



Report of	Meeting	Date
Joint LDF Officer Team	Central Lancashire LDF Joint Advisory Committee	31 May 2012

CENTRAL LANCASHIRE CORE STRATEGY – OUTCOMES OF RESUMED EXAMINATION

PURPOSE OF REPORT

1. To update Members on the progress of the Core Strategy leading to the Inspector's Report on the Examination process.

RECOMMENDATION(S)

2. That the report be noted.

EXECUTIVE SUMMARY OF REPORT

3. The Core Strategy Examination resumed with a hearing session on 6 March for the Inspector to consider issues arising in respect of the proposed Housing Related Changes. At the conclusion of this the Inspector announced that his target date for sending his Report for fact checking to the authorities was the week commencing 14 May. However with the subsequent publication of new national planning policy documents an additional consultation on how these relate to the Core Strategy was carried out with a comments deadline of 9 May. The authorities' case is that the Core Strategy, with the published proposed changes to it, has a high level of consistency with national policy. At the time of writing this report the Inspector's Report on the Examination was still awaited.

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

4. To keep Members up to date.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

5. None.

BACKGROUND

6. The Examination of the Core Strategy was suspended by the Inspector in July 2011 to enable the authorities to propose and consult on Housing Related Changes to the plan. This consultation occurred in November and December 2011, 42 parties made representations and many of these were represented at the resumed Examination hearing session on 6 March 2012.

ISSUES CONSIDERED SINCE THE EXAMINATION RESUMED

7. The Inspector set a series of matters and questions to be considered at the March hearing session. These are reproduced in Appendix 1. Most time was devoted to the two proposed Strategic Locations however due consideration was given other possible sites raised by representors and to the intended operation of the housing delivery provisions of the Core Strategy.
8. At the end of the session the Inspector announced that he expected to finish his Report by the week commencing 14 May for fact checking by the authorities. However in response to a question from a representor he conceded that publication of new national policy in the interim period may delay matters further. In any event the announced date was later than expected by your Officers and subsequently letters were sent from the authorities to the Planning Inspectorate seeking an earlier date.
9. The replies received from the Inspectorate were not optimistic of an earlier release of the Report and forewarned of the likely need for further Core Strategy consultation in respect of revised national planning policies. The finalised National Planning Policy Framework was published on 27 March. The Planning Policy for Traveller Sites was issued a few days earlier. At the behest of the Inspector a four week consultation on the relationship of these documents to the Core Strategy was started with a comments deadline of 9 May. All parties who had made representations on the Core Strategy from the publication stage onwards (started in December 2010) were invited to take part in the latest consultation.
10. This consultation was soon augmented to also consider a specific model policy (relating to the national policy documents) as the Planning Inspectorate had issued an instruction to all Inspectors in the process of plan examination that such a policy was necessary to be incorporated in to plans to help enable them to be found sound. Appendix 2 reproduces this model policy. The deadline for comments on the model policy was also set for 9 May.
11. The National Planning Policy Framework (NPPF) replaces nearly all the previous guidance typically issued in the form of Planning Policy Statements (PPSs) and Planning Policy Guidance (PPGs) notes. The finalised NPPF accords more closely to the PPSs/PPGs than the draft NPPF issued for consultation last year. This is particularly the case in terms of town centre preferences for locating retail and office development, promoting sustainable transport and also in respect of nature and building conservation as well as promoting good design. Green Belt policy is similar to the previous national guidance as is protection of the wider countryside from development. The NPPF has the following key provisions:
 - a. A presumption in favour of sustainable development
 - b. A positive approach to enabling economic growth and housing delivery
 - c. A need to maintain 5 year housing land supplies with an additional 5% buffer although this should be 20% extra where there is 'a record of persistent under delivery'

- d. No long term protection of employment land where there 'is no reasonable prospect of such a use'
 - e. No national target for housing development on previously developed land although re-use of brownfield land for all types of development is encouraged
 - f. Local discretion on housing density
 - g. Ability to protect residential gardens from development
 - h. Designation of Local Green Space is advocated for open space of particular local importance
 - i. A 12 month period (from publication of the NPPF) to get development plans in line with national policy, although policies saved from Local Plans adopted before 2004 can be given 'due weight according to their degree of consistency with national policy'.
12. The national Planning Policy for Traveller Sites is a separate publication. It sets out how local planning authorities should assess site needs; set pitch/plot number targets; identify and maintain land supplies in appropriate locations bearing in mind access to services and affordability factors; operate specific controls in rural and Green Belt areas; consider mixed use and relocation requirements. An overall objective is to reduce the number of unauthorised developments and encampments.
13. The main body of the Councils' statement on the national policies in relation to the Core Strategy is attached (see Appendix 3). This demonstrates a very high degree of consistency between national policies and the Strategy. The views of other representatives are summarised in Appendix 4.
14. The Coalition Government's reform of the planning system also envisages the revocation of the Regional (Spatial) Strategies. However at the time of writing this report these strategies were still extant. Nevertheless the national policy documents make several references to local planning authorities collecting the necessary evidence of development requirements and doing so in collaboration with neighbouring authorities.

Background Papers			
Document	Date	File	Place of Inspection
Planning Policy for Traveller Sites	24 March 2012		District Council Planning Offices
National Planning Policy Framework	27 March 2012		

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RESUMED EXAMINATION HEARING AGENDA
Tuesday 6th March 2012 at 9.30 am
at
The Gujarat Hindu Society Centre, South Meadow Lane,
Preston, PR1 8JN

1. Introduction. Councils to explain what has happened since the adjournment of Hearings on 12 July 2011, including opportunities for consultation on revised proposals, to be outlined.
2. Any additional representations concerning a Strategic Location at North West Preston, including provision of infrastructure, the likely number of dwellings and its phased and managed release if appropriate.
3. Any additional representations concerning a Strategic Location at South of Penwortham/North of Farington, including provision of infrastructure, the likely number of dwellings and its phased and managed release if appropriate.
4. Any further comments upon any other sites proposed by participants.
5. The implications of the additional sites/dwellings for affordable housing. How many affordable homes are likely to be provided throughout the plan period, and how many more as a result of the proposed changes?
6. Is the 70% target of new housing on previously-developed land still achievable as a result of the proposed changes and would Policy 1 still concentrate over 90% of the proposed new housing in urban locations that occupy the central spine of the plan area?
7. What is the effect on housing supply and requirements of the 340 or so dwellings allowed on appeal close to Mr Shah's land - see his letter of 16 August 2011. Have any other recent permissions for a significant amount of housing had any similar effect?
8. Would the Councils please comment further on the operation of Policy 4c in respect of monitoring and contingencies?
9. Would the Councils please also provide a further explanation of figures contained in Table 1 (Publication Core Strategy page 42).
10. Any other matters.
11. Site Inspections - accompanied if requested.

National Planning Policy Framework - Presumption in favour of sustainable development

When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- a) any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or*
- b) specific policies in that Framework indicate that development should be restricted.*

**CENTRAL LANCASHIRE AUTHORITIES' STATEMENT ON COMPLIANCE OF THE
CENTRAL LANCASHIRE CORE STRATEGY WITH NATIONAL PLANNING POLICIES
9 MAY 2012**

Introduction

1. This Statement has been produced in response to the Inspector's/Programme Officer's letters of 11th and 19th April 2012.
2. The Authorities have no comment to make on the proposed introduction of the model national policy into the Core Strategy as referred to in the latter letter. It is suggested that it is included right at the start of the document before the Introduction. It should also be accompanied by some factual text to simply explain that the national policy situation was revised during the Strategy's preparation and that the model policy has been included to clarify the operational relationship between the plan and national policy. Inclusion of the model policy means there is no need to replicate national policy provisions in the Core Strategy policies.
3. This Statement is arranged so as to set out first of all how the Core Strategy, taking account of all the proposed changes to it submitted by the Authorities since the Publication stage in December 2010, compares with national policy in overall terms. Then appended to this Statement is a fully itemised cross check with the National Planning Policy Framework (Appendix 1) and the Planning Policy for Traveller Sites (Appendix 2).
4. It is the Authorities' firm conviction that this Statement demonstrates that the Core Strategy, as it has already been proposed to be changed, is highly compliant with the provisions of the national policy documents. There are some areas where the national provisions are not considered to be Core Strategy content matters. These instances either relate to the operation of the planning application decision making process or are matters at this juncture that are intended to be covered by the Site Allocations and Development Management Policies Development Plan Documents each authority is preparing. These documents are well placed to become adopted by the time 12 months have elapsed since the national policy documents were published or will at least be well advanced thereto by then.
5. Currently there are very few references to previous national planning policy in the Core Strategy – commonly referred to as the 'plan' in this Statement. It is envisaged that these can be deleted as minor changes to the document.

Overall Comparison of the Core Strategy with National Planning Policy

National Planning Policy Framework (NPPF)

6. This part of the part of the Statement considers the degree of consistency of the Core Strategy with the broad provisions of the NPPF in turn.
 - a. **Achieving Sustainable Development** – This aspect is fully embedded in the Core Strategy. Sustainability is at the heart of the plan. The three tenants of Sustainability Appraisal – social, environmental and economic are drawn out in the cross cutting themes of the plan which shows how these relate to the achievement of economic growth and place shaping as an appropriate way of addressing the key spatial challenges of the plan area.

- b. **The Presumption in Favour of Sustainable Development** – the plan is pro-growth and is wholly based around how this can be sustainably located, this is the central theme of Chapter 5 now complete (through the proposed Housing Related Changes) with its recognition of flexibility in delivery of development.
- c. **Core Planning Principles** – the Core Strategy is founded on joint working, place shaping and a thorough understanding of the character of local places and the roles they play (see Spatial Portrait). Its further chapter titles of ‘Catering for Sustainable Travel’, ‘Delivering Economic Prosperity’, ‘Achieving Good Design’, ‘Tackling Climate Change’, ‘Health and Wellbeing’ demonstrate how embed the Core Planning Principles are. Further provisions of the plan support these principles. They cover conserving and enhancing the natural environment; reducing pollution; re-use of previously used land; promoting mixed development; conserving heritage assets; delivering sufficient community and cultural facilities and services to meet local needs.
- d. **Building a Strong, Competitive Economy** – is brought together in the Core Strategy Vision where it states Central Lancashire ‘...will play a leading role in Lancashire’s world class economy...’ and in Chapter 5 which is devoted to ‘Managing and Locating Growth’ with its clear exposition of the strategically located development opportunities for business expansion in all its guises.
- e. **Ensuring the Vitality of Town Centres** – the plan has a clear and positive policy approach in this regard, establishing a firm foundation for the Site Allocations etc DPDs.
- f. **Supporting a Prosperous Rural Economy** – receives specific, positive policy coverage in the plan as does the retention and development of local services and community facilities in villages.
- g. **Promoting Sustainable Transport** – is underpinned in the plan with the spatial composition of the ‘Locating Growth’ policy and sustainable transport modes through the ‘Travel’ policy.
- h. **Supporting High Quality Communications Infrastructure** – is embedded in the ‘Travel’ policy.
- i. **Delivering a Wide Choice of High Quality Homes** – the plan with its Housing Related Changes aims to meet the full, objectively assessed needs for market and affordable housing. It identifies key sites and locations where many of these will be provided and sets appropriate guidance for rural housing. The Core Strategy also sets a clear steer where the overall amount of housing will be delivered in 5/6 year periods to 2026, with monitoring every year, and a three yearly rolling review periods. Full provision is made for providing affordable housing and measures for bringing empty homes back into use.
- j. **Requiring Good Design** – ‘Achieving Good Design’ is a key cross-cutting theme that is central to the plan’s approach and is a multi-faceted chapter that brings in heritage, green infrastructure, areas of separation/major open space, countryside management/access, landscape character and biodiversity/geodiversity as well as building design.
- k. **Promoting Healthy Communities** – the plan’s ‘Promoting Health and Wellbeing’ chapter fully embraces the spatial planning aspects of health and the related measures of promoting sport and recreation, community facilities and addressing crime and community safety.
- l. **Protecting Green Belt Land** – the plan has not sought to replicate national Green Belt policy but is entirely consistent with its principles which are re-stated in the NPPF.

- m. **Meeting the challenge of Climate Change, Flooding and Coastal Change** – Central Lancashire is not a coastal location but the plan fully addresses the policy requirements of ‘Tackling Climate Changes’ through the use of sustainable resources in new developments, renewable and low carbon energy capture and water management backed up by a robust local evidence base.
- n. **Conserving and Enhancing the Natural Environment** – biodiversity, geodiversity, soils, Green Infrastructure and landscape character are all aspects that receive appropriate policy coverage in the plan.
- o. **Conserving and Enhancing the Historic Environment** – has a specific policy addressed to it.
- p. **Facilitating the Sustainable Use of Minerals** – these matters are ‘County Matters’.
- q. **Plan Making** – sustainability is the underlying thread running throughout the Core Strategy and the document has been subject to Sustainability Appraisal, and Screening for Habitats Regulations. The Vision for the document is centred on sustainable growth.
- r. **Using a Proportionate Evidence base** – the preparation of the Core Strategy has been based on adequate up to date and relevant evidence, which includes a SHLAA, SHMA, Employment Land Review, Retail and Leisure Review, Outline Water Cycle Study, Strategic Flood Risk Assessment along with Habitats Regulations Screening.
- s. **Planning Strategically Across Local Boundaries** – the three Central Lancashire Authorities have worked jointly on the preparation of the Core Strategy and as part of this process they have collaborated with external neighbouring authorities as well as the County Council and other public and private sector bodies.
- t. **Examining Local plans** – the Core Strategy has been prepared in accordance with the Duty to Cooperate, and followed all required legal and procedural requirements and it is considered ‘sound’ in this regard.
- u. **Decision Taking** – this relates to the ‘development management’ process and the three authorities have all appropriate procedural requirements in place. In addition to the Core Strategy, the Site Allocations DDP’s will provide the framework to ensure the determination process is plan led.

Planning Policy for Travellers Sites

Policy 8 of the Core Strategy relates to Gypsy, Traveller and Travelling Showpeople accommodation and a Lancashire wide assessment of traveller need assisted in the formulation of this policy, the evidence base established a pitch and plot target including permanent and transit accommodation.

NOTE – appended to the Statement are detailed cross-checks with all the provisions of the NPPF and Planning Policy for Travellers Sites.

Appendix 4 – Index of Representations on the Consistency of the Core Strategy with National Policies

Summary

Representation numbers	Category	No
2, 9, 10, 13	Individuals	4
3, 4, 12, 16, 17, 18, 19, 21, 24	Housebuilders, landowners and agents	9
5, 6, 7, 15	Commercial developers, owners and agents	4
20, 27	Interest Groups	2
1, 11, 22	Government Departments, Agencies, Quangos	3
26	Private Utility Companies	1
8, 14, 23, 26	Local Authorities and Parish Councils	4

No	Name	Representation
001	Network Rail	<ul style="list-style-type: none"> Cites safety issues associated with sites next to operational railway lines
002	Mr M A Shah	<ul style="list-style-type: none"> Seeks to justify development of a site at Clayton-le-woods in terms of not satisfying Green Belt purposes, ability to review Green Belt boundaries, presumption in favour of sustainable development, need to deliver wide choice and mix of housing
003a	Sedgwick Associates	<ul style="list-style-type: none"> Supports Core Strategy Traveller policy (8) and the evidence behind it however proposes an additional Green Belt criterion for restricting Traveller sites in such locations
003b	Hollins Strategic Land	<ul style="list-style-type: none"> Supports inclusion of model policy, Core Strategy Policy 1 should allow more scope for rural housing and Policy 4 should refer to buffers for 5 year land supply
004	Morris Homes	<ul style="list-style-type: none"> Refers to need for flexibility in housing delivery, presumption in favour of sustainable development, questions deliverability of major sites, opportunities for other development sites, criticises monitoring arrangements, 5 year land supply buffers needed; as it is Core Strategy is not sound
005	Medicom	<ul style="list-style-type: none"> Seeks to justify more development being permitted in villages such as Grimsargh in terms of recent development proposals, a new pharmacy, the pro-development stance of national policy and need for flexibility
006	Garden Centre Group	<ul style="list-style-type: none"> Seeks to justify redevelopment of a garden centre at Southport Road, Ulnes Walton in terms of support for economic development in rural areas and retention of local facilities, need to meet full housing needs, use of previously developed land, release of land in employment use with no reasonable prospect of continuing in such a use

007	Campbells	<ul style="list-style-type: none"> Seeks to justify an extension to a park homes site at Cuerden in terms of sustainable development, need to cater for all housing needs including those of older people, should consult with the local community on scheme design, respond flexibly to changing circumstances and plan positively
008	West Lancashire BC	<ul style="list-style-type: none"> No further comments to make
009	Ms S Fox	<ul style="list-style-type: none"> Refers to national policy in terms of town centre and brownfield preferences, localism, transitional arrangements for plan making, balanced approach to sustainable development, protection of Green Belts, intrinsic value of the countryside and stronger emphasis on good design
010	Mr I Counce	<ul style="list-style-type: none"> Seeks to justify more development in small villages such as Mawdesley in terms of presumption in favour of sustainable development, need to meet full housing needs, high affordable housing need in Mawdesley
011	Natural England	<ul style="list-style-type: none"> Refers to lack of identification of Local Green Space, need to avoid redevelopment of brownfield land of high environmental value, scope to protect and enhance public rights of way, and to identify and protect areas of tranquility
012	Taylor Wimpey	<ul style="list-style-type: none"> Seeks to justify more scope of development in small villages such as Charnock Richard in terms sustainability and viability of the village, need to meet local housing needs, need for more flexibility in delivery of housing sites and to reflect scope to provide affordable housing from market housing schemes, would support the economy of rural areas and retain local services and community facilities
013	Mr R Smith	<ul style="list-style-type: none"> Seeks to justify resisting development near Longridge in terms of greenfield, rural character, lack of local facilities, associated road traffic impacts, more sustainable sites elsewhere, potential loss of settlement separation
014	Wyre BC	<ul style="list-style-type: none"> Queries the appropriateness and need for the model policy
015	Telereal Trillium	<ul style="list-style-type: none"> Seeks to justify development of land at Cop Lane, Penwortham by promoting brownfield land here in Policy 1 to accord with the presumption in favour of sustainable development and economic investment, and amend Policy 10 to operate more flexibly to release land in employment use with no reasonable prospect of continuing in such a use
016	Taylor Wimpey	<ul style="list-style-type: none"> Seeks to justify development at Pickering's Farm, Penwortham in terms of presumption in favour of sustainable development, need to meet full housing need and for the 5 year housing land supply to be subject to a buffer
017	Commercial Estates	<ul style="list-style-type: none"> Seeks to justify development at North West Preston, in terms of presumption in favour of sustainable development, removal of brownfield first approach, limited allowance for windfall housing sites and for Preston's 5 year housing land supply to be subject to a 20% buffer due to persistent undersupply
018	Persimmon	<ul style="list-style-type: none"> Policy 1 should refer at the outset to promoting the re-use of 'sustainable, previously developed land' and include a separate criterion to allow previously developed land (not just Major Developed Sites) in the Green Belt to be redeveloped

019	Northern Trust	<ul style="list-style-type: none"> Seeks to justify development at Ingol Golf Club in terms of presumption in favour of sustainable development, authorities should make every effort to identify sites for development, need for Preston's 5 year housing land supply to be subject to a 20% buffer due to persistent undersupply, only Local Green Space with local significance should be so identified and protected not large tracts of land with a lack of robust up to date evidence
020	Lancashire CPRE	<ul style="list-style-type: none"> Comparing the Core strategy to national policies should be limited to a simple cross checked list and for approval not to be held up
021	D'Urton Lane Owners	<ul style="list-style-type: none"> Seeks to justify housing development of North West Preston in terms of presumption in favour of sustainable development, authorities should make every effort to identify sites for development, need for Preston's 5 year housing land supply to be subject to a 20% buffer due to persistent undersupply, flexibility to adapt to rapid change, backing for large urban extensions, careful attention to viability and costs; supports inclusion of model policy
022	The Coal Authority	<ul style="list-style-type: none"> Points to the continued need for all local planning authorities to take account of minerals safeguarding and land instability arising from past mining
023	Woodplumpton PC	<ul style="list-style-type: none"> Brownfield land is still preferred in sustainable locations, concern about ad hoc development being allowed in North West Preston
024	Mr M Mullarkey	<ul style="list-style-type: none"> Seeks to justify development at North West Preston in terms of presumption in favour of sustainable development, need to meet full housing need and for Preston's 5 year housing land supply to be subject to a 20% buffer due to persistent undersupply, backing for large urban extensions
025	Haighton PC	<ul style="list-style-type: none"> Presumption in favour of sustainable development should not be taken as a loophole to allow any development and override local concerns
026	United Utilities	<ul style="list-style-type: none"> Cites main provisions of NPPF in terms of local development plan content and emphasises the importance of taking account of water services and management
027	Ingol Golf Village Residents' Association	<ul style="list-style-type: none"> Seeks to support protection of the Ingol Golf Course as open space as it is not surplus to requirements and there are no overriding benefits of it being released for development. It is unnecessary to include the national model policy but if is added an explanatory paragraph is needed to make clear the provisions of the NPPF as whole should be applied

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