

Agenda Item 9

Meeting: Planning Committee

Date of Meeting: 15th December, 2010

Title of Report: Preparation of Sefton's Core Strategy – an update

Report of:

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Director

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This report contains	Yes	No
CONFIDENTIAL Information/		√
EXEMPT information by virtue of paragraph(s).....of Part 1 of Schedule 12A to the Local Government Act, 1972 (If information <u>is</u> marked exempt, the Public Interest Test must be applied and favour the exclusion of the information from the press and public).		√
Is the decision on this report DELEGATED?	√	

Purpose of Report

To inform Members of the results of early consultation undertaken since we reported on the findings of the Green Belt Study in September; the report having been deferred by Cabinet. The results of the Study, together with emerging information, will inform the preparation of an Options paper which will be presented to Members in January.

Recommendation(s)

That Members note the report, and agree to reconvene the Members' Working Group as set out in paragraph 2.12 of this report.

Corporate Objective Monitoring

<u>Corporate Objective</u>	<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1. Creating a Learning Community		√	
2. Creating Safe Communities		√	
3. Jobs and Prosperity	√		
4. Improving Health and Well-Being		√	
5. Environmental Sustainability			√
6. Creating Inclusive Communities		√	
7. Improving the Quality of Council Services and Strengthening local Democracy		√	
8. Children and Young People		√	

Agenda Item 9

Financial Implications

There are no financial implications directly associated with this report.

<u>CAPITAL EXPENDITURE</u>	2009/ 2010 £	2010/ 2011 £	2011/ 2012 £	2012/ 2013 £
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<u>REVENUE IMPLICATIONS</u>				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				

Departments consulted in the preparation of this Report

None

List of background papers relied upon in the preparation of this Report

Report to Planning Committee & Cabinet, September 2010
Cabinet Minute 112, 30th September, 2010

1. INTRODUCTION

- 1.1 In September Planning Committee considered a report setting out the findings of the Green Belt Study which had been carried out in-house, but audited by independent consultants. The report was subsequently deferred by Cabinet (Minute 112) to enable it to be considered by each Area Committee and a presentation on the draft Study to be given to all Members of the Council prior to the Council meeting on 21st October. This current report sets out some of the key messages resulting from these briefings.
- 1.2 It also updates Members on changes to the status of the Regional Strategy (RSS), as a result of a High Court ruling last month.

2. THE GREEN BELT STUDY

- 2.1 Over the last two months a great deal of effort has been invested in engaging Members and the public about this important issue.
- 2.2 Briefings on the Green Belt Study have all taken place during the October / November cycle, including a special meeting of Formby Area Committee (as they did not have a scheduled meeting during this period). Presentations were also given prior to the Council meeting in October, and to the Overview & Scrutiny Committee (Regeneration & Environmental Services) in November.
- 2.3 All of these meetings were open to the public, and any members of the public who were present were also given the opportunity to ask questions about the Study and its implications for the different parts of Sefton. We have also given briefings to the Ten Parishes and to a number of parish councils.
- 2.4 Members have broadly accepted our assumptions about why we need to go into the Green Belt if we are to produce a 'sound' Core Strategy to meet our future housing and employment needs. They have also understood why we are unlikely to be able to meaningfully increase the supply of land in the urban area from other sources, and that we are unable to meet all of our future needs in the urban area.
- 2.5 There is, however, widespread concern about the impact of development in the Green Belt. We will need to consider the question consistently asked of Council officers "what's in it for us?" in a much more considered and expansive way if we are to gain consensus about where future housing should take place.
- 2.6 We also need to learn lessons from the past where development has taken place on the edge of some settlements and has subsequently been considered to be of poor quality. We need to ensure that development is of a better quality, and is accompanied by appropriate infrastructure, as many areas expressed the view that the existing infrastructure (road, drainage and services) was inadequate to cope with any further growth. This is especially important given the shortage of funding that will be likely to be available in the public sector to address such matters.

Agenda Item 9

- 2.7 Another issue that was discussed at most of the meetings was the provision of affordable housing. Whilst most people accepted that there is a critical and growing need to provide more affordable housing through the planning system than has been achieved in the past, people in many areas were concerned that peripheral locations on the edge of settlements were not necessarily the right place for new affordable homes to be located and certainly not at the level of 30% currently proposed. Some suggested that we should use commuted sum payments, in lieu of on site provision, for more sustainable urban locations or to assist in bringing back vacant homes into affordable use.
- 2.8 We have also used these briefings to ensure that Members and parish councillors fully understand the factors driving our Core Strategy, including the quality and robustness of the evidence base we have collected. These meetings have produced a very valuable insight into what the key issues are likely to be in each area, and how local communities are likely to react to our proposals. We need to consult as widely as possible.
- 2.9 We have presented our proposals for consulting on the Options stage to the Consultation Panel, who fully endorsed our proposals.
- 2.10 When we do present the Options to Committee in the new year, it is increasingly clear from comments received that we should, as far as possible, be seeking to meet locally generated needs in the local area where they arise. Similarly, and related to this, there was a firm consensus that we should not be seeking to meet most of our needs in only one or two areas. We also need to be precise about what areas of land are proposed for development and how much housing could be delivered from individual sites.
- 2.11 These issues will be taken into account as we prepare our Options paper, which will be presented to the January meeting of Planning Committee.
- 2.12 In the past a Members Working Group has supported the work we have done on our emerging Core Strategy. This could helpfully be reconvened. However, due to a number of changes to the Borough Partnership and the other external organisations who were represented on this group, we need to reconvene this. It is therefore proposed that the Members Working Group should comprise the chair and party spokespersons of Planning Committee, and the Cabinet Members for Regeneration, Environmental and Communities and their spokespersons.

3. THE REGIONAL STRATEGY

- 3.1. The Regional Strategy (RSS), together with our adopted Unitary Development Plan (UDP) forms part of the Development Plan, and must be taken into account in our emerging Core Strategy.
- 3.2. RSS was revoked by the Secretary of State by letter dated 6th July, 2010. However, this decision was challenged by Cala Homes and on 10th November, 2010 the High Court ruled that this decision was unlawful. The

Agenda Item 9

appeal decision stated that the Communities Secretary was not entitled to revoke regional strategies under existing planning law. Justice Sales said: "Parliament has given no clear or sufficient indication that that principal [that each region should have a regional strategy] may be set aside by virtue of a contrary policy judgement." He added: "The revocation of the South-East Plan is likely to have an immediate impact upon determination of planning applications.....I consider that the Secretary of State acted unlawfully by purporting to revoke the [RSS]."

- 3.3. At face value this decision may appear to be a very significant one, however it does need to be seen in context. The Government is bringing forward its Localism Bill in the near future, and it is understood that this decision will be rectified by way of an appropriate provision in this Bill. In short, whilst the High Court decision provides a short 'technical' reprieve for RSS's it will be no more than this, and it must be assumed that the forthcoming legislation will confirm in more robust terms that RSS's will no longer play a role in determining local planning matters.
- 3.4. It is estimated that it may take up to 12 months for RSS's to be revoked, by which stage we hope that we will be very close to submitting our Core Strategy to the Secretary of State for independent examination.
- 3.5. The implications of this are that we need to include the housing target set out in RSS as an option in our Core Strategy. However, we are also entitled to consider whether this figure is still relevant and appropriate looking forward to 2027.
- 3.6. The Communities Secretary of State has said: "Local planning authorities will be responsible for establishing the right level of local housing provision in their area, and identifying a long term supply of housing land without the burden of regional housing targets".
- 3.7. The Decentralisation and Localism Minister has also confirmed that "it is open to local authorities to reintroduce their own assessment of the housing needs in their area. But it needs to be rigorous. They can't just pick a number and put it in and regard that as being the end of it. They need to make an assessment and justify that, in their plans".
- 3.8. Because the housing figures contained in RSS are somewhat dated, and anticipating the recently announced population projections, we have commissioned demographers to ascertain whether the need for 500 new dwellings is still the right figure. This work is due to be completed early in 2011 and will inform our Options paper.