

Notice of:	EXECUTIVE
Decision number	EX37/2014
Relevant Officer:	Steve Matthews, Head of Planning and Strategic Housing
Relevant Cabinet Member	Councillor Fred Jackson, Urban Regeneration
Date of Meeting	16 th June 2014

BLACKPOOL LOCAL PLAN PART 1: CORE STRATEGY - PROPOSED SUBMISSION VERSION JUNE 2014

1.0 Purpose of the report:

- 1.1 This report relates to the Blackpool Local Plan Part 1: Core Strategy - Proposed Submission version (Proposed Submission Core Strategy) together with the necessary supporting documents, including amendments to the Policies Map, Statement of Consultation, Sustainability Appraisal, Habitats Regulation Assessment and the Draft Statement of Compliance with the Duty to Cooperate.

The Core Strategy is a key planning document for Blackpool. 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 design and affordable housing. The Core Strategy will be used to determine planning applications within the Borough.

If approved, representations will be invited on the Proposed Submission Core Strategy during an 8 week consultation period, after which the Core Strategy and supporting documents will be submitted to the Secretary of State for Examination.

2.0 Recommendation(s):

- 2.1 That the Executive recommends to Full Council:

(1) to approve the Proposed Submission Core Strategy (Appendix 2a Part to this report) including the evidence base listed in the plan; amendments to the Policies Map (Appendix 2a Part 1); Statement of Consultation (Appendix 2c Part 1) including the responses to the representations received to the Revised Preferred Option (May 2012); Sustainability Appraisal (Appendix 2d Part 1) and Habitats Regulation Assessment (Appendix 2e) for publication and subsequent submission to the Secretary of State;

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(2); should the person appointed to carry out the examination consider that the circumstances are as described in s20(7B) of the Planning and Compulsory Purchase Act 2004, to formally request that s/he recommend any necessary modifications to the Plan to make the Plan satisfy the appropriate requirements and sound, pursuant to section 20 (7C) of the 2004 Act;

(3) that the Head of Planning and Strategic Housing, after consultation with the Cabinet Member for Urban Regeneration, be given delegated authority to propose minor amendments to improve the clarity of the documentation referred to under recommendation (1) and which do not alter the substance of the document when submitting the Plan to the Secretary of State (these amendments will be highlighted) and during the Examination process;

(4) to approve the draft Statement of Compliance (Appendix 2j to this report) for consultation alongside publication of the Proposed Submission Core Strategy; that the Head of Planning and Strategic Housing, after consultation with the Cabinet Member for Urban Regeneration, be given delegated authority to make any amendments to the Statement of Compliance where necessary in response to representations received; and to publish the final version as an evidence base document to the Core Strategy;

(5) to agree that the Proposed Submission Core Strategy housing requirement figure (set out in Policy CS2) be used to calculate the five-year housing land supply pending adoption of the Core Strategy.

3.0 Reasons for recommendation(s):

3.1 To progress the preparation of the statutory planning framework 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? Yes, this will form the new Core Strategy

3.2b Is the recommendation in accordance with the Council's approved budget? No

3.3 Other alternative options to be considered:

As part of the requirements of plan preparation a range of alternative strategic development options have been considered in detail at various preparation stages of the Core Strategy. The Proposed Submission Core Strategy represents the preferred option arising from this process.

4.0 Council Priority:

4.1 The relevant Council Priorities are

- Attract sustainable investment and create quality jobs
- Encourage responsible entrepreneurship for the benefit of our communities
- Improve housing standards and the environment we live in by using housing investment to create stable communities

5.0 Background Information

5.1 The Council as Planning Authority is in the process of preparing a new Blackpool Local Plan that will plan for the needs of the Borough to 2027. The Local Plan will comprise two parts: Part 1 is the Core Strategy (currently being prepared), while Part 2 is the Site Allocations and Development Management document (preparation to commence 2015). The new Local Plan will provide the statutory planning framework for decisions on future development proposals, which will facilitate the physical, economic and social change which is seen by the Council and its partners as essential to Blackpool's future.

5.2 In developing a Core Strategy there are a number of stages that the Council is 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. The Proposed Submission Core Strategy (at **Appendix 2a** to this report) is the culmination of considerable public consultation, evidence gathering and consideration of options over a number of years to inform the planning policy framework for Blackpool.

5.3 The earlier stages of the Core Strategy preparation have included:

- an Issues and Options document consulted on during Autumn 2008;
- a Preferred Option document consulted on during Spring 2010;
- the Need for New Homes in Blackpool to 2027 report consulted on in November/December 2010; and
- a Revised Preferred Option document consulted on in June/July 2012.

5.4 Following the 2012 consultation further work had to be undertaken to ensure compliance of Core Strategy policy with the requirements of the National Planning Policy Framework (NPPF) which was published in March 2012; and bring up to date certain aspects of the Core Strategy evidence base.

5.5 This further work included:

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- A Viability Study to assess the policy requirements in the emerging Core Strategy including the level of affordable housing; and to assess the potential for introducing a Community Infrastructure Levy (CIL) Charging Schedule in Blackpool. URS Consultants were appointed to undertake this assessment.

The National Planning Policy Framework requires planning authorities to ensure consideration is given to the cumulative impact of plan policies on development and to strike a balance between the requirements necessary to provide for sustainable development and the realities of economic viability. The NPPF states *“the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened”* (Para 173).

- A Strategic Housing Market Assessment (SHMA). Turley Associates were jointly commissioned by Blackpool, Fylde and Wyre Councils to conduct a new SHMA for the Fylde Coast, in partnership with specialist demographic consultancy Edge Analytics. The Strategic Housing Market Assessment S forms a key part of the emerging Local Plan evidence base, providing an assessment of housing needs and demand across the Fylde Coast to inform an understanding of how many new homes may be needed to 2030. It also includes analysis indicating the mix of tenures and sizes of housing required to address the future needs of the changing population, including future requirements for affordable housing. The Strategic Housing Market Assessment is based on up-to-date information and data, as of October 2013. It is an update of the 2008 Strategic Housing Market Assessment.

The Strategic Housing Market Assessment identified a range of assessed need and recommended that further consideration was given to Blackpool’s economic and housing need forecasts in identifying an appropriate housing figure within the assessed range, as aligning future housing growth to economic prosperity is important to the situation in Blackpool. If a decision about the housing requirement is based on the most realistic and appropriate economic based scenario, this must be supported by sufficiently robust economic evidence, and so further work has been undertaken by AMION Consultants, which examines the local economy, including the labour market. This evidence, along with other factors including the supply of land for new development, past delivery rates, market capacity and deliverability, development viability or infrastructure / environmental constraints, has been taken into account in the development of policy within the Proposed Submission Core Strategy.

- A Blackpool Employment Land Review. This was undertaken in-house by officers, and provides an updated assessment of employment land supply and future requirements in the Borough to 2027. It supersedes the previous full review undertaken in 2007 along with updates in 2009, 2010 and 2011.

- A Gypsy and Traveller Accommodation Assessment (GTAA). Opinion Research Services has been commissioned to update the 2007 Fylde Coast GTAA. At Examination plans are being found 'unsound' where Gypsy and Traveller Accommodation Assessments pre date 2008. The study will determine the accommodation needs of Gypsies, Travellers and Travelling Showpeople across the Fylde Coast identifying the need for each of the three Fylde Coast Authorities for their plan periods, which for Blackpool is 2012 to 2027.

5.6 Proposed Submission Core Strategy

The Proposed Submission Core Strategy reflects the representations received to the Revised Preferred Option document, the updated evidence referred to above and changes to government guidance.

An overview of the representations received and the proposed changes to policy and the supporting text compared to the Revised Preferred Option document is set out in **Appendix 2b** to this report. The detailed response to the representations received is set out in the Statement of Consultation at **Appendix 2c Part Two**.

In addition to the above, a number of supporting documents to the Proposed Submission have informed its preparation. These include:

- An updated Sustainability Appraisal (**Appendix 2d** to this report) which is a legal requirement under the Planning and Compulsory Purchase Act 2004. The Sustainability Appraisal (SA) evaluates the likely social, economic and environmental effects of the spatial vision, objectives and policies, including the cumulative effects. The latest Sustainability Appraisal, produced for the Proposed Submission by Hyder Consultants, has reported that the policies '*tend to be complementary and to contribute positively overall to sustainability objectives when viewed together*'. Mitigation measures are proposed to improve the sustainability performance of the policies and their implementation. The Council's proposed response to these measures is set out in **Appendix 2d Part 2** to this report. This Sustainability Appraisal will be subject to the same consultation period as the Proposed Submission document.
- An updated Habitat Regulations Assessment (HRA) screening (**Appendix 2e**) which is required by Law to protect European Sites of Biological Importance in the region. Bowland Ecology Consultants were commissioned to undertake an update of the Habitat Regulations Assessment. The previous Habitat Regulations Assessment (2012) recommended a strengthening of part 3 of Policy CS6: Green Infrastructure which is concerned with biodiversity, to ensure that there are no significant adverse effects likely to occur as a result of

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implementing the revised preferred policies. This recommendation was taken on board. The changes that have been proposed to policy in the Proposed Submission document do not require any further modification as a result of the updated 2014 Habitat Regulations Assessment.

- An updated Housing Requirement Technical Paper (**Appendix 2f**) and updated Employment Land Requirement Technical Paper (**Appendix 2g**), which inform and justify the preferred strategy and policies relating to housing and employment.
- The Infrastructure Delivery Plan (IDP) (**Appendix 2h**) which identifies the infrastructure required to support the delivery of the Core Strategy.
- An updated Equality Analysis (**Appendix I**) to ensure the Council meets the legal obligations of the Equality Act 2010, taking into account all relevant and appropriate equality considerations.

5.7 Core Strategy Proposed Submission– Key Changes

Highlighted above are those documents which have informed the content of the Proposed Submission Core Strategy and have led to changes to policy compared to the Revised Preferred Option (2012) consultation document. As previously stated, an overview of the changes in the Proposed Submission is set out in **Appendix 2b** but the key changes can be summarised as follows:

- **a reduction in the housing requirement** from 300 to 280 new dwellings on average per year. Paragraphs 4.3 to 4.10 in Appendix B to this report provides further explanation of the reduced requirement as does the Housing Technical Paper at Appendix 2f.
- **an updated baseline employment land supply** of 21.6ha (previously 23.5ha) with a realistic supply of 17.8ha identified; meaning a shortfall in supply of 13.7ha against the assessed requirement of 31.5ha (previously 35-40ha); and explicit recognition in the supporting text to Policy CS3 that Fylde Borough Council through the Duty to Co-operate is accommodating around 14ha of employment land to meet Blackpool's shortfall.
- **the merger of Policy CS21: Access and Connectivity into Policy CS5: Connectivity** to improve clarity and address the overlap in policy coverage;
- **Policy CS9: Energy Efficiency and Climate Change has been split into 2 policies** - new policy CS9: Water Management and new policy CS10: Sustainable Design and Renewable and Low Carbon Energy'. These changes take into account the

concerns raised by the Environment Agency and more wider comments made by United Utilities on the important issue of water management. New policy CS10 reflects the emphasis of the policy more accurately, the recent evidence provided in the Viability Study and the proposed changes by government to limit the application of local standards of house building;

- **Policy CS13 Affordable Housing** has been amended so that developments in the inner area are exempt from the affordable housing requirements to reflect the findings of the Viability Study; to provide more flexibility over affordable housing dwelling size and tenure mix requirements across the Borough; and to acknowledge that an alternative level of provision may be negotiated where this has been robustly justified with the submission of a viability appraisal;
- **Policies CS23: Promenade Holiday Accommodation and CS24: Off Promenade Holiday Accommodation have been merged** and simplified to form new policy CS23: Managing Holiday Bed Spaces. Individual areas are no longer defined in the redrafted policy to provide more flexibility for a future SPD review with more clarity provided over what the policy does/does not allow in terms of change of use. The supporting text has been rewritten to explain the policy approach to managing a reduction in holiday bed spaces and clarifies that the policy applies to some parts of the resort that are outside the defined Resort Core. The amendments are in response to the key issues raised in the consultation which show there is a misunderstanding by some about the policy approach to managing a reduction in holiday accommodation.

Core Strategy Proposed Submission– Consultation

5.8

The Planning Authority is now in a position to submit the Core Strategy and supporting documents to the Secretary of State for Communities and Local Government, for the purposes of public examination before an independent Planning Inspector. However, prior to that submission, the Council must publish the Core Strategy document for inspection and invite formal representations over a minimum consultation period of 6 weeks in line with the Government Regulations (19 and 20)¹ For the Blackpool Core Strategy, the intention is to consult for an extended period of 8 weeks during July/August this summer.

At this stage of consultation representations are invited on the 'soundness' or otherwise of the plan. A summary of any representations made at this stage, together with copies of any representations, will be forwarded to the Secretary of State on submission of the Core Strategy. The representations will be considered by an independently appointed planning inspector (appointed by Government) who undertakes the Examination into the Core Strategy and supporting documents.

¹ Town and Country Planning (Local Planning) (England) Regulations 2012

Comments on 'soundness' must relate to whether a plan is:

- **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent** with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

Once the Proposed Submission has been published, unless new matters of significance are raised through the representations received, it is not anticipated that there will be a need to make further changes (other than minor amendments to improve clarity) as the document will represent the Plan which the Council is willing to adopt.

Duty to Co-operate

5.9

Paragraph 181 of the NPPF states that “Local planning authorities will be expected to demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination”. The Duty to Co-operate (the Duty) is set out in Section 33A of the Planning and Compulsory Purchase Act 2004 as amended by Section 110 of the Localism Act 2011.

This Duty applies to all local planning authorities (LPAs), county councils in England and to a number of other “prescribed” bodies requiring them to co-operate with each other to address strategic matters relevant to their areas in the preparation of a development plan document (DPD). The Duty requires ongoing constructive and active engagement on the preparation of DPDs and other activities relating to the sustainable development and use of land.

A Statement of Compliance with the Duty to Co-operate has been drafted setting out how Blackpool has met this legal requirement (**Appendix 2j** to this report). The draft Statement will be consulted upon at the same time as the Proposed Submission document. Letters will be sent out, to those bodies and local planning authorities

that have been involved with co-operating over cross boundary issues, inviting comments. The Statement will accompany the Core Strategy at Submission.

Five Year Housing Land Supply

5.10

It is considered that the new evidence of Blackpool's objectively assessed housing need provided by the 2013 Fylde Coast SHMA (Feb 2014); further analysis of economic and housing forecasts (May 2014) and the updated Housing Requirement Technical Paper (June 2014), which underpin the Housing Requirement Policy in the Proposed Submission Core Strategy provides the most up-to-date assessment of housing needs in the Borough. Therefore, in line with the NPPF, this updated housing requirement figure should form the basis for calculating the Borough's housing land supply pending the adoption of the Blackpool Core Strategy.

Next steps

5.11

For members information, set out below are the remaining key stages of the preparation of the Core Strategy through to adoption, along with estimated timescales:

TASK	TIMESCALE
<ul style="list-style-type: none"> ▪ Executive and Council approval of the Core Strategy - Proposed Submission Version June 2014 including the amendments to the Policies Map; updated SA and HRA for Publication consultation 	June 2014
<ul style="list-style-type: none"> ▪ 8 weeks consultation (Regulation 19 and 20)² 	July/August 2014
<ul style="list-style-type: none"> ▪ Review of representation received to Publication stage consultation; prepare responses to representations and prepare for submission ▪ 	September/November 2014
<ul style="list-style-type: none"> ▪ Submission of Core Strategy and supporting evidence to the Secretary of State (Regulation 21 and 22) 	December 2014

² Town and Country Planning (Local Planning) (England) Regulations 2012

<ul style="list-style-type: none"> ▪ Examination of the Core Strategy by the Planning Inspectorate (Regulation 23 and 24) 	April/May 2015
<ul style="list-style-type: none"> ▪ Inspector's Report (Regulation 25) 	July 2015
<ul style="list-style-type: none"> ▪ Adoption by Full Council (Regulation 26) 	September 2015

5.12 Does the information submitted include any exempt information?

No

5.13 **List of Appendices:**

Appendix 2a Part1 - Proposed Submission Core Strategy (June 2014)

Appendix 2a Part 2 – Proposed Submission Policies Map (June 2014)

Appendix 2b – Overview of Changes to the Proposals and Policies in the Proposed Submission Core Strategy (June 2014) compared to the Revised Preferred Option document

Appendix 2c – Statement of Consultation (June 2014) - including the Response to Representations received to the Revised Preferred Option

Appendix 2c Part Two- Response to Representations received to the Revised Preferred Option

Appendix 2d Part 1 – Proposed Submission Core Strategy Sustainability Appraisal: (May 2014); including Appendices

Appendix 2d Part 2 - Blackpool Council Response to the Proposed Submission Core Strategy Sustainability Appraisal (June 2014)

Appendix 2e – Proposed Submission Habitats Regulation Assessment (May 2014)

Appendix 2f - Housing Requirement Technical Paper (June 2014);

Appendix 2g - Employment Land Technical Paper (June 2014);

Appendix 2h – Infrastructure Delivery Plan (June 2014);

Appendix 2i– Equality Analysis (June 2014)

Appendix 2j – Draft Statement of Compliance with the Duty to Co-operate (May 2014)

All circulated under separate cover.

6.0 Legal considerations:

6.1 The Core Strategy when adopted will be the key strategic spatial document forming part of the Council's statutory Local Plan.

7.0 Human Resources considerations:

7.1 The Core Strategy is being resourced by staff within the Development Plans and Projects Team.

8.0 Equalities considerations:

8.1 An Equality Analysis has been prepared to ensure the Council meets the legal obligation of the Equality Act 2010, taking into account all relevant and appropriate equality considerations. This document is attached at Appendix 2i.

9.0 Financial considerations:

9.1 The work is being undertaken within existing budgetary provisions, including the independent Core Strategy examination by the Secretary of State during 2015.

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 Internal/ External Consultation undertaken:

11.1 Extensive consultation has taken place on the progression of the Core Strategy to

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date. Previous key consultations have involved the Issues and Options (2008); Preferred Option (2010) and Revised Preferred Option (2012) stages.

12.0 Background papers:

12.1 None

ONLY APPLICABLE FOR REPORTS WHICH WILL EVENTUALLY BE CONSIDERED BY THE EXECUTIVE/ CABINET MEMBER

13.0 Key decision information:

- 13.1 Is this a key decision? Yes
- 13.2 If so, Forward Plan reference number: 8/2014
- 13.3 If a key decision, is the decision required in less than five days? No
- 13.4 If **yes**, please describe the reason for urgency:

14.0 Call-in information:

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

TO BE COMPLETED BY THE HEAD OF DEMOCRATIC SERVICES

15.0 Scrutiny Committee Chairman (where appropriate):

Date informed: 6th June 2014 Date approved: N/A

16.0 Declarations of interest (if applicable):

16.1 None

17.0 Executive decision:

17.1 The Executive agreed as follows:

That the Executive recommends to Full Council:

(1) To approve the Proposed Submission Core Strategy (Appendix 2a Part to this report) including the evidence base listed in the plan; amendments to the Policies Map (Appendix 2a Part 1); Statement of Consultation (Appendix 2c Part 1) including the responses to the representations received to the Revised Preferred Option (May 2012); Sustainability Appraisal (Appendix 2d Part 1) and Habitats Regulation Assessment (Appendix 2e) for publication and subsequent submission to the Secretary of State;

(2); Should the person appointed to carry out the examination consider that the circumstances are as described in s20(7B) of the Planning and Compulsory Purchase Act 2004, to formally request that s/he recommend any necessary modifications to the Plan to make the Plan satisfy the appropriate requirements and sound, pursuant to section 20 (7C) of the 2004 Act;

(3) That the Head of Planning and Strategic Housing, after consultation with the Cabinet Member for Urban Regeneration, be given delegated authority to propose minor amendments to improve the clarity of the documentation referred to under recommendation (1) and which do not alter the substance of the document when submitting the Plan to the Secretary of State (these amendments will be highlighted) and during the Examination process;

(4) To approve the draft Statement of Compliance (Appendix 2j to this report) for consultation alongside publication of the Proposed Submission Core Strategy; that the

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Head of Planning and Strategic Housing, after consultation with the Cabinet Member for Urban Regeneration, be given delegated authority to make any amendments to the Statement of Compliance where necessary in response to representations received; and to publish the final version as an evidence base document to the Core Strategy;

(5) To agree that the Proposed Submission Core Strategy housing requirement figure (set out in Policy CS2) be used to calculate the five-year housing land supply pending adoption of the Core Strategy.

17.2 **Date of Decision:**

16th June 2014

18.0 **Reason(s) for decision:**

To progress the preparation of the statutory planning framework to support Blackpool's future regeneration and growth.

18.1 **Date Decision published:**

17th June 2014

19.0 **Executive Members in attendance:**

19.1 Councillors Blackburn, Collett, Cross, Jackson, Jones, Rowson and Wright

20.0 **Call-in:**

20.1

21.0 **Notes:**

21.1