

Report of	Meeting	Date
Executive Member for Planning and LDF	Council	17 July 2012

CORE STRATEGY ADOPTION

PURPOSE OF REPORT

- The final report of the Inspector, Mr Richard Hollox BA (Hons) BSc (Hons) MPHIL FRTPI FRICS, following the Examination of the Central Lancashire Core Strategy was submitted on 7 June 2012. The three Central Lancashire Authorities specifically requested that the Inspector recommended any modifications necessary to make the plan sound and enable them to adopt it. Subject to two main modifications that are discussed in this report, the Inspector has found the Core Strategy to be sound. This report summarises his conclusions and makes recommendations for the adoption of the Core Strategy.

RECOMMENDATION(S)

- Council is recommended to adopt the Central Lancashire Core Strategy with the main modifications made by the Examination Inspector and upon adoption the Core Strategy shall then be used for Development Control decision making purposes

EXECUTIVE SUMMARY OF REPORT

- The report sets out the key findings from the Inspector's final report following the Examination in Public into the Central Lancashire Core Strategy. In particular, it sets out the seven main and complementary issues upon which the soundness of the local plan depends and concludes that the plan in regard to these issues is found to be sound.
- The report also outlines the two modifications required to the plan which were agreed by the Council at its meeting in September 2011..

Confidential report Please bold as appropriate	Yes	No
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CORPORATE PRIORITIES

- This report relates to the following Strategic Objectives:

Strong Family Support		Education and Jobs	
Being Healthy		Pride in Quality Homes and Clean Neighbourhoods	✓
Safe Respectful Communities		Quality Community Services and Spaces	✓
Vibrant Local Economy	✓	Thriving Town Centre, Local Attractions and Villages	✓
A Council that is a consistently Top Performing Organisation and Delivers Excellent Value for Money			

BACKGROUND

- 6.. The Central Lancashire Core Strategy which was jointly prepared by Chorley Borough Council, Preston City Council, and South Ribble Borough Council, was subject to an independent Examination in Public between 28 June 2011 and 12 July 2011. Following concerns expressed by the Inspector about the proposed housing numbers a further examination hearing was held on 6 March 2012. Subsequently to that a period of consultation took place to consider the implications of the National Planning Policy Framework which was published on the 27 March 2012 and also the Planning Policy for Traveller Sites which the Government also published at that time. The Inspector then issued his final report.
7. This report summarises the Inspector's comments and recommends adoption of the Central Lancashire Core Strategy.
8. Members will be aware of the importance that the Government places on up to date local plans, which is reiterated in the National Planning Policy Framework. The first Core Planning Principal set out in the National Framework is that plans should be kept up to date and be based on joint working and co-operation to address larger than local issues. The National Framework also indicates that, inter alia, where plans are not up to date planning permission should be granted unless either there are material considerations indicating otherwise; or any adverse impacts of granting permission would outweigh the benefits assessed against the framework as a whole; or there are specific policies in the National Framework that indicate permission should be refused.
9. The Inspector's Final Report following the Examination in Public into the Central Lancashire Core Strategy was submitted to the three authorities on 7 June 2012. It concludes that the Central Lancashire Publication Core Strategy Local Development Framework Development Plan Document provides an appropriate basis for planning of Central Lancashire over the next 15 years provided that a number of modifications are made to the Plan. The Inspector has recommended, at the request of the three Central Lancashire Authorities, two modifications necessary to enable them to adopt the Plan. With the inclusion of these modifications, the Inspector's opinion is that the Core Strategy satisfies the requirements of Section 20(5) of the Planning and Compulsory Purchase Act 2004 and meets the criteria for soundness set out in the National Planning Policy Framework. These modifications comprising 2 Main Modifications (MM) are summarised below. There are in addition a number of minor modifications which provide updating and clarification – a significant number of these involve removing references to Planning Policy Statements and Guidance Notes, which were abolished with the publication of the National Planning Policy Framework.
10. The main modifications are:

MM1

- The adoption of RS annual average housing requirements, being 507, 417 and 417 for Preston City, and Chorley and South Ribble Boroughs respectively
- The identification of Cottam as a Strategic Site with site plan, instead of as a Strategic Location
- The identification of 2 additional Strategic Locations, namely North West Preston including Higher Bartle & Broughton/Land at Eastway and at South of Penwortham & North of Farington
- Table 1 setting out the Predicted Proportions of Housing Development by Location, thereby indicating the scale of development in the main locations during the periods 2010-16, 2016-21 and 2021-2026

- Associated explanation and description of the Strategic Sites and Locations
- Explanation of the monitoring and contingency arrangements, particularly the role of the Performance Monitoring Framework should housing delivery fall below 80% of the housing requirements over a 3 year rolling average
- Greater emphasis on financial viability, site by site assessment and the seeking of planning obligations particularly with regard to affordable housing.

MM2

- A policy concerning the presumption in favour of sustainable development. The Planning Inspectorate have produced a model policy to be included in Development Plan Documents, which is set out below

“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 the 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”*

11. The National Planning Policy Framework introduced re-naming of documents such as the Core Strategy as “Local Plans”. Therefore the ‘Core Strategy’ is referred to as the Local Plan in the rest of this report in accordance with the terminology in the Inspector’s report.
12. **Summary of the Inspector’s Report**
The Inspector’s report states that having taken account of all the representations including the written evidence, the discussions at the examination hearings as well as site inspections throughout the plan area, he has identified 7 main and complementary issues upon which the soundness of the Local Plan depends.
13. These 7 issues are discussed below.

Issue 1 – Whether the Local Plan’s vision and proposals for sustainable growth are clear, effective, deliverable and consistent with all national policy

The Inspector describes the Local Plan as setting out the key spatial challenges facing Central Lancashire succinctly and convincingly. In his opinion the vision for the plan area in

2026 is explained lucidly and his conclusion is that the Local Plan is clear in terms of its vision and proposals.

14. The strategy in the Local Plan accords with national policy and therefore accords with the purpose of planning to help achieve sustainable development. The general approach of the Local Plan, its vision and proposals are justified, effective and accord with national policy. The Inspector's conclusion is that the Local Plan has been positively prepared and, in these respects is sound
15. **Issue 2 – Whether the Local Plan provides satisfactorily for the delivery of development, particularly its required infrastructure, and convincingly demonstrates adequate monitoring of its provision and measures designed to rectify any shortcomings**

The Inspector concludes that the Infrastructure Delivery Schedule, part of the evidence base accompanying the Local Plan, takes a pragmatic approach in uncertain times and is clear, comprehensive and convincing. His opinion is that there is a realistic prospect of necessary infrastructure being in place in a timely fashion to support the Local Plan strategy. The provisions for the delivery of infrastructure, supported by the infrastructure Delivery Schedule and Performance Monitoring Framework accompanying the Local Plan are justified, effective and comply with national policy. In these respects the Local Plan is aspirational but realistic and sound
16. **Issue 3 – Whether the Core Strategy is effective in meeting local housing needs, including the provision of an appropriate mix of housing of suitable quality and at suitable densities**

The Inspector in his letters to the Central Lancashire authorities in July 2011, required changes to the housing numbers set out in the Local Plan. His view was that the provision in the submitted Local Plan providing for a short term reduction in housing numbers made the plan unsound. The proposed changes in the Local Plan set out in the Main Modification (MM1) restoring the annual minimum Regional Strategy requirements are in accordance with Regional Strategy housing requirements and the intention of the National Planning Policy Framework to boost significantly the supply of housing. In these ways they serve to make the Local Plan sound.
17. The Inspector has made a number of constructive comments in his report around the provision of housing. Firstly he noted that the Local Plan makes no allowance for windfalls in the supply of housing and has suggested that the Councils may wish to take into account windfall sites that are coming forward and make realistic allowance for them in the preparation of their Site Allocations DPD's. This would accord with the Framework provided that there is compelling evidence that such sites have consistently become available and will continue to provide a reliable source of supply.
18. The requirement as set out in the National Planning Policy Framework for a buffer of 5% in addition to the five year supply of housing land and a 20% buffer where there has been a record of persistent under delivery of housing is also discussed. His view in this regard is that under provision would be better addressed through treating the annual requirement as a minimum rather than bring forward a buffer of 20%.
19. The Inspector's overall conclusion is that the amount of housing proposed, through MM1, together with policies that seek suitable densities and high quality design and other relevant policies accord with Government policy as set out in the National Planning Policy Framework. In these respects the Local Plan is sound.
20. **Issue 4 – Whether the Local Plan is effective in meeting special housing needs, including affordable homes, accommodation for the elderly and for gypsies and travellers**

On the provision of affordable housing the Inspector concludes that the policy (Policy 7) as amended through the examination to emphasise the importance of financial viability, site by site assessment and the need to seek and negotiate in the provision of affordable housing accords with the National Planning Policy Framework. Policy 8 concerned with Gypsy and Traveller and Travelling Show people accommodation comprises relevant criteria and accords with national policy as set out in the National Planning Policy Framework.

21. The Inspector concludes that Policy 7 as proposed to be changed and Policy 8 together with their supporting texts are effective, justified and in accordance with national policy and that therefore in these respects the Local Plan is sound.

22. **Issue 5 – Whether the Local Plan’s approach to economic development and the protection of employment land is clearly articulated, sufficiently justified and in line with national policy**

The Inspector refers to the Government’s Plan for Growth and written Ministerial Statement of Planning for Growth published in March 2011. Both indicated the pressing need of the planning system to contribute to securing a swift return to economic growth. The Local Plan anticipates much of this initiative by acknowledging the growth potential of Central Lancashire and by promoting long term sustainable economic growth.

23. The policy protecting existing sites and premises to ensure the future sustainable economic growth during the plan period (Policy 10) is regarded as firm but sufficiently flexible allowing that some sites may be suitable for alternative uses subject to identified criteria being met. As such the policy is regarded as being in accordance with the National Planning Policy Framework’s requirement to avoid the long term protection of sites allocated for business use where there is no reasonable prospect of a site being used for that purpose. The Inspector does caution, however, that some sites and premises, which appear to be of poor quality may be of value to starter businesses and that protecting some of these sites through the Site Allocations process would not necessarily conflict with the National Framework. The Inspector concludes that with regard to economic development and protection of employment land the Local Plan is sound.

24. **Issue 6 – Whether the Local Plan convincingly sets out the role of Preston City Centre, suitably protecting and enhancing its vitality and viability without serious detriment to other town centres, and whether suitable provision for other centres is being made**

The Inspector concludes that policies relating to City, Town and District Centres are founded on a robust and credible evidence base. The policies set out the role of each centre in the hierarchy and serve to enhance their vitality and viability; there is no convincing evidence to demonstrate serious harm to any other centres. The Local Plan is therefore sound in these respects.

25. In coming to his conclusion the Inspector has taken into account the evidence presented through the Central Lancashire Retail and Leisure Review, which he describes as providing a thorough and comprehensive assessment of the future quantitative capacity and qualitative need for new retail and commercial leisure provision within the principal centres in Central Lancashire

26. **Issue 7 – Whether the Local Plan provides sufficient protection, preservation and enhancement of the built and natural environment and introduce measures of sufficient force to mitigate any potentially adverse effects upon these interests**

Policies in the Local Plan for protecting and enhancing the heritage assets and ensuring that retail and town centre uses respect the character of a centre, including its special architectural and historic landscape are in accordance with the National Planning Policy Framework, which recognises that heritage assets are an irreplaceable resource which should be conserved in a manner appropriate to their significance. The Inspector considers that such policies provide a firm foundation for the protection and enhancement of Listed Buildings and Conservation Areas.

27. With regard to green infrastructure and the natural environment the Inspector indicates that the extent of green belt should remain as indicated in the Local Plan and envisaged.
28. On areas of open space and major open space, the Inspector describes the purpose of Policy 19, which is to ensure that places that are at greatest risk of merging will be protected from doing so, and in this sense compares it to Green Belt Policy, but notes that in practice Policy 19 may be more restrictive than Green Belt Policy.
29. He notes other related matters like the quality of landscape, the protection of natural resources and various other aspects of sustainability are suitably accommodated in such policies as Policy 20: Countryside Management and Access and Policy 21: Landscape Character Areas. Policy 22: Biodiversity and Geodiversity and Policy 31: Agricultural Land. Furthermore, he notes the Plan relies on a comprehensive Revised Habitat Regulations Assessment Screening Report (March 2011)

Legal Matters

30. The Inspector has assessed that the legal requirements of preparing the plan, including sustainability appraisal and habitats regulations assessment have been complied with. He also considers that the plan is in general conformity with the Regional Strategy, which remained part of the Development Plan at time of the Examination, and that it complies with national policy.

Duty To Co-operate

31. The Duty to Cooperate was introduced in the Localism Act 2011 (S110) and is referenced in the National Planning Policy Framework with regard to local planning authorities working collaboratively on plan preparation. It is also included, implicitly, in the additional test of soundness relating to plans being positively prepared, which is introduced in the National Framework.
32. The Inspector states that the duty did not apply when this Local Plan was submitted to the Secretary of State in March 2011 but that he is satisfied that neighbouring authorities have been involved in the preparation of the Local Plan to the extent that was reasonable and beneficial at the time.

IMPLICATIONS OF REPORT

33. This report has implications in the following areas and the relevant Directors' comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal		Integrated Impact Assessment required?	
No significant implications in this area		Policy and Communications	

COMMENTS OF THE STATUTORY FINANCE OFFICER

34. No comments.

COMMENTS OF THE MONITORING OFFICER

35. Due to the Inspectors comments at paragraph 30 I have no comments.

LESLEY-ANN FENTON
DIRECTOR OF PARTNERSHIPS, PLANNING AND POLICY

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Steven Brown	5229	28 June 2012	