils can grant planning permission in a timely fashion but the actual delivery of housing or take up of employment land is dependent on a wide range of factors that are outside the Councils' control.

COMMENTS ON THE MONITORING REPORT

Below are comments on specific sections of the monitoring report.

Value of Developer Contributions

9. The 2014-15 year is the first full year after adoption of the Community Infrastructure Levy in September 2013. The experience nationally is that CIL receipts have tended to be low in the first years after introduction by a local authority as a result of the timescales for when development becomes liable for CIL as set out in regulations.
10. Planning obligation contributions made under S106 of the Town and Country Planning Act 1990 continue to be available but are limited to a maximum of five contributions, entered into since 6th April 2010, in relation to any infrastructure that is not on the CIL Regulation 123 list. A recent planning appeal decision at Fylde has indicated the constraints that are placed on generic, tariff style contributions relating to types of infrastructure. In that case, which was considered by the Secretary of State, LCC education had sought a generic contribution to provide school places to meet need arising from the development. Before determination of the appeal, transitional arrangements protecting local authorities that did not have a CIL in place from being caught by the contributions limit came to an end. The consequence of this was that the 5 contributions limit since April 2010 could have been breached. The Secretary of State accepted a specific planning obligation undertaking that set out the schools for which the funding towards primary school provision would be targeted.
11. There can be significant gaps between the collection of S106 contributions and spend on the infrastructure necessary to make development acceptable. This is particularly the case where a major piece of infrastructure may need contributions from a number of developments, which are delivered over different timescales. Contributions may be received from earlier developments and have to be held while awaiting contributions from later schemes.

Additional Dwellings and Affordable Housing

12. Overall targets have been met or exceeded. However, the government introduced a national minimum threshold of 10 dwellings in the Planning Practice Guidance, initially in November 2014 and revised in February and March 2015. This applied to all areas except designated rural areas, including national parks and areas of outstanding natural beauty, as described in the Housing Act 1985 so the 10 dwelling threshold applies to the three Central Lancashire authorities.
13. This affected Policy 7 of the Core Strategy, which apart from rural exception sites sets a threshold of 15 dwellings or, more critically, 5 dwellings in rural areas. The effect of the national policy change would be that in rural areas developments of between 6 and 10 dwellings, which under the CS Policy would have to make a contribution to affordable housing, would become exempt and, therefore, the CS policy would not be consistent with national policy. Legal advice sought at the time was that while this would not render the CS unsound, it would reduce the weight that could be afforded to Policy 7 in determining planning applications.
14. The government was successfully challenged in the High Court in a Judicial Review case brought by West Berkshire and Reading Councils with judgment handed down on 31st July 2015. However, the government has been given leave to appeal. This is not expected to be heard in the Court of Appeal earlier than March 2016. Until such time as the courts rule that the government's policy is lawful then Policy 7 can continue to be applied but there is a risk that it will be overtaken by national policy at some stage.

Improving Community Health

15. Policy 23 of the Core Strategy requires a Health Impact Assessment (HIA) on all strategic development proposals on strategic sites and locations (as indicated in Policy 1). The target set out in the monitoring framework is to undertake HIA for major planning applications on Strategic Sites and Locations, with outcomes implemented.
16. Unlike Environmental Impact Assessment, there is no statutory basis for preparing a HIA, nor is there any formally prescribed methodology for preparing one. Where they are produced it is often in conjunction with EIA and the latest revised EU EIA Directive (2014/52/EU) includes requirements to consider the direct and indirect significant effects of projects on 'population and human health' and the interaction with other factors listed, such as biodiversity, climate, and the landscape. It also requires consideration of the risks to human health due, for example, to accidents or disasters. While Preston has a specific HIA for the North West Preston Strategic Location, which was prepared as part of the masterplanning process, specific health issues are addressed in environmental impact assessments prepared in connection with planning applications for major development as defined in the development management procedure order.

Planning to adapt to climate change

17. The monitoring report sets out progress on delivery against Policy 27 of the Core Strategy. That policy includes a provision that all new dwellings will be required to meet Code for Sustainable Homes Level 6 from January 2016.
18. Following a fundamental review of technical housing standards, the government has withdrawn the Code for Sustainable Homes, aside from the management of legacy cases. For reasons that were reported to the last JAC meeting local planning authorities can no longer apply an equivalent standard to Code Level 6, although they can apply equivalents of Code Level 4 requirements in respect of energy efficiency and water efficiency where there is already a local plan policy in place and until such time as Section 1 of the Planning and

Energy Act 2008 is amended, to the extent that it will no longer apply to dwelling houses, under S43 of the Deregulation Act 2015.

- 19. To date there have been three commencement orders made bringing various sections of the Deregulation Act into effect but none of them include S43. A policy requirement equivalent of Code Level 4 as indicated above, therefore, still applies.

CONCLUSIONS

- 20. The implementation of Core Strategy policies is being achieved but as indicated above there are a number of national policy changes that may affect the future ability of the Central Lancashire authorities to deliver against policies.

Report Author	Ext	Date	Doc ID
Mike Molyneux	01772 906703	November 2015	***

Central Lancashire Local Development Framework

Central Lancashire Core Strategy Monitoring Report

Covering the period April 2014 – March 2015



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Appendix One

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Introduction

The Joint Central Lancashire Core Strategy has been produced by the Central Lancashire authorities of South Ribble, Preston and Chorley and was adopted in July 2012; it is a key part of the Local Development Framework. This is the third Monitoring Report of the Performance indicators of the Core Strategy (please see Appendix D of the Core Strategy), and contains data for South Ribble, Chorley and Preston Councils.

Adopted Central Lancashire Core Strategy Indicators

1. Provision of housing developments by location

Related Policy: Policy 1: Locating Growth

Area	Total Dwellings		Central Lancashire Target (%)
	No. of dwellings completed	% of dwellings completed	
Preston/South Ribble Urban Area	706	39%	48
(Within Strategic Sites and Locations)	(23)	(1%)	(25)
Buckshaw Village	249	13%	10
Key Service Centre	379	21%	25
Urban Local Service Centre	293	16%	9
Rural Local Service Centres and elsewhere	195	11%	8
Total	1822	100%	100

Source: Housing Land Monitoring Database * (Included within 48% for Preston/South Ribble UA).

Core Strategy table 1 establishes the predicted proportion of housing development across Central Lancashire until 2026. Across Central Lancashire the number of new homes built in the Preston/South Ribble Urban area fell below the predicted proportion. The Preston, South Ribble and Lancashire City Deal, agreed with government in September 2013, will help to improve future housing delivery across the City Deal area and seeks to secure the necessary strategic infrastructure to deliver some 17,420 new homes over the next 10 years.

The number of dwellings constructed across Central Lancashire has risen by 640 dwellings since the 2013/14 Monitoring Report. It is expected that this figure will continue to rise as sites allocated in the 3 Local Plans start to come forward. It is likely that there will be more development on Strategic Sites and that the targets set for locations of development in the Core Strategy will be achieved.

Over the three year monitoring period (2012/13 – 2014/15), the majority of all housing developments have occurred within the Preston/ South Ribble Urban Area (31% in total) as envisaged by the Central Lancashire Core Strategy (see table below). However, only 1% of development overall has been within the Strategic Sites and Locations. This is expected to increase rapidly in the coming years with the help of City Deal securing necessary strategic infrastructure. This is supported by the fact that a number of

developers are currently on site in strategic locations such as North West Preston. A higher percentage of development than envisaged by the Core Strategy has occurred across the three year period in Buckshaw Village (24% of all development) due to higher than expected completion rates because of the attraction of this centrally located site within the housing market. Group 1 within Buckshaw Village is now being developed for housing and mixed uses including a school. There is expected to be a slowdown particularly in South Ribble over the next few years as virtually all the sites within South Ribble on Buckshaw have been built. Development within Key Service Centres, Urban Local Service Centres and Rural Local Service Centres and elsewhere has generally been in line with the proportion of development envisaged in those locations by the Core Strategy.

Location of all housing completions across the three authorities between 2012/13 and 2014/15:

	Total dwellings Completed 2012-2015	%	Central Lancashire target
Preston/ S Ribble Urban area	1225	31%	48%
*(within strategic sites and locations)	(50)	(1%)	(25%)
Buckshaw Village	963	24%	10%
Key Service Centre	898	22%	25%
Urban Local Service Centre	472	12%	9%
Rural Local Service Centres and elsewhere	454	11%	8%
Total	4012	100%	100%

2. Value of Developer Contributions Collected (and spent on infrastructure priorities)

Related Policy: Policy 2: Infrastructure

South Ribble		Chorley		Preston	
S106	CIL	S106	CIL	S106	CIL
During this monitoring period £518,846.63 income was collected from S106 contributions. £0.00 spent during the monitoring period (2014/15)	£160,249.04 was collected, £0.00 was spent during the monitoring period (2014/15)	S106 collected - £726,970	CIL collected - £471,970 Nothing has been spent on the infrastructure priorities on the 123 list.	During this monitoring period, the total S106 contributions collected was £1,131,105.92. The total amount of S106 contributions spent on capital projects in the same year was	£802,133.71 was collected, £558,333.83 was sent to LCC to be spent on items on the 123 list, and £2816.53 sent to Barton Parish Council

				£226,674.18.	
2013/14 figure collected: S106 =£750,682.72 CIL = 0.00		2013/14 S106 = 0 CIL =£580,450 2012/13 figure collected: S106 = £363,000 CIL = 0.00		2013/14 figure collected: S106 = £384,669.43 (of which £45,581.13 was spent on capital projects) CIL = £0.00 2012/13 figure collected: S106= £1,902,326 CIL = 0.00	

During the monitoring year Chorley Council paid Coppull Parish Council for their portion of the CIL monies received from the development of the former Discover Leisure Site, Coppull. During the monitoring year Preston City Council sent Lancashire County Council £558,333.83 of collected CIL monies to be spent on items on the 123 list, and paid Barton Parish Council £2816.53 for their portion of the CIL monies received for development within their parish council area. In South Ribble, CIL monies were only received in the last quarter of the financial year. Since the end of the monitoring period, South Ribble Council has paid some of the CIL monies received over to the relevant parishes. This will be reported in detail in the next Monitoring Report.

3. Changes to Road Traffic Volume

Related Policy: Policy 3: Travel

Lancashire County Council carry out traffic counts in the Central Lancashire Area. These are either continuous automatic or manual counts. In order to be able to produce trend data over time, only the continuous counts will be used in the Monitoring Report.

The table below shows the 7 day average figures for each of the 6 locations selected in South Ribble, Preston and Chorley for one week during each year. These will be monitored each year so will show any trends up or down in the future. The monitoring sites selected are expected to be in place in the long term and are in locations known to experience significant volumes of traffic.

South Ribble Data:

Year	Location					
	1	2	3	4	5	6
2012	22022	29061	23126	33156	21284	27985
2013	22372	29308	21656	33978	21930	27889
2014	22585	29301	23758	32380	20152	28298
2015	22322	30996	23421	*	21816	28120

Source: Lancashire County Council

Location of Monitoring Sites in South Ribble:

1	A582 Penwortham Way, South of Lodge Lane, Farington Moss
2	A6 London Way, South of B5257 Browndge Road, Bamber Bridge
3	A59 Liverpool Road, West of Lindle Lane, Hutton
4	A6 South Ribble Way, South of A582 Lostock Lane, Bamber Bridge*
5	A6 Lostock Lane, West of M6 J29a, Bamber Bridge
6	A59 Preston New Road, West of B6230 Cuerdale Lane, Samlesbury

*This location is no longer monitored.

Chorley Data:

Year	Location					
	1	2	3	4	5	6
2012	9914	5513	18834	12176	17594	9967
2013	9589	5467	20056	13160	18119	10825
2014	9650	5612	20564	14014	19896	12759
2015	9212	5850	20370	13410	18602	7709

Source: Lancashire County Council

Location of Monitoring Sites in Chorley:

1	A49 Springs Brow, South of Coppull Moor Lane, Coppull
2	A5106 Wigan Lane, South of Jolly Tar Lane, Coppull
3	A59 Windgate, S of Carr House Lane, Bretherton
4	A6 Preston Road, S of Dawson Lane, Whittle-le-Woods
5	B5252 Euxton Lane, W of Preston Road, Chorley
6	B5256 Sheep Hill Lane, E of Cuerden Valley Park, Clayton-le-Woods

Preston Data:

Year	Location					
	1	2	3	4	5	6
2012	21965	36198	24338	16602	11715	26427
2013	21700	36205	24229	16081	11274	26786
2014	22488	35882	24707	16471	11783	27620
2015	22660	37590	22123	16456	12149	27462

Source: Lancashire County Council

Location of Monitoring Sites in Preston:

1	A6 Garstang Road, south of Woodplumpton Rd., Broughton
2	A6 London Rd, south of Ashworth Grove
3	A59 Brockholes Brow, west of River Ribble
4	B6241 Lightfoot Lane, west of Wychnor
5	B6243 Longridge Rd, East of M6 motorway bridge.
6	A583 Blackpool Rd, west of Riversway

For most of the locations across Central Lancashire, the traffic levels have increased steadily throughout the periods recorded. It is expected that traffic levels will continue to rise as new development occurs throughout the region. It is important that appropriate infrastructure is put in place to cope with the extra traffic associated with this development. It is also necessary to ensure that appropriate sustainable transport infrastructure is put in place as part of development, to try and reduce the number of cars on the road. This report will continue to monitor traffic volumes/trends in Central Lancashire in future years.

The Central Lancashire Highways and Transport Masterplan (March 2013) represents Lancashire County Council’s priorities for future investment in highways and transport across Central Lancashire and a delivery programme to 2026 which will see new road space built, public transport prioritised across key corridors into Preston and between Leyland and Chorley, and public realm improvements in city, town and local centres.

4. Net Additional Dwellings Completed

Related Policy: Policy 4: Housing Delivery

Authority	Housing Completions 2014-15	Target
South Ribble	486	417
Chorley	723	417
Preston	613	507
Total	1,822	1,341

Source: Housing Land Monitoring Database

The number of dwellings completed in all three authorities is 481 units above the target of 1,341 set in the Core Strategy. The dwelling completion targets are exceeded in each authority for the first time since monitoring commenced in 2012.

Over the three year monitoring period only Preston on average has had a shortfall of completions of 25% which is above the trigger to require contingencies. Data from last year’s monitoring period does however highlight a significant upturn in completions within the authority (21% above the target). The pattern of increased completions is expected to continue as sites such as Cottam and North West Preston allocated through the adopted Local Plan come forward/ continue development.

The Preston, South Ribble and Lancashire City Deal (2013) is helping to improve future housing delivery across the City Deal area (Preston City and South Ribble Borough Council area) and seeks to secure the necessary strategic infrastructure to deliver some 17,420 new homes over the period to 2024.

5. Affordable Housing

Related Policy: Policy 7: Affordable Housing

Authority	Affordable Housing Completions 2014-15	Target
South Ribble	97	30
Chorley	165	50
Preston	114	46
Total	376	126

Source: Housing Land Monitoring Database

Core Strategy policy 7 requires market housing schemes to deliver affordable housing as on-site provision or via off-site provision/financial contributions. The amount of affordable housing required to be delivered is dependent on a sites location, size and such considerations as financial viability. The definition of 'affordable housing' also includes shared equity products (for example Home Buy) that are agreed after planning consent has been granted – therefore, net dwelling completion figures and affordable housing completions are not comparable. The number of affordable dwellings completed has increased by 154 units in this monitoring period compared to last year with the above table highlighting that all councils have significantly exceeded the target set in the Core Strategy. Preston had 16 new build intermediate for sale houses and the remainder delivered through registered providers. The total of 376 affordable dwellings delivered across Central Lancashire exceeded the Core Strategy overall target of 126 dwellings by 250 dwellings.

6. Employment Land Take-up

Related Policy: Policy 9: Economic Growth and Employment

Authority	Employment Land Take Up 2014-15	Total Take-up Since 2009	Target
South Ribble	0.0ha	27.92ha	223.5ha
Chorley	1.81ha	22.24ha	112 ha
Preston	0.48ha	22.88ha	118.5ha
Total	2.29ha	73.04ha	454ha

Source: Employment Land Monitoring Database

Although employment land take up has fallen significantly below the Core Strategy target steps have been taken to manage the delivery of employment land in order to promote development. In Chorley this includes the production of the Economic Regeneration Strategy, the development of an Inward Investment Plan which aims to promote and increase inward investment in Chorley and bringing forward key employment sites allocated in the Chorley Local Plan. In addition, the Preston, South Ribble and Lancashire City Deal aims to create 20,000 new jobs across the City Deal area over the next 10 years. Although there was no take-up in South Ribble during this financial year, several employment sites received planning permission during the monitoring period and have since commenced development. It is therefore anticipated that take-up will be much higher next year.

The total employment land take-up in the central Lancashire area as a whole has fallen compared with last year.

7. Working Age Population Qualified to NVQ Level 4 or higher

Related Policy: Policy 15: Skills and Economic Inclusion

South Ribble	Chorley	Preston	North West
17,500 or 25.8%	28,800 or 40.8%	19,800 or 21.8%	30.9%

Source: ONS National Statistics / Nomis 2013 Crown Copyright

In terms of education and skills monitoring the Core Strategy aims to achieve a performance better or equal to the regional average. According to recent statistics a higher proportion of the working-age population in Chorley are qualified to NVQ level 4 or higher than the region as a whole. The comparable figures for South Ribble and Preston are significantly below the regional average.

Although Preston and South Ribble figures are below the regional average for the current monitoring year, none of the three authorities have been consistently lower than the regional average for three years running to trigger a requirement for any contingencies.

8. Number of Heritage Assets at Risk

Related Policy: Policy 16: Heritage Assets

Authority	
South Ribble	There are no buildings on the at risk register within South Ribble in this monitoring period.
Chorley	Bank Hall, Liverpool Road, Bretherton (Category D) Lower Burgh Hall, Coppull New Road, Chorley (Category F) Buckshaw Hall, Euxton Lane, Euxton (Category E) Bretters Farm moated site and two fishponds (Declining Condition) Ingrave Farm moated site (improving condition)
Preston	Emmanuel Church, Brook Street (Category C) Church of St George the Martyr, Georges Road (Category C) Preston 7th Day Adventist Church (Category F)

Source: Historic England Buildings at Risk Register

The Core Strategy aims to prevent the increase or reduce the number of heritage assets at risk in Central Lancashire. There remain three buildings at risk in Chorley with the condition of these buildings showing some improvement in recent years. There are also two scheduled monuments at risk at Ingrave Farm and Better's Farm. In Preston, the Preston 7th Day Adventist Church, Avenham Lane remains on the Heritage at Risk Register, whilst the Harris Institute has been removed from the list as work has been completed. The Church of St. Emmanuel and St George the Martyr have both been added to the list due to being places of worship despite only being Grade II listed buildings.

9. Higher Quality Building Design

Related Policy: Policy 17: Design of New Buildings

All developments in Chorley are considered against the criteria set out in Policy 17 and the Adopted Central Lancashire Design SPD. In addition, policies included in the Built and Natural Environment section of the Chorley Local Plan, including BNE1: Design Criteria for New Development ensure that high design quality is achieved. Chorley has not used Building for Life (BfL) for any schemes for a number of years.

All housing developments in Preston have been considered against the design policy criteria in the Adopted Design SPD which uses the principles set out in the BfL standard (originally launched in Sep 2012 and recently updated in Jan 2015 - this is called Building for Life 12 - BfL12). Preston uses the BfL scheme for all major developments, not just those over 5 ha.

All housing developments in South Ribble have been considered against the the criteria set out in Policy 17 and the Adopted Central Lancashire Design SPD. As well as this,

developments are also considered against policy G17 of the South Ribble Local Plan (adopted July 2015). South Ribble has not used Building for Life for any schemes for several years.

Due to changes in the BFL Scheme the target in Indicator 9 is now out of date and needs re-wording.

10. Amount of Sport, Recreation and Informal Open Space lost to other uses

Related Policy: Policy 18: Green Infrastructure/Sport and Recreation

South Ribble	Chorley	Preston
There has been 1.32ha of open space lost for housing use at one site. However a S106 agreement was put in place for payments made to be used to improve adjacent and nearby areas of open space as a result.	There has been no loss in this monitoring period.	There have been various applications that have been on sport, recreation and open space land. However the majority of these applications, secured provision elsewhere or contributions were secured for off-site provision.

Source: Planning Application Monitoring

The Core Strategy aims to avoid the unmitigated loss of sport, recreation and informal open space across Central Lancashire.

Over the last monitoring year there was a loss of 1.32ha of open space in South Ribble however S106 agreements secured improvements in adjacent and nearby open spaces. There has been no loss of sport, recreation and informal open space in Chorley. In the case of the applications in Preston, it was considered that the loss of open space would not have a detrimental impact and complied with the Central Lancashire Open Space and Playing Pitch SPD. In addition, contributions were secured for the improvement of other existing open space.

Over the three year monitoring period the only loss of green infrastructure/sport and recreation space was 0.67ha in Chorley, and 1.32ha in South Ribble. The loss of open space to other uses in Chorley (during 2012/13) was related to three sites. In all cases it was considered that the loss of open space would not have a detrimental impact and contributions were secured for the improvement of other existing open space in the locality which mitigated the losses.

11. Change of areas of biodiversity importance

Related Policy: Policy 22: Biodiversity

South Ribble	Chorley	Preston
An LCC review of biological heritage sites took place to take into account new information that had become available about existing BHS's. This resulted in very minor changes to a couple of biological heritage site boundaries	There have been no net losses in areas designated for their environmental value in Chorley during this monitoring period. The Council would be informed of any changes by the County Council (local sites) and Natural England (regional, national and international sites).	There has been an addition of one small site in Preston during this monitoring period.

The Core Strategy seeks to protect areas of biodiversity importance across Central Lancashire. Over the last three year monitoring period there have been no losses in areas of biodiversity importance across the three authorities. During the last monitoring year there was however an addition of one small site in Preston in the area of biodiversity importance. The Central Lancashire Biodiversity and Nature Conservation Supplementary Planning Document) SPD (July 2015) provides guidance on the interpretation and implementation of the relevant Central Lancashire policies on biodiversity and sets out what is required as part of the planning process. This includes guidance in relation to ecological networks.

12. Improving Community Health

Related Policy: Policy 23: Health

South Ribble	Chorley	Preston
No applications relating to Strategic Sites/locations in South Ribble were received in this monitoring period	No applications were received that require an HIA in this monitoring period	A HIA was carried out for the North West Preston Strategic Location Master plan (December 2013).

Source: Planning Application Monitoring

Health Impact Assessments are required for major planning applications on Strategic Sites and Locations. Over the three year monitoring period Preston is the only authority to have carried out one HIA for the North West Preston Strategic Location.

13. Planning to Adapt to Climate Change

Related Policy: Policy 27: Sustainable Resources and New Developments

All new housing developments meet the Code for Sustainable Homes standards level 4 in South Ribble in line with policy and very good of BREAM for non- residential. All housing developments to 31 March 2015 have met the Code for Sustainable Homes standards in Chorley in line with Core Strategy policy 27. During the current monitoring period Preston City Council required that all new development meets minimum level 4 of the Code for Sustainable Homes and 'very good' of BREAM. Exceptions to Policy 27 include affordable and special provision housing which have met level 3. Within the monitoring period only 2 permissions in Preston were granted at code level 3; one of these was due to a pre January 2013 agreement that code level 3 was acceptable and the other due to HCA funding constraints. Across the three year monitoring period no one authority has fallen below the trigger of more than 5% of developments failing to meet the required standards and therefore no contingencies measures are required.

Appendix One

Monitored Policies of the Adopted Central Lancashire Core Strategy

The following policies are those within the Performance Monitoring Framework of the Adopted Central Lancashire Core Strategy (Appendix D).

1. Policy 1: **Locating Growth**
2. Policy 2: **Infrastructure**
3. Policy 3: **Travel**
4. Policy 4: **Housing Delivery**
5. Policy 7: **Affordable Housing**
6. Policy 9: **Economic Growth and Employment**
7. Policy 15: **Skills and Economic Inclusion**
8. Policy 16: **Heritage Assets**
9. Policy 17: **Design of New Buildings**
10. Policy 18: **Green Infrastructure/Sport and Recreation**
11. Policy 22: **Biodiversity**
12. Policy 23: **Health**
13. Policy 27: **Sustainable Resources and New Developments**

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