

Report of	Meeting	Date
Director of Partnerships, Planning and Policy (Introduced by the Executive Member for LDF and Planning)	Executive Cabinet	21 November 2013

## CHORLEY LOCAL PLAN 2012-2026 – INSPECTOR’S PARTIAL REPORT

### PURPOSE OF REPORT

- To inform Members of the progress of the Chorley Local Plan 2012-2026.

### RECOMMENDATION(S)

- It is recommended that the Executive Cabinet:
  - accept the Inspector’s modifications and vary the plan accordingly
  - note that it is now a significant material consideration for Development Management purposes when determining applications
  - specifically note the removal of Policy HW8: Hot Food Takeaways and the commencement of a review of the Access to Healthy Food SPD

### EXECUTIVE SUMMARY OF REPORT

- This report highlights some of the main changes that have been considered necessary by the Inspector, following the examination hearing, to make the Chorley Local Plan sound. It also details the stages towards adoption in September 2014.

<b>Confidential report</b> Please bold as appropriate	Yes	<b>No</b>
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<b>Key Decision?</b> Please bold as appropriate	<b>Yes</b>	No
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<b>Reason</b> Please bold as appropriate	1, a change in service provision that impacts upon the service revenue budget by £100,000 or more	2, a contract worth £100,000 or more
	3, a new or unprogrammed capital scheme of £100,000 or more	<b>4, Significant impact in environmental, social or physical terms in two or more wards</b>

### REASONS FOR RECOMMENDATION(S)

#### (If the recommendations are accepted)

- To allow the Chorley Local Plan 2012-2026 Partial Report to be used for Development Management Purposes.

## ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

5. None

## CORPORATE PRIORITIES

6. This report relates to the following Strategic Objectives:

Involving residents in improving their local area and equality of access for all	X	A strong local economy	X
Clean, safe and healthy communities	X	An ambitious council that does more to meet the needs of residents and the local area	X

## BACKGROUND

7. The purpose of the Local Plan is to determine specific sites for development or protection in accordance with the policies and general locations for development as set out in the Core Strategy. To meet Chorley's development needs to 2026, it identifies local issues and includes policies to either protect sites or guide the way they are developed, ensuring that where development takes place there is proper provision of necessary community facilities, infrastructure, landscaping and open space and affordable housing.
8. The Local Plan was submitted to the Inspectorate in December last year. The Council submitted a number of supporting documents including a summary of the main issues raised at Publication stage consultation. The Inspector, Dr Shelagh Bussey, identified a number of 'main matters' she wished to explore at the Independent Examination, which was held at Chorley Town Hall from 23<sup>rd</sup> April 2013 for a two week period.
9. The Inspector was tasked with considering the 'soundness' of the Local Plan based on criteria set out in the Framework. The soundness criteria are:
  - *Positively prepared* (based on a strategy which seeks to meet objectively assessed development and infrastructure requirements)
  - *Justified* (the most appropriate strategy which considered against the reasonable alternatives, and based on proportionate evidence)
  - *Effective* (deliverable over its period and based on effective joint working on cross-boundary strategic priorities); and
  - *Consistent with national policy*.
10. During the Examination Hearings the Inspector identified further 'matters arising' from each session and asked the Council and representors/objectors to respond accordingly.
11. At the end of the hearings the Inspector informed the Council that she was not satisfied that the issue of gypsies and travellers and travelling showpeople was adequately supported by an up-to-date assessment, as required by the Framework. She concluded that the appropriate action to make the Plan sound in this respect was to undertake a new study and reconvene the hearing sessions of the Plan in order to consider its findings.
12. In respect of all other matters she suggested a number of changes that she considered were required in order to make the Plan 'sound'. These were consulted on for an 8 week period in July/August 2013. All Members received a paper copy of the main modifications and covering letter on 1<sup>st</sup> July 2013.
13. Following receipt and consideration of these responses the Inspector issued a Partial Report for fact checking. She has now issued a final Partial Report on her findings into the soundness of the Plan on all matters other than those relating to Travellers and Travelling Showpeople (dated 25<sup>th</sup> October 2013).

14. The Chorley Local Plan 2012-26 cannot be adopted until the traveller and travelling showpeople issue has been heard at a reconvened Examination hearing session which is currently programmed for the week commencing 22<sup>nd</sup> April 2014. However, she states in her partial report that because of the very advanced stage in the examination process that the main modifications have reached, significant weight should be attached to all policies and proposals of the Plan that are amended accordingly.

### **Inspector's Main Modifications**

The Inspector has suggested a number of changes that she considers necessary in order to make the Plan 'sound'. These are included in the Inspector's Partial Report and Modifications (Appendix1) and are as follows:

#### Housing Land Supply

15. The Council did not include an allowance for slippage or for windfall sites (sites that come forward over the plan period that have not yet been identified) in the submitted Local Plan. However, during the examination hearings the Inspector suggested that the Council take account of slippage, suggesting initially that an allowance of up to 20% would normally be considered. She also suggested that a windfall allowance could be included. Further evidence was submitted and based upon this evidence the Inspector has accepted that the following is appropriate in the Chorley context:

- A slippage rate of 5% on large allocated housing sites
- A slippage rate of 20% on the small non-allocated existing housing commitments (sites that have planning permission, but which have not been allocated)
- A windfall allowance of 451 dwellings over the plan period

These changes are set out in MMEC2.

16. The Council proposed to allocate some additional housing land to meet the requirement figures. The additional housing land proposed mainly reflects permissions granted since the examination hearing.
- The Inspector proposes allocating additional land at HS1.31 Land East of Wigan Road, Clayton-le-Woods to reflect planning permission granted for housing on the site and by reducing the employment land allocation from 20ha to 15ha. This will not result in any additional dwellings (Change MMEC32).
  - The Inspector suggests extending the allocation HS1.43C Land of Moss Lane, Whittle-le-Woods to include a parcel of land to the south. This results in land for an additional 11 dwellings (Change MMEC50).
  - An extension of allocation HS1.2 Carr Lane (former Vertex Site) is proposed, to allocate land originally proposed for employment for housing to accord with a recent planning application which has been approved subject to a S106 agreement. This results in land for an additional 70 dwellings (Change MMEC51).
  - An extension to HS1.50 Carrington Centre, Eccleston accords with a recent planning application which has been approved. This results in an additional 22 dwellings and a decrease in the extent of the retail centre boundary (Change MMEC54).
  - Allocation HS1.33 Discover Leisure is extended, to include 2ha of land previously allocated for employment, reflecting a recent planning permission. This results in an additional 59 dwellings (Change MMEC62).

- Additional site HS1.53 Little Quarries, Whittle-le-Woods is allocated to reflect a recent planning permission for 85 dwellings (Change MMEC59).
  - In addition, updates have been made to housing numbers in Policy HS1: Housing Site Allocations to reflect recent planning consents (Change MMEC57).
17. The Inspector accepted the Council's position with regard to the sites that were subject to higher levels of objection and they remain allocated for housing. These sites include:
- HS1.8 Botany Bay/Great Knowley
  - HS1.24 Land adjacent to Bolton Road, Adlington
  - HS1.29 Westwood Road, Clayton Brook/Green
  - HS1.31 Land to the East of Wigan Road, Clayton-le-Woods
  - HS1.39 Land at Sylvester's Farm, Euxton
  - HS1.40 Land at End of Dunrobin Drive, Euxton
  - HS1.42 Land at Greenside, Euxton
  - HS1.43A Land West of Lucas Lane, Whittle-le-Woods
18. Cumulatively, the changes made to the housing supply result in the provision of 6,110 units, taking account of slippage and applying a windfall allowance. This provides a surplus of 355 dwellings above the minimum requirement, which the inspector considers would make a modest allowance for housing uplift and contingency.
19. A number of alternative sites were put forward and discussed at the Examination Hearings, such as:
- Babylon Lane, Adlington
  - Park Hall/Camelot, Charnock Richard
  - To the rear of New Street, Mawdesley
  - Gorse Lane, Mawdesley

However, the Inspector accepted the Council's position that these sites were not needed to deliver the housing requirement and has not recommended that they be allocated.

20. In terms of Park Hall/Camelot, the Inspector does not propose its allocation, but states that as it is a previously developed site, it could come forward as a windfall site in the Green Belt, provided that any proposal for its redevelopment satisfied other relevant policies of the Plan, including policy BNE3.5, and the Framework. Following detailed consideration of all of the evidence before her and a site visit, the Inspector has also proposed an extension to the boundary of the Park Hall/Camelot previously developed site identified in Policy BNE5, to include an additional field to the north (Change MMMEC5). This results in an increase of 5ha, from 20.2ha to 25.2ha.
21. In addition, the Inspector recommended that the Council review/amend Policy HS2: Phasing of Housing Development to make it more 'flexible' and highlight that the schedule is purely indicative only. This is considered necessary as its approach reflects an outdated plan, manage and monitor approach to planning policy and not the positive approach of the Framework that seeks to boost significantly the supply of housing. (Change MMEC56).

#### Employment Land Supply

22. In accordance with the above housing changes a number of changes are proposed to Policy EP1: Employment Site Allocations.
- EP1.4 - Carr Lane (Vertex Site), Chorley, is proposed to be deleted from Policy EP1 following the approval of a planning application for housing subject to S106 agreement. This results in a loss of 2.5ha of employment land (Change MMEC48).

- The Inspector suggested a reduction in the amount of employment land allocated at Land East of Wigan Road, Clayton-le-Woods (EP1.15) from 20ha to 15ha. This results in a reduction of 5ha of employment land (Change MMEC48).
  - EP1.16 Discover Leisure, Coppull is changed to a housing allocation to reflect planning permission recently granted for housing, which is a loss of 2ha of employment land (MMEC63).
23. Cumulatively, these changes result in a reduction of overall provision over the period 2012-2026 to 100.61ha, against the Core Strategy requirement of 106.99ha (residual requirement taking into consideration take-up since 2010) (Change MMEC48), but the Inspector concludes that the Plan allocates sufficient employment land in the right locations to accord with the Core Strategy.

#### Other Main Modifications

24. There are a number of other main changes that the Inspector considered to be required in order to make the Plan 'sound'. These include:
- The inclusion of an amended version of the Core Strategy model policy in the Local Plan. Core Strategy Policy MP clarifies the operational relationship between it and national policy. Local Plan Policy V1 will seek to ensure a presumption in favour of sustainable development at Chorley district level (Change MMEC1).
  - The inclusion of a biodiversity policy that relates to ecological networks and the hierarchy of designated biological sites and update and expand the existing text relating to biodiversity and nature conservation (Change MMEC26).
  - The Inspector considered that there was a lack of evidence to support the proposed 400 metre exclusion zone relating to A5 uses in Policy EP7 criterion b) (Change MMEC39). This results in amendments to paragraphs 8.22 and 8.23 to remove reference to a 400m exclusion zone around primary schools, secondary schools and sixth form colleges following the deletion of Policy HW8: Hot Food Takeaways (Change MMEC53). In view of the removal of Policy HW8: Hot Food Takeaways the Council will commence a review of the Access to Healthy Food SPD and will decide whether to either revoke the document entirely in relation to Chorley Borough or modify the document in line with the feedback from the Local Plan EIP.
25. The Inspectors Partial Report and associated main modifications can be found in the Appendix 1.

#### **The Next Steps**

26. The Council is currently awaiting the results of a Central Lancashire Gypsy and Traveller and Travelling Showpeople study which will be consulted on in January 2014.
27. A reconvened Examination will consider the results of this study and is currently programmed to be held in April 2014.
28. Should the Inspector consider further modifications necessary these will be consulted upon following this Examination allowing a final report to be produced in August and the Local Plan to be adopted in September 2014.

## IMPLICATIONS OF REPORT

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

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

## COMMENTS OF THE STATUTORY FINANCE OFFICER

30. Apart from the ongoing costs of sustaining the process, there will be some additional cost in respect of re-consultation, which will be contained within the budget currently set for the local plan process.

## COMMENTS OF THE MONITORING OFFICER

31. Planning applications must be determined in accordance with the Development Plan and other material considerations.

LESLEY-ANN FENTON  
DIRECTOR OF PARTNERSHIPS, PLANNING & POLICY

Background Papers			
Document	Date	File	Place of Inspection
Chorley Local Plan 2012-2016	September 2012	Web	<a href="http://chorley.gov.uk/Documents/Planning/Chorley%20Local%20Plan%202012-2026/List%20of%20Publication%20Documents%20v1.pdf">http://chorley.gov.uk/Documents/Planning/Chorley%20Local%20Plan%202012-2026/List%20of%20Publication%20Documents%20v1.pdf</a>
Inspector's Partial Report	October 2013	Web	<a href="http://chorley.gov.uk/Documents/Planning/Examination%20news/Chorley%20Local%20Plan%20Inspector's%20Partial%20Report%20Final%20WEB%20Version%20v1.pdf">http://chorley.gov.uk/Documents/Planning/Examination%20news/Chorley%20Local%20Plan%20Inspector's%20Partial%20Report%20Final%20WEB%20Version%20v1.pdf</a>

Report Author	Ext	Date	Doc ID
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