

<b>Report to:</b>	<b>EXECUTIVE</b>
<b>Relevant Officer:</b>	Jane Saleh, Head of Planning Strategy
<b>Relevant Cabinet Member</b>	Councillor Mark Smith, Cabinet Member for Business, Enterprise and Job Creation
<b>Date of Meeting</b>	25 January 2021

## **BLACKPOOL LOCAL PLAN PART 2: SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PUBLICATION VERSION (Proposed Submission) (JANUARY 2021)**

### **1.0 Purpose of the report:**

- 1.1 The purpose of this report is to present to Executive the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies Publication Version (Proposed Submission) January 2021 (referred to from this point as Local Plan Part 2) and associated supporting documents including the Sustainability Appraisal (November 2020), Habitats Regulation Assessment Screening (November 2020) and the new Publication Policies Map (January 2021).
- 1.2 The Local Plan Part 2 is a key planning document, which provides further detail to the strategic policies set out in the Council’s Local Plan Part 1: Core Strategy (January 2016). The Local Plan Part 2 allocates sites for development, safeguarding or protection; and includes a suite of development management policies to appropriately guide development. The Local Plan Part 2 alongside the Core Strategy will be used to determine planning applications within the Borough. Once adopted Local Plan Part 2 replaces the remaining ‘Saved Policies’ in the Blackpool Local Plan (2001-2016) which was adopted in 2006.
- 1.3 If approved, representations will be invited on the Local Plan Part 2: Site Allocations and Development Management Policies Publication Version (Proposed Submission) January 2021 during a 6-week consultation period, after which the Local Plan Part 2 and supporting documents will be submitted to the Secretary of State for Examination.

## 2.0 Recommendation(s):

### 2.1 To recommend to the Council:

- (1) To approve the Publication Version of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies document (the Proposed Submission document) (**Appendix A to this report**) and accompanying evidence base documentation; Publication Policies Map (**Appendix B**); Consultation Statement including the responses to the representations received to the Informal Consultation Paper (January 2019) (**Appendix C**); Sustainability Appraisal (**Appendix D**) and Habitats Regulation Assessment Screening (**Appendix E**) and supporting documentation and give authority for its publication and subsequent submission to the Secretary of State.
- (2) That 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 soundness, pursuant to section 20 (7C) of the 2004 Act.
- (3) That the Head of Planning Strategy, after consultation with the Cabinet Member for Business, Enterprise and Job Creation, 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 Duty to Cooperate Statement of Common Ground (SoCG) (**Appendix F**), for consultation alongside publication of the Publication Version of the Local Plan Part 2; that the Head of Planning Strategy, after consultation with the Cabinet Member for Business, Enterprise and Job Creation, be given delegated authority to make any amendments to the Statement of Common Ground where necessary in response to representations received; and to publish the final version as an evidence base document to the Blackpool Local Plan Part 2.

### **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.

3.2 Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.3 Is the recommendation in accordance with the Council's approved budget? Yes

### **4.0 Other alternative options to be considered:**

4.1 The Local Plan has been produced in line with the consultation regulations.

### **5.0 Council priority:**

5.1 The relevant Council priority is both:

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

### **6.0 Background information**

6.1 The Blackpool Local Plan Part 2 (**Appendix A** to this report), along with Local Plan Part 1: [Core Strategy](#) [Pdf. 135.35MB] is a key document which forms part of the planning framework which will facilitate physical, economic and social change and which is seen by the Council and its partners as essential to Blackpool's future.

6.2 In developing the Local Plan Part 2 there are a number of stages that the Council has had to follow, each stage providing an opportunity for the community and other stakeholders to be involved in choosing the right planning policies for Blackpool.

6.3 The earlier stages of the Local Plan Part 2 preparation included:

- [Regulation 18 Scoping Document \(June 2017\)](#) [- This was the first consultation stage of the Local Plan Part 2 preparation process. The Local Planning Authority (LPA) sought views on what policies the document ought to contain to ensure the right planning policies for Blackpool are included in Local Plan Part 2. Representations received can be found in the Regulation 18 Schedule of Representations Report at [www.blackpool.gov.uk/localplanpart2](http://www.blackpool.gov.uk/localplanpart2) along with the

Local Planning Authority's response. These representations where appropriate informed the Informal Consultation Paper January 2019 (refer below).

At the same time as the Regulation 18 Scoping consultation the Local Planning Authority also undertook a Call for Sites requesting members of the public, developers and other stakeholders to fill in the Call for Sites Form on the Council's Website to make the Local Planning Authority aware of any brownfield or greenfield sites in Blackpool that may have development potential; or has special value such that it should be protected from certain types of development.

- [Local Plan Part 2 - Informal Consultation \(January 2019\)](#) [Pdf. 5.37MB] – Informed by the Regulation 18 consultation, the Local Planning Authority produced an informal consultation paper setting out draft Site Allocations and Development Management Policies to gain an early understanding of what the public and other interested stakeholders and statutory consultees thought of the initial site selections and policies. In preparing this paper regard was had to the revised National Planning Policy Framework (NPPF) published in July 2018. The National Planning Policy Framework sets out the Government's planning policies for England and how they are expect to be applied.

An overview of the representations received to the above consultations and the Council's proposed response is set out in the Council's Consultation Statement Report at [Appendix C](#).

#### 6.4 **Local Plan Part 2 – Publication Version (January 2021)**

The Publication Version of the **Local Plan Part 2** has been informed by the above Public Consultations and an updated evidence base that has been developed over a number of years; and subsequent updates to the National Planning Policy Framework (February 2019) and national guidance.

In developing the policy framework further evidence needed to be prepared to develop a detailed understanding of key issues and characteristics of Blackpool and to inform and justify the policies, proposals and site allocation in the Publication Version of the Plan. This additional evidence base includes the following pieces of work:

- Housing Topic Paper (Published January 2021) **Appendix G**
- Managing the Location of Hot Food Takeaways (December 2020) – **Appendix H**
- Indoor Sports Facilities Review (2020) – **Appendix I**

- Bettings Shops, Adult Gaming Centres and Pawnbrokers Topic Paper (October 2020) - **Appendix J**
- Green Infrastructure Topic Paper (December 2020) - **Appendix K**
- Space Standards and Accessible Homes Topic Paper (December 2020) **Appendix L**
- Retail Topic Paper (December 2020) **Appendix M**
- Gypsy, Traveller and Travelling Showpeople Topic Paper (November 2019) – **Appendix N**
- Employment Land Update (December 2020) - **Appendix O**
- Strategic Flood Risk Assessment Update (2020) **Appendix P**
- Blackpool Playing Pitch Strategy Update (2020) and updated Assessment Report **Appendix Q**
- Strategic Housing Land Availability Assessment (2019 Update) **Appendix R**
- [Blackpool Open Space Assessment \(November 2019\)](#)
- [Local Centres Assessment Review \(April 2019\)](#)
- [Local Green Belt Review Assessment \(November 2019\)](#)
- [Blackpool Retail, Leisure and Hotel Study \(June 2018\)](#)
- [Gypsy and Traveller Accommodation Assessment \(GTAA\) Update 2016](#)

In addition to the above a number of supporting documents to the Publication Version have informed its preparation. These include:

- A **viability assessment (Appendix S)** of the emerging site allocations and development management policies was undertaken in line with the requirements of NPPF, to ensure consideration was 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. Lambert Smith Hampton Consultants were commissioned in 2019 to undertake this assessment. The findings of the viability assessment has led to some amendments to the draft policies in the Publication Version document as highlighted under paragraph 6.5 of this report.
- An updated **Sustainability Appraisal (SA) (Appendix D)** undertaken by external consultants Arcadis. The Sustainability Appraisal is a legal requirement under the Planning and Compulsory Purchase Act 2004 and evaluates the likely social, economic and environmental effects of the site allocations and draft policies in Local Plan Part 2. The Sustainability Appraisal process has been continuous commencing with the production of a Sustainability Appraisal Scoping Document back in 2017 and including Sustainability Appraisal of the Informal Consultation Paper (January 2019). The Sustainability Appraisal has recommended the following

measures to the Council, which have been incorporated into the Local Plan Part 2 Publication Version:

- Ecological surveys of some sites may be appropriate prior to development being granted permission as the sites contain existing structures such as trees or hedgerow and could potentially be of a high biodiversity value. This has been included in the relevant site proformas.
  - Where development proposals incorporate green infrastructure (GI) elements, proposals should demonstrate how this green infrastructure would be comprised of a diverse range of native species (where feasible) and how it is connected to the green infrastructure and ecological network extending throughout the Borough and beyond into neighbouring authorities. This measure has been incorporated into Policy DM21: Landscaping.
  - Proposals should demonstrate that they will adopt best practice measures for sustainable soil management during the construction phase in order to avoid any unnecessary excavation, erosion, contamination, or compaction of soils and where possible, proposals should seek to enhance environmental conditions. This measure has been incorporated into Policy DM36: Controlling Pollution and Contamination.
  - Proposals should demonstrate that materials used for development are, wherever possible, re-used, recycled, re-usable and recyclable. This has been incorporated this into Policy DM17: Design Principles.
- Arcadis also undertook the **Habitats Regulation Assessment Screening (Appendix E)** which is required by law to ensure the protection of European Sites of Biological Importance in the region. The assessment did not require any amendments to the site allocations or policies in Local Plan Part 2.
- An **updated Infrastructure Delivery Plan (IDP) (Appendix T)** which identifies the infrastructure required to support the delivery of the Blackpool Local Plan
- An updated **Equality Analysis (Appendix U)** has also been prepared to ensure the Council meets the legal obligations of the Equality Act 2010, taking into account all relevant and appropriate equality considerations.

## 6.5 Publication Version Local Plan Part 2 - Summary of Key Changes

An overview of the changes to the policies and supporting text reflected in the Local Plan Part 2 Publication Version compared to the Informal Consultation Paper draft Plan January 2019 is set out in **Appendix V** to this report. The changes have been informed in part by the representations received to the informal consultation as well as the documentation referenced above. In addition some editorial changes have been made to provide additional clarity and avoid repetition. Key changes can be summarised as follows:

- The housing site allocations in Policy HSA1 have been updated setting out 29 sites, and reflecting the latest position as at 31 March 2019; and Table 1 the Housing Supply Summary has also been updated as at 31 March 2019.
- The proposal to allocate land at the Tram Depot Rigby Road. for housing has been removed due to uncertainty around the need for the site in relation to the tramway operations.
- A mixed use site including a discount food retail store and multi-storey car park has been identified in Blackpool Town Centre in response to the findings of the updated Retail, Leisure and Hotel Study (2018) and the Strategic Parking Review (Aecom 2016), Policy MUSA1 (PV) refers.
- The proposed allocation of land off Faraday Way for a Traveller site and Travelling Showperson site has been removed as the outstanding need for these sites identified in the 2016 Gypsy Traveller and Travelling Showpeople Accommodation Assessment (GTAA) has now been met through planning permissions.
- An area of Land at Faraday Way between the urban area and the Green Belt is identified as 'Safeguarded Land' for future development (Policy SLA1 (PV) refers). This change is in response to the proposed amendment to the local Green Belt boundary at Faraday Way to follow natural field boundaries. Due to Blackpool's highly constrained nature there may be a need to allocate this land, which is no longer designated as green belt, for future development needs. Therefore this land is safeguarded until a review of the Blackpool Local Plan is carried out.

- Amendments to the design requirements for new build housing development informed by the recommendations of the Economic Viability Assessment (paragraph 2.16 to 2.17 Appendix V).
- New Policy DM2: Residential Annexes emerging from former ICP Policy DM1 criteria 3, to strengthen the policy requirement to resist inappropriate residential development in gardens.
- New Policy DM17: Design Principles and Policy DM19: Strategic Views emerging from former ICP policy DM18: Tall Building and Strategic Views in response to comments received from Historic England and for the need to have a more comprehensive design policy for all developments.
- New policy DM18: High Speed Broadband for New Development introduced in response to the Council's ICT/Digital Strategy 2017-2022 and mission for the Council's ICT Services to 'make Blackpool digital'.
- New Policy DM29: Stanley Park included in response to a representation received from Heritage England. The policy provides criteria for proposals within or affecting the setting of Stanley Park which is a Grade II\* Listed Park to ensure that proposals will sustain and where appropriate enhance the park's significance.
- New Policy DM31: Surface Water Management included in response to representations received from United Utilities and the Environment Agency. DM31 provides further detail to Core Strategy Policy CS9 Water Management on the most sustainable disposal methods for surface water from development and aligns with the priority set out in national guidance.
- ICP Policy DM35: Open space meeting community and recreational needs has been deleted to ensure the Local Plan Part 2 more closely aligns with NPPF (paragraph 2.54 of Appendix V refers).



## 6.6 Local Plan Part 2 Publication Version (Proposed Submission) – Consultation

The Council as Local Planning Authority is now in a position to submit the Local Plan Part 2 and supporting documentation to the Secretary of State for Housing 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 Local Plan Part 2 and invite formal representations over a minimum consultation period of 6 weeks in line with the Government Regulations (19 and 20)<sup>1</sup>.

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 Local Plan Part 2. The representations will be considered by an independently appointed planning inspector (appointed by Government) who undertakes the Examination into the Local Plan Part 2 and supporting documents.

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 Publication version 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.

---

<sup>1</sup> Town and Country Planning (Local Planning) (England) Regulations 2012

## 6.7 Duty to Cooperate

The Council has a Duty to Co-Operate on strategic planning issues that cross into neighbouring areas introduced by the Localism Act 2011. It places a legal duty on local planning authorities and County Councils in England and prescribed public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of local plan and marine plan preparation in the context of strategic cross boundary issues relevant to the area.

Paragraph 27 of the National Planning Policy Framework requires the production of a Statement(s) of Common Ground (SoCG) documenting the cross boundary matters being addressed and the progress in cooperating to address these matters and to be made publically available throughout the plan making process. Blackpool's SoCG can be found at **Appendix F** to this report setting out how Blackpool Council has met this legal requirement. The Statement(s) of Common Ground will be published alongside the Publication Version of the Local Plan Part 2 for consultation inviting comments. The Statement will accompany the Local Plan Part 2 at Submission.

## 6.8 Next steps

For Members' information, set out below in summary are the remaining key stages of the preparation of the Local Plan Part 2 through to adoption along with estimated timescales.

<b>TASK</b>	<b>TIMESCALE</b>
<b>Executive and Council approval of the Local Plan Part 2 – Publication Version including supporting documentation for Consultation</b>	<b>January 2021</b>
<b>6 weeks consultation (Regulation 19 and 20)<sup>2</sup></b>	<b>February/March 2021</b>
<b>Review of representations received to Publication stage consultation; prepare responses to representations and prepare for submission</b>	<b>March/April/May 2021</b>
<b>Submission of Local Plan Part 2 and supporting evidence to the Secretary of State (Regulation 21 and 22)</b>	<b>May 2021</b>

---

<sup>2</sup> Town and Country Planning (Local Planning) (England) Regulations 2012

<b>Examination of the Local Plan Part 2 by the Planning Inspectorate (Regulation 23 and 24)</b>	<b>August 2021</b>
<b>Inspector's Report (Regulation 5 )</b>	<b>October 2021</b>
<b>Adoption by Full Council (Regulation 26)</b>	<b>December 2021</b>

6.9 Does the information submitted include any exempt information? No

## 7.0 List of Appendices:

Appendix A	Blackpool Local Plan Part 2: Site Allocations and Development Management Policies – Publication Version (January 2021)
Appendix B	Publication Policies Map (January 2021)
Appendix C	Blackpool Local Plan Part 2 - Consultation Statement (January 2021)
Appendix D	Blackpool Local Plan Part 2 - Sustainability Appraisal (November 2020)
Appendix E	Blackpool Local Plan Part 2 - Habitats Regulation Assessment Screening (November 2020)
Appendix F	Duty to Cooperate – Statement of Common Ground (January 2021)
Appendix G	Housing Topic Paper (Published January 2021)
Appendix H	Managing the Location of Hot Food Takeaways (December 2020)
Appendix I	Indoor Sports Facilities Review (2020)
Appendix J	Bettings Shops, Adult Gaming Centres and Pawnbrokers Topic Paper (October 2020)
Appendix K	Green Infrastructure Topic Paper (December 2020)
Appendix L	Space Standards and Accessible Homes Topic Paper (December 2020)
Appendix M	Retail Topic Paper (December 2020)
Appendix N	Gypsy, Traveller and Travelling Showpeople Topic Paper (November 2019)
Appendix O	Employment Land Update (December 2020)
Appendix P	Strategic Flood Risk Assessment Update (2020)
Appendix Q (i) (ii)	Blackpool Playing Pitch Strategy Update (December 2020) and Updated Assessment Report (July 2019)
Appendix R	Strategic Housing Land Availability Assessment (2019 Update)
Appendix S	Blackpool Local Plan Part 2 – Viability Assessment (July 2020)

Appendix T	Infrastructure Delivery Plan Update (December 2020)
Appendix U	Equality Analysis (December 2020)
Appendix V	Overview of Key Changes (December 2020)

(these documents have been circulated to members under separate cover)

## **8.0 Financial considerations**

8.1 The work is being undertaken within existing budgetary provisions, including the independent examination by the Secretary of State during 2021.

## **9.0 Legal considerations:**

9.1 Legal implications are contained within the report.

## **10.0 Risk Management considerations:**

10.1 The Local Plan Part 2 is a key planning document, which supports the strategic policies in the Core Strategy (adopted January 2016) and forms part of 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. There is an imperative to progress the Local Plan Part 2 through to adoption 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 Equalities considerations:**

11.1 An updated Equality Analysis attached at Appendix U 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.

## **12.0 Sustainability, climate change and environmental considerations:**

12.1 The Council is committed to achieving climate change targets by 2030. Included at Appendix D is a Sustainability Appraisal and at Appendix K a Green Infrastructure discussion paper.

**13.0 Internal/external consultation undertaken:**

13.1 Consultation has been undertaken in accordance with the planning regulations and the Council's Statement of Community Involvement.

**14.0 Background papers:**

14.1 None.

**15.0 Key decision information:**

15.1 Is this a key decision? Yes

15.2 If so, Forward Plan reference number: 9/2020

15.3 If a key decision, is the decision required in less than five days? No

15.4 If **yes**, please describe the reason for urgency:

**16.0 Call-in information:**

16.1 Are there any grounds for urgency, which would cause this decision to be exempt from the call-in process? No

16.2 If **yes**, please give reason:

**TO BE COMPLETED BY THE HEAD OF DEMOCRATIC GOVERNANCE**

**17.0 Scrutiny Committee Chairman (where appropriate):**

Date informed: 15 January 2021 Date approved:

**18.0 Declarations of interest (if applicable):**

18.1

**19.0 Executive decision:**

19.1

**20.0 Date of Decision:**

20.1

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

21.1

**22.0 Date Decision published:**

22.1

**23.0 Executive Members in attendance:**

23.1

**24.0 Call-in:**

24.1

**25.0 Notes:**

25.1