Report to:	EXECUTIVE
Relevant Officer:	Alan Cavill, Director of Place
Relevant Cabinet Member:	Councillor Gillian Campbell, Deputy Leader of the Council (Tourism, Economic Growth and Jobs)
Date of Meeting:	18th January 2016

BLACKPOOL LOCAL PLAN PART 1: CORE STRATEGY - ADOPTION

1.0 Purpose of the report:

1.1 To appraise members of the findings of the Inspector's Report on the Blackpool Core Strategy including the Inspector's recommended Main Modifications to the Core Strategy which are needed to make the document sound and an appropriate basis for the planning of the Borough (refer Appendix 2a(i) and 2a (ii)). To appraise members of the Additional (minor) Modifications to the Core Strategy set out in Appendix 2b to this report and to seek Executive agreement to recommend to Council to adopt the Blackpool Local Plan Part 1: Core Strategy including the Modifications referred to above. A text version only of the Adoption version of the Core Strategy is presented at Appendix 2c (i) along with the amended Policies Maps (Appendix 2c(ii) and to inform members of the next stages.

2.0 Recommendation(s):

2.1 That Executive recommends to Council:

(i) To accept the Inspector's findings and his recommendations and adopt the Blackpool Local Plan Part 1: Core Strategy with the Main Modifications recommended by the Inspector as set out in Appendix 2a(ii) and with the additional (minor) modifications to the Core Strategy set out in Appendix 2b and the amended Policies Maps at Appendix 2c(ii).

(ii) To authorise the Chief Executive to undertake the necessary steps for the adoption process to be completed.

(iii) To authorise the Director of Place to make any final modifications to improve readability and the final presentation of the document, and to correct any factual matters or typographical errors.

3.0 Reasons for recommendation(s):

3.1 To progress Blackpool Local Plan Part 1: Core Strategy, which forms part of the statutory planning framework, to adoption to support Blackpool's future regeneration and growth.

3.2a	Is the recommendation contrary to a plan or strategy adopted or approved by the Council?	No, If the Local Plan is approved it will become the new Planning Policy document
3.2b	Is the recommendation in accordance with the Council's approved budget?	Yes

3.3 Other alternative options to be considered:

The earlier Issues and Options document set out a range of alternative strategic development options which have been considered in detail. The Preferred Options document April 2010 also highlighted alternatives where appropriate on certain key issues.

4.0 Council Priority:

4.1 The relevant Council Priorities are:

- "The economy: Maximising growth and opportunity across Blackpool"
- "Communities: Creating stronger communities and increasing resilience"

5.0 Background Information

5.1 The Council is now at the Adoption Stage in the plan making process following receipt of the Inspector's Report and his recommendations (refer Appendix 2a). As Executive will be aware, the Core Strategy is a key document which forms part of the statutory planning framework for Blackpool which will facilitate the physical, economic and social change which is seen by the Council and its partners as essential to Blackpool's future. It sets out where new development including housing and employment, retail and leisure should be located to meet Blackpool's future needs to 2027; identifies areas which will be regenerated , protected or enhanced; and sets out key development principles such as for design and affordable housing. The Core Strategy will be used to determine planning applications and priorities for the Borough over

the next 12 years.

5.2 In developing the Core Strategy there were a number of stages that the Council was required to go through, each stage providing an opportunity for the community and other stakeholders to be involved in choosing the right planning policies for Blackpool.

5.3 Earlier stages of the Core Strategy included an Issues and Options document consulted upon during Autumn 2008; the Preferred Option document consulted upon during Spring 2010; the Revised Preferred Option document consulted upon during late Spring 2012; and the Proposed Submission document consulted upon Summer 2014.

5.4 As part of the Core Strategy preparation a significant amount of evidence and supporting documents have been produced including:

→ **Sustainability Appraisal** (SA) which is a legal requirement under the Planning and Compulsory Purchase Act 2004. The Sustainability Appraisal evaluates the likely social, economic and environmental effects of the spatial vision, objectives and policies, including the cumulative effects. The Sustainability Appraisal is produced throughout the preparation process and has informed policy at every stage of the preparation process.

→ **Habitat Regulations Assessment (HRA) screening** which is required by Law to protect European Sites of Biological Importance in the region. Again like the Sustainability Appraisal the Habitat Regulations Assessment screening process has informed policy in the Core Strategy to ensure that there are no significant adverse effects likely to occur.

→ **Infrastructure Delivery Plan (IDP)** which identifies the infrastructure required to support the delivery of the Core Strategy.

→ **Background evidence documents** which develop a detailed understanding of key issues and characteristics of Blackpool and the Fylde Coast and inform and justify the strategy and policies.

Supporting documents to the Core Strategy can be viewed on the Council's website at https://www.blackpool.gov.uk/Residents/Planning-environment-and-community/Planning/Planning-policy/Blackpool-local-plan/Evidence-base.aspx

5.5 Following the consultation, the Council formally submitted the Core Strategy - Proposed Submission document to the Secretary of State in December 2014 (refer Appendix 2d). Planning Inspector Malcolm Rivett was appointed to hold the Examination. The formal hearings took place in May 2015 and lasted for 3 days.

5.6 The hearings were structured around the 'Matters and Issues' published by the Inspector following his scrutiny of the Plan prior to the Examination, as well as his consideration of relevant representations received from public and private sector organisations, the development industry, landowners and the local community.

5.7 Arising from the discussions at the hearings, some minor amendments to wording were identified to provide further clarification and explanation as well as in some instances ensure consistency with the National Planning Policy Framework (NPPF) and the latest ministerial statements. The main modifications were subject to Sustainability Appraisal and Habitats Regulations Assessment screening followed by further public consultation for a period of 6 weeks from 25 August 2015 to 6 October 2015.

5.8 Following the consultation the Inspector asked the Council to provide a brief response to the representations received. On receipt of the Council's response the Inspector considered the representations to the Main Modifications in the context of all representations and evidence heard at the Examination hearings, before producing a draft report for fact checking by the Council. The Council then received the final report on the examination into Blackpool Local Plan Part 1: Core Strategy on 23 November 2015. The report was published on 24 November 2015 in accordance with the regulations.

5.9 **The Inspector's Findings and Recommendations**

The findings and recommendations of the Inspector are set out in detail in Appendix 2a to this report including a number of Main Modifications.

The report contains the Inspector's assessment of the Core Strategy in terms of Section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended). It considers first whether the plan's preparation has complied with the Duty to Co-operate, in recognition that there is no scope to remedy any failure in this regard. It then considers whether the plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework(paragraph 182) makes clear that to be sound, a local plan should be positively prepared; justified; effective and consistent with national policy.

All the modifications recommended by the Inspector to enable the plan to be found sound and/or legally compliant and capable of adoption were proposed by the Council subject to minor alteration by the Inspector after considering the representations from other parties on these issues

5.10

The Main Modifications can be summarised as follows

- Amendments to provide greater clarity about (i) the housing requirement figure, (ii) the way in which proposals for housing will be considered in the period until the Site Allocations and Development Management Policies document is adopted and (iii) ongoing work to ensure that housing needs are met across the Fylde Coast housing market area;

- Clarification that (i) the 30% affordable housing requirement is not a minimum and (ii) bedroom number requirements are subject to viability considerations, and modifications to align policies with national policy in the light of the Housing Standards Review;

- Inclusion of the requirement that development at the Leisure Quarter should not undermine existing resort core uses and attractions.

- Various amendments to ensure clarity and that the plan is internally consistent and aligns with national policy in particular in relation to natural and historic heritage matters, alternative uses of employment sites, town centre uses in the resort core, wind turbines, development at Marton Moss, car parking, and surface and waste water.

5.11 **In the Assessment of Duty to Co-operate** (pages 4 to 5 Appendix 2a to this report) the Inspector is satisfied that in preparing the Plan the Council has undertaken ongoing, constructive and active engagement with other bodies as appropriate on matters of strategic and cross-boundary significance. The Council has therefore complied with the Duty to Co-operate.

5.12 **In the Assessment of Soundness** the inspector reports that:

i) Subject to the recommended modifications **MM01– MM03, MM05** and **MM12 – MM18**, the policies in respect of the **strategic location of development** and for **housing, health and education** are positively prepared, justified, effective and consistent with national policy. They therefore provide a sound basis for managing development in Blackpool. (pages 7 to 17 Appendix 2a to this report);

ii) Subject to **MM06**, the plan's strategy for **economic development and employment land** is positively prepared, justified, effective and consistent with national policy (pages 17 to 19 Appendix 2a to this report);

iii) Subject to **MM07** and **MM19 – MM24**, the plan's strategy for **retail and other town centre uses** is positively prepared, justified, effective and consistent with national policy (pages 19 to 21 Appendix 2a to this report);

iv) Subject to **MM08** and **MM10 - MM12**, the plan's policies for **transport, green infrastructure, water management, sustainable design and renewable/low carbon energy** are positively prepared, justified, effective and consistent with national policy (pages 21 to 22 Appendix 2a to this report);

v) Subject to **MM09**, the plan's policies in respect of **quality of design and heritage** are positively prepared, justified, effective and consistent with national policy (pages 22 to 23 Appendix 2a to this report);

vi) Subject to the recommended modifications **MM25 – MM27**, the plan's strategy and policies in respect of **Blackpool Resort Core** are positively prepared, justified, effective and consistent with national policy (pages 23 to 24 Appendix 2a to this report);

vii) Subject to **MM28 – MM30**, the plan's strategy and policies in respect of **South Blackpool Growth and Enhancement** are positively prepared, justified, effective and consistent with national policy (pages 24 Appendix 2a to this report);

viii) Having regard to **national standards**, the plan's policies and requirements would not put the viability of its implementation as a whole at serious risk. In this context Policy CS11, which sets out requirements in relation to Planning Obligations, is soundly based (pages 24 to 25 Appendix 2a to this report).

Other Matters

The Inspector is satisfied that the Sustainability Appraisal meets the requirements of the SEA Directive (2001/42/EC) and that he is also satisfied that the Appraisal's assessment of the plan's policies against the identified Sustainability Appraisal Objectives (including landscape/townscape and heritage) are realistic and adequate.

Members should note in particular the Inspector reports the following as soundly based:

- the twin focus of regeneration and supporting growth in the Core Strategy;
- the 280 dwellings per year (4,200 dwellings across the plan period) figure for the objectively assessed need for housing in Blackpool;
- the phased approach to housing delivery set out in the plan;
- the policy requirement for only outer area housing schemes to contribute towards affordable housing at 30% rate, subject to negotiation where specific viability constraints exists;
- the approach to Traveller sites through a criteria based approach with the target for new permanent and transit pitches and plots to be set out in the Local Plan

Part 2: Site Allocations and Development Management Policies;

- the approach to identifying 31.5ha requirement for additional employment land over the plan period;
- the approach to managing holiday accommodation set out in Policy CS23

With respect to Policy CS23 the Inspector urges the Council to complete the review of the precise boundaries to the holiday accommodation areas set out in the Supplementary Planning Document (SPD) as soon as possible given the effect of the policy and the Supplementary Planning Document on individual small businesses, and the need for ongoing regeneration of the inner area.

5.14 **Assessment of Legal Compliance**

The Inspector's examination of the compliance of the Plan with the legal requirements is summarised in the table on page 26 of the Inspector's report (refer Appendix 2a), and relates to compliance with the Local Development Scheme (LDS); Statement of Community Involvement (SCI) and relevant regulations; Sustainability Appraisal (SA); Appropriate Assessment (AA); National Policy; and the 2004 Act (as amended) and 2012 Regulations. The Inspector concludes that the Plan meets all the legal requirements.

In conclusion the Inspector states that with the recommended main modifications set out in the Appendix to his report the Blackpool Local Plan Part 1: Core Strategy satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework

5.15 **Additional (minor) Modifications**

In addition, a list of additional (minor) modifications to the plan considered necessary, including in light of the main modifications have also been prepared. These additional (minor) modifications are set out in Appendix 2b. These modifications are not required to be formally considered by the Inspector and relate to typographical errors, accuracy, to reflect current position and clarity.

Appendix 2c(i) to this report provides a text only draft of the adoption version of the Blackpool Local Plan Part 1: Core Strategy incorporating the Inspector's modifications along with the minor (additional) modifications. The introduction to the document has also been redrafted to reflect the adoption stage of the document. Following adoption by Council the formatting and presentation will be finalised. Appendix C(ii) contains the Policies Maps. This document comprises a series of tables and maps which illustrate the changes to the current proposals map.

5.16 **Next Steps**

As required by legislation, once the Core Strategy is adopted it needs to be made available as soon as reasonably practical by publishing on the Council's website and printed copies need to be made available for both inspection and purchase.

The Council also has to make available an Adoption Statement and the Sustainability Appraisal Report. In addition, the Council will need to send notice to those who have registered interest as well as ensuring that there is publicity about the adoption. The notification will include information about the adoption and also give notice that the decision to adopt triggers a six week period for High Court Challenge within the terms of the Planning and Compulsory Purchase Act 2004.

5.17 Does the information submitted include any exempt information? No

5.18 **List of Appendices:**

Appendix 2a(i) and 2a(ii) – Inspector's Report to Blackpool Council including Main Modifications in the Appendix to the Report

Appendix 2b – Additional (Minor)Modifications

Appendix 2c(i) – Blackpool Local Plan Part 1: Core Strategy - Adoption (text version only)
Appendix 2c(ii) – Policies Maps

Appendix 2d – Blackpool Local Plan Part 1: Core Strategy - Proposed Submission (June 2014)

Available at the following link:

https://www.blackpool.gov.uk/Residents/Planning-environment-and-community/Documents/Proposed-Submission-Core-Strategy.pdf

6.0 Legal considerations:

6.1 The Core Strategy, when adopted by the Council, will be the key strategic spatial document forming part of the Council's statutory Local Plan. It would appear given the report of the Planning Inspector that the Core Strategy incorporating the modifications outlined in this report satisfies the requirements of Section 20(5) of the 2004 Act and therefore meets the criteria for soundness in the National Planning Policy Framework.

7.0 Human Resources considerations:

7.1 The Core Strategy has been resourced by existing staff within the Development Plans and Projects Team.

8.0 Equalities considerations:

8.1 An Equalities Assessment has been undertaken during the preparation of the Core Strategy.

9.0 Financial considerations:

9.1 The work has been undertaken within existing budgetary provisions.

10.0 Risk Management considerations:

10.1 The Core Strategy is the key document which will provide the statutory planning framework to enable and assist the delivery of Blackpool's future development requirements. Without its progress acquisition, land assembly and planning approval for key regeneration and development projects will be undermined and delayed. In addition with the publication of the National Planning Framework in March 2012 there is an imperative to progress the Core Strategy through to adoption as quickly as possible to ensure the Council has a planning framework that is directing development within the Borough which reflects the community and elected members priorities and needs and to avoid national policy being the principle basis for making decisions. The latter could lead to an increase in appeals if applications are received proposing development which is not in line with the priorities and needs of Blackpool.

11.0 Ethical considerations:

11.1 None

12.0 Internal/ External Consultation undertaken:

12.1 Extensive consultation has taken place during the preparation of the Core Strategy as referred in paragraph 5.3 of this report. The outcome of the consultations has informed subsequent iterations of the Strategy.

13.0 Background papers:

13.1 Sustainability Report and Addendums which can be accessed on the Blackpool Council Website under the following links:

https://www.blackpool.gov.uk/Residents/Planning-environment-and-community/Planning/Planning-policy/Blackpool-local-plan/New-Blackpool-local-plan/Corestrategysubmission.aspx

https://www.blackpool.gov.uk/Residents/Planning-environment-and-community/Documents/Core-Strategy-SA-Addendum-July-2015.pdf

Examination Library which includes various submitted documents which can be accessed on the Blackpool Council Website:

https://www.blackpool.gov.uk/Residents/Planning-environment-and-community/Planning/Planning-policy/Blackpool-local-plan/New-Blackpool-local-plan/Local-plan-2012---2027-examination.aspx

Equalities Assessment

14.0 Key decision information:

14.1	Is this a key decision?	Yes
14.2	If so, Forward Plan reference number:	24/2015
14.3	If a key decision, is the decision required in less than five days?	No
14.4	If **yes**, please describe the reason for urgency:	

15.0 Call-in information:

15.1	Are there any grounds for urgency, which would cause this decision to be exempt from the call-in process?	No
15.2	If **yes**, please give reason:	

TO BE COMPLETED BY THE HEAD OF DEMOCRATIC GOVERNANCE

16.0 Scrutiny Committee Chairman (where appropriate):

Date informed: 8th January 2016 Date approved:

17.0 Declarations of interest (if applicable):

17.1

18.0 Executive decision:

18.1

18.2 **Date of Decision:**

19.0 Reason(s) for decision:

19.1 **Date Decision published:**

20.0 Executive Members in attendance:

20.1

21.0 Call-in:

21.1

22.0 Notes:

22.1