

Officer Non Key Executive Decision

Relevant Chief Officer (Decision Maker):	Jane Saleh – Head of Planning Strategy
Relevant Cabinet Member (for consultation purposes):	Cabinet Member for Business, Enterprise and Job Creation
Report Author (Officer name and title):	Helen Del Piano – Principal Planner - Planning Strategy Team
Implementation Date of Decision:	14 th June 2021

BLACKPOOL LOCAL PLAN PART 2: SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES

UPDATE ON REPRESENTATIONS RECEIVED FOLLOWING PROPOSED SUBMISSION CONSULTATION ON THE LOCAL PLAN PART 2 AND SUPPORTING DOCUMENTS AND PROPOSED MINOR CHANGES TO ACCOMPANY SUBMISSION (APPENDIX A AND B REFERS)

1.0 Purpose of the report:

1.1 To inform the Head of Planning Strategy in consultation with the Cabinet Member for Business, Enterprise and Job Creation on the representations received following Regulation 19 consultation on the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies (Publication Version) and supporting documents (**Appendix A refers**); and to agree the proposed minor modifications, for the consideration of the Planning Inspector (**Appendix B refers**), to accompany the Submission.

2.0 Recommendation(s):

2.1 That the Head of Planning Strategy in consultation with the Cabinet Member for Business, Enterprise and Job Creation notes the main issues that have been raised as part of the consultation as set out in **Appendix A** and endorses:

- (i) the minor modifications to the Local Plan Part 2 – Site Allocations and

Development Management Policies as set out in **Appendix B**, to accompany the Submission of the Local Plan Part 2; and

- (ii) minor amendments to the Duty to Co-operate – Statement of Common Ground (**Appendix C refers**); and
- (iii) minor amendments to the Infrastructure and Delivery Plan, the Sustainability Appraisal (SA) and Habitats Regulation Assessment (HRA) (**Appendix A refers**).

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? No

3.2b Is the recommendation in accordance with the Council’s approved budget? Yes

3.3 Other alternative options to be considered:

Previous consultation was undertaken in 2017 and 2019 to consider the appropriate sites allocations and development management policies to be included in the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies document.

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 At its meeting of 10 February 2021, Council recommended that the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies Publication Version (Proposed Submission) Regulation 19 and supporting documents be approved for publication consultation and the submission thereafter to the Secretary of State for Housing, Communities and Local Government.

- 5.2 Following Full Council's approval, consultation on the Local Plan Part 2 took place over a 6 week period from 19 February to 2 April 2021.
- 5.3 Comments at this stage of the plan preparation process should only be made in relation to the issues related to the **Duty to Co-operate, legal and procedural compliance and soundness**, which will be considered by the appointed Inspector, whose role is to assess whether the Local Plan Part 2 has been prepared in accordance with the Duty to Co-operate, meets the legal and procedural requirements and is a sound planning document.
- 5.4 The Council has a **Duty to Co-operate** on strategic planning issues that cross into neighbouring areas. This includes working collaboratively with neighbouring councils and other public bodies, including the Marine Management Organisation and Local Enterprise Partnerships, to ensure that strategic priorities across local boundaries are properly co-ordinated and reflected in the Local Plan Part 2 as appropriate.
- 5.5 **Legal and procedural compliance** means that Local plans and spatial development strategies are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. Plans are 'sound' if they are:
- Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
 - Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
 - Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
 - Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework.
- 5.6 These tests of soundness are also applied to non-strategic policies in a proportionate way, taking into account the extent to which they are consistent with relevant strategic policies for the area.
- 5.7 Comments relating to the way the Council has prepared the Blackpool Local Plan Part 2 are likely to be a matter of legal and procedural compliance. Comments relating to the actual content of the Local Plan are likely to be concerned with the soundness of

the Plan.

Representations Received

- 5.8 Around 1200 bodies, groups and individuals on the Local Plan consultation database were notified by letter or email and were invited to submit representations. This included specific and general consultation bodies as set out in the Regulations and individuals/organisations who had previously responded to earlier Local Plan consultation stages.
- 5.9 In response to the consultation, 25 representations have been received from a range of consultees including statutory bodies, special interest groups, developers, agents and other individuals including residents and local businesses.
- 5.10 These responses have raised around 85 issues on different aspects of the Local Plan Part 2 and supporting documents.
- 5.11 **Appendix A** sets out summary tables which lists those individuals and organisations that submitted responses to the consultation (Regulation 20) and summarises the representations together with the Council's response. It is considered that none of the comments raise any substantial issues but some representations have resulted in suggested minor modifications, which are set out in **Appendix B**.

Duty to Co-operate – Statement of Compliance

- 5.12 Paragraph 24 of the NPPF (February 2019) states that local planning authorities (LPAs) and county councils (in two-tier areas) are under a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries.
- 5.13 LPAs' are required to collaborate to identify the relevant strategic matters which they need to address in their plans. Effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy.
- 5.14 In order to demonstrate effective and on-going joint working, strategic policymaking authorities have to prepare and maintain one or more statements of common ground, (SoCG) documenting the cross-boundary matters being addressed.
- 5.15 A draft Duty to Cooperate SoCG setting out how Blackpool has met this legal requirement was also consulted upon at the same time as the Local Plan Part 2 (Proposed Submission) document. Correspondence was sent out inviting comments to those bodies and local planning authorities that have been involved with co-operating over cross boundary issues.

- 5.16 In all, five responses were received to the draft SoCG from the Environment Agency, Historic England, Natural England, Highways England and Fylde Borough Council. Their comments and the Council's response are set out in **Appendix C(i)**. The final Statement of Compliance (**Appendix C(ii) refers**) will accompany the Local Plan Part 2 at Submission.

Supporting Documents

- 5.17 In addition, minor amendments have been made to the Infrastructure Delivery Plan, the SA and the HRA in response to the representation received from Highways England, Historic England, Natural England and the Environment Agency. Their comments and the Council's response are set out in **Appendix A**.

The Next Stage

- 5.18 Subject to the Head of Planning Strategy, in consultation with the Cabinet Member for Business, Enterprise and Job Creation, noting the representations and agreeing the suggested minor modification to the Proposed Submission Local Plan Part 2 and supporting documents, it is the intention to submit the Local Plan Part 2 with the minor modifications, supporting documents and evidence base to the Secretary of State on 18th June 2021 for independent examination by an appointed Planning Inspector. The Examination is likely to take place in late Summer 2021.

- 5.19 Does the information submitted include any exempt information? No

List of Appendices:

Appendix A – Schedule of Representations to the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies Publication Version (Proposed Submission) and supporting documentation

Appendix B – Schedule of Proposed Minor Modifications to the Blackpool Local Plan Part 2 – Site Allocations and Development Management Policies – May 2021

Appendix C (i) and (ii)– Summary of Representations received to the Duty to Co-operate – Statement of Common Ground and the final Statement of Common Ground

6.0 Legal considerations:

6.1 The Blackpool Local Plan Part 2: Site Allocations and Development Management Policies document when adopted will form part of the Council's statutory Local Plan and will replace the saved policies contained in the Blackpool Local Plan 2001-2016 adopted in 2006.

7.0 Human Resources considerations:

7.1 The Blackpool Local Plan Part 2 is being resourced by staff within the Planning Strategy Team.

8.0 Equalities considerations:

8.1 An Equality Analysis was undertaken for the Blackpool Local Plan Part 2 to ensure the document takes account of all the relevant and appropriate equality considerations

9.0 Financial considerations:

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

10.0 Risk management considerations:

10.1 The Blackpool Local Plan Part 2 is a key document which forms part of the statutory local plan alongside the Blackpool Local Plan Part 1: Core Strategy 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; and to ensure there is 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 N/A

12.0 Internal/ External Consultation undertaken:

12.1 Consultation in line with the regulations has been undertaken in progressing the

Blackpool Local Plan Part 2 to date. Previous key consultations have involved the Regulation 18 consultation (June/July 2017); Draft Local Plan Part 2 - Informal Consultation Document (January/February 2019); and Regulation 19 consultation Proposed Submission document (February/April) 2021stages.

13.0 Decision of Chief Officer

13.1 That the Head of Planning Strategy following consultation with the Cabinet Member Business, Enterprise and Job Creation notes the main issues that have been raised as part of the consultation as set out in **Appendix A** and endorses:

- (i) the minor modifications to the Blackpool Local Plan Part 2 – Site Allocations and Development Management Policies as set out in **Appendix B** to accompany the Submission of the Core Strategy;
- (ii) the minor amendments to the Duty to Co-operate – Statement of Compliance as set out in **Appendix C**;
- (iii) the minor amendments to the Infrastructure and Delivery Plan, Sustainability Appraisal and Habitats Regulation Assessment as set out in **Appendix A**.

14.0 Reasons for the Decision of the Officer

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