

# **WIRRAL COUNCIL**

## **DELEGATED DECISION**

<b>SUBJECT:</b>	<b>LOCAL DEVELOPMENT FRAMEWORK FOR WIRRAL – MONITORING REPORT 2013/14</b>
<b>WARD/S AFFECTED:</b>	<b>ALL</b>
<b>REPORT OF:</b>	<b>STRATEGIC DIRECTOR REGENERATION AND ENVIRONMENT</b>
<b>RESPONSIBLE PORTFOLIO HOLDER:</b>	<b>COUNCILLOR PAT HACKETT, ECONOMY</b>
<b>KEY DECISION?</b>	<b>YES</b>

### **1.0 EXECUTIVE SUMMARY**

- 1.1 This report seeks approval for the publication of the Council's statutory Monitoring Report, which reports on the impact of land use planning policies and the preparation of local plans and other planning documents during 2013/14. Copies of the Monitoring Report must be made available for public inspection on the Council's website by the end of December 2014.
- 1.2 The report also recommends that Council is recommended to approve the revisions to the future timetable for the preparation of the Core Strategy Local Plan, set out in the revised Local Development Scheme attached to this report.

### **2.0 BACKGROUND AND KEY ISSUES**

- 2.1 Section 35 of the Planning and Compulsory Purchase Act 2004 requires the Council to make a statutory report on the progress made in the preparation of Local Development Documents and on the extent to which the policies set out in existing Local Development Documents are being achieved.
- 2.2 Section 113 of the Localism Act 2011 amended this requirement such that local planning authorities must now publish this information direct to the public at least yearly in the interests of transparency. The local planning authority is no longer required to send the report to the Secretary of State but the Secretary of State retains powers to make regulations prescribing the timing, content and form of reports.
- 2.3 Previous Monitoring Reports have been published on the Council's website at <http://www.wirral.gov.uk/my-services/environment-and-planning/planning/local-development-framework/annual-monitoring-reports>
- 2.4 The Council must report to the public at least annually with each report covering a period of up to twelve months from the end of the period covered by the last monitoring report. The Council's last Monitoring Report was published in December 2013.
- 2.5 National regulations require the Council to make reports on:
  - the approval or adoption of local plans and supplementary planning documents;
  - the stage that each local plan or supplementary planning document has reached against the timetable specified for document preparation in the Council's Local Development Scheme and the reasons for any delay;

- the delivery of net additional dwellings or net affordable dwellings against any number specified in a local plan within each reporting period and since the policy was first published, adopted or approved;
  - any adopted local plan policy that the Council is not implementing, alongside the reasons for not implementing it and the steps (if any) that the Council intend to take to secure that the policy is implemented;
  - the making of any neighbourhood development orders or neighbourhood development plans;
  - the collection and expenditure of any Community Infrastructure Levy, in the manner set out in the Community Infrastructure Regulations; and
  - details of the action taken to co-operate with other local planning authorities and prescribed bodies on strategic matters to secure the sustainable development or use of land.
- 2.6 Up-to-date information collected for monitoring purposes must be made available for public inspection at the local planning authority's principal office (and at any other such places as the local planning authority consider appropriate) and published on the local planning authority's website, as soon as possible after the information becomes available.
- 2.7 The Government's Open Data policy for local government recommends that data (unless private or sensitive) is made available on-line in open and machine-readable formats so that it can be easily re-used by residents, businesses and other interested parties.
- 2.8 Council on 13 February 2013 (Minute 108) resolved that the Portfolio Holder be given authority to approve the publication of future monitoring information on the Council's website, in line with the requirements of relevant national regulations.

### **3.0 MONITORING REPORT FOR 2013/14**

- 3.1 The draft Monitoring Report for Wirral for 2013/14, which has been prepared in line with previous formats, is attached to this report.
- 3.2 This year's Monitoring Report is accompanied by a separate report setting out the monitoring undertaken for the Joint Waste Local Plan for Merseyside and Halton and by the documents associated with latest revision to the Council's Strategic Housing Land Availability Assessment, which national guidance also expects to be made publicly available in an accessible format.
- 3.3 A summary of the main findings is set out below:

#### **Progress on Policy Delivery**

- 3.4 The national recession continues to have a noticeable impact.
- 3.5 Although gross housing completions decreased from 640 to 500 during 2013/14, net performance increased from 252 to 302 as the number of demolitions fell from 355 to 181. The number of demolitions is expected to further reduce as existing targeted programmes come to a close.
- 3.6 The capacity of land with planning permission for new housing, outside Wirral Waters (which has outline consent for 13,521 new dwellings) decreased to 1,933 dwellings in April 2014.

- 3.7 While site works have begun for the construction of a new College Campus at Tower Quays, the programme for future housing development at Wirral Waters is still uncertain.
- 3.8 In the absence of the requirement for new dwellings set out in the former Regional Spatial Strategy and pending the completion of the Council's Strategic Housing Market Assessment, the Council's housing land supply has been assessed against the most recent 2008-based and 2011-based national household projections, the latest revisions to the Strategic Housing Land Availability Assessment and the initial findings from the ongoing Core Strategy and Community Infrastructure Levy Economic Viability Study.
- 3.9 The analysis shows a supply of between 4.6 and 4.0 years at April 2014 or between 7.0 and 6.1 years, including a 20% buffer in line with paragraph 47 of the National Planning Policy Framework, excluding the additional capacity at Wirral Waters.
- 3.10 The most up-to-date national household projections for 2012, originally expected to be published in November 2014, are now expected to be published towards the turn of the year. It is therefore recommended that revised calculations are published on the Council's website, as an Addendum to the Monitoring Report, as soon as the 2012-based projections are made available.
- 3.11 This analysis will need to be re-assessed following the completion of the latest Strategic Housing Market Assessment, which is now expected to report towards the middle of 2015 (section 7 below refers).
- 3.12 While indicators for business numbers and key benefits claimants have continued to recover, very little new commercial development took place during 2013/14 and there was a net loss of employment floorspace, to demolition and other uses.
- 3.13 The amount of new retail and leisure floorspace has also significantly reduced, with the only major completions being the extension to the Lidl in Rock Ferry and the conversion of the former bingo hall in Moreton to a gym and fitness centre, which led to no overall increase in leisure floorspace.
- 3.14 The Monitoring Report for the first nine months of the Joint Waste Local Plan shows that the City Region is already progressing towards self-sufficiency, with five new consents delivering new capacity, the majority of which will recycle or recover value from commercial and industrial wastes, none of which were located in Wirral.

### **Progress on Plan Preparation**

- 3.15 The Joint Waste Local Plan for Merseyside and Halton, was adopted by Council resolution on 15 July 2013 (Minute 7 refers) and came into force on 18 July 2013.
- 3.16 Progress on the Core Strategy Local Plan was last formally reported as part of a Delegated Decision published on 20 June 2013.
- 3.17 An initial series of proposed modifications to the Proposed Submission Draft Core Strategy were made available for public comment between 24 July and 13 September 2013.
- 3.18 A further series of proposed modifications, to policies for Gypsies and Travellers and to policies for Town Centres, were approved for consultation in a Delegated Decision published on 25 November 2014.

- 3.19 Given the latest progress on the Core Strategy, it is now appropriate to revise the timetable contained within the Council's Local Development Scheme, which has now been used as the basis for the information within the AMR (see section 7 below).
- 3.20 No other Local Plans are scheduled for preparation until the Core Strategy has been adopted.
- 3.21 The Council has now designated three local neighbourhood planning forums, at Devonshire Park, at Hoylake and at Leasowe, who are now preparing their own planning proposals for their respective designated areas.
- 3.22 The Devonshire Park Neighbourhood Planning Forum submitted their proposed Neighbourhood Plan to the Council in November 2014, following public consultation in May 2013.
- 3.23 A revised Statement of Community Involvement was adopted by Council resolution on 10 March 2014 (Minute 90 refers), following public consultation during July and September 2013.

#### **4.0 RELEVANT RISKS**

- 4.1 Failure to report at least annually and to provide for the ongoing collection, analysis and publication of monitoring information would place the Council in breach of a statutory duty.
- 4.2 The Open Government Licence provides for the data to be provided as is and offers no warranty against any errors or omissions or against any loss, injury or damage of any kind caused by its use.
- 4.3 No data which could identify any individual will be published in contravention of the Data Protection Act 1998.
- 4.4 The findings of the Monitoring Report are used as evidence in future decisions on planning applications and to inform the content of the emerging Core Strategy Local Plan.

#### **5.0 OTHER OPTIONS CONSIDERED**

- 5.1 National regulations require the publication of monitoring information as soon as possible after the information becomes available.
- 5.2 Not providing data in open, machine-readable format would be contrary to the recommendations set out in the Government's 'Code of Recommended Practice for Local Authorities on Data Transparency' (DCLG, September 2011).

#### **6.0 CONSULTATION**

- 6.1 There is no requirement for public consultation on the content of monitoring reports, which are a factual statement of progress during the previous monitoring year. Copies of annual monitoring information must, however, be made available for public inspection at a principal office and on the Council's website.
- 6.2 The scope of future monitoring, in addition to any statutory requirements, is subject to public consultation as part of the preparation of statutory local plans, such as the

Council's Core Strategy, which must include a series of indicators for monitoring the delivery and effectiveness of local plan policies.

- 6.3 Consultation on the draft Monitoring Plan to accompany the publication of a Revised Proposed Submission Draft Core Strategy is expected to take place towards the middle of 2015.
- 6.4 The methodology for the preparation of the accompanying Strategic Housing Land Availability Assessment was made subject to public consultation for six weeks between 6 January and 21 February 2014.
- 6.5 There is no requirement to consult on the contents of the Council's Local Development Scheme.

## **7.0 OUTSTANDING PREVIOUSLY APPROVED ACTIONS**

- 7.1 The Delegated Decision published on 20 June 2013 reported on the items that still needed to be resolved before the Core Strategy Local Plan could be recommended for approval and submission to the Secretary of State for public examination, including the completion of:
  - a sub-regional assessment of the accommodation needs of gypsies and travellers;
  - a Core Strategy and Community Infrastructure Levy Economic Viability Study
  - a review of the floorspace guidelines with existing centres and thresholds for local centre impact assessments set out in Policy CS25 – Hierarchy of Retail Centres and Policy CS28 – Retail Impact Assessments; and
  - an up-to-date assessment of future housing needs, to replace the housing requirement previously contained within the Regional Spatial Strategy.
- 7.2 The Merseyside and West Lancashire Gypsy and Traveller Accommodation Assessment was reported to Cabinet on 11 September 2014 (Minute 51 refers).
- 7.3 Recommended revisions to the floorspace guidelines and impact thresholds and the associated policies for town centres, were approved in the Delegated Decision published on 25 November 2014.
- 7.4 The implications of the initial baseline findings of the Core Strategy and Community Infrastructure Levy Economic Viability Study will be reported to Cabinet in January 2015. The final version will need to rely on the findings of the revised Strategic Housing Market Assessment, which is expected to be reported towards the middle of 2015.
- 7.5 The completion of the revised Strategic Housing Market Assessment, which has been extended to take account of the latest national household projections to be published in November 2014, is expected to be reported towards the middle of 2015.
- 7.6 A recommended review of the Council's Local Development Scheme, setting out the proposed revised timetable for the final stages of the preparation of the Core Strategy Local Plan, is attached as an Appendix to this report.

## **8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

8.1 There are no implications for voluntary, community and/or faith groups, other than the provision of more accessible public information.

## **9.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

9.1 There are no financial, IT, staffing or asset implications arising from this report, beyond the need to make continued provision for statutory monitoring and data storage.

9.2 The publication of data in a machine readable format on the Council's website will not incur any additional costs.

9.3 Annual monitoring, analysis and reporting and the preparation of the Council's Strategic Housing Land Availability Assessment has been undertaken using existing resources within the Forward Planning Section of Regeneration and Planning.

9.4 Monitoring the Joint Waste Local Plan for Merseyside and Halton has been funded as part of the shared service provided by the Merseyside Environmental Advisory Service at Sefton Council.

9.5 The continued preparation of the Core Strategy Local Plan will be undertaken using existing resources for Regeneration and the Environment.

## **10.0 LEGAL IMPLICATIONS**

10.1 The publication of monitoring information at least annually is a statutory requirement under the Section 35 of the Planning and Compulsory Purchase Act 2004 (as amended).

10.2 The findings of the Monitoring Report can be a material consideration in future development management decisions.

10.3 The Council must make any up-to-date information collected for monitoring purposes available to the public as soon as possible after the information becomes available.

10.4 The Community Infrastructure Regulations 2010 also require the Council to publish a report on its website no later than 31 December following the end of the reported year.

10.5 The Open Government Licence provides for the Council's right to be identified as the source of the data and for the Council to be protected from any liabilities arising from its use.

10.6 Section 15 of the Planning and Compulsory Purchase Act 2004 requires the Council to prepare and maintain a Local Development Scheme, to set out the timetable for the preparation of development plan documents such as Local Plans. The Secretary of State has the power to direct amendments to the Scheme to ensure effective coverage of the area.

10.7 The revised Local Development Scheme must be approved by a resolution of Full Council specifying the date from which the Scheme is to have effect and the Council must make the Scheme and any more up-to-date information on the timetable available to the public, as soon as it becomes available.

## **11.0 EQUALITIES IMPLICATIONS**

- 11.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?
- (a) Yes and impact review is attached at –  
<https://www.wirral.gov.uk/my-services/community-and-living/equality-diversity-cohesion/equality-impact-assessments/eias-april-2014/eias-regeneration-envir>
- 11.2 Although the Monitoring Report and its accompanying document and data tables includes information on indicators related to population, housing, economic activity and social conditions it does not in itself have any equalities implications other than providing an additional source of accessible up-to-date public information.
- 11.3 The adoption of a revised Local Development Scheme, which only sets out the timetable for the preparation of the Local Plan, will not have any equalities implications.

## **12.0 CARBON REDUCTION AND ENVIRONMENTAL IMPLICATIONS**

- 12.1 The Monitoring Report includes information on indicators relating to development rates, travel, environmental quality, energy, minerals and waste management but does not in itself have any carbon reduction implications.
- 12.2 The approval of a revised Local Development Scheme will have no direct implications for carbon reduction.

## **13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

- 13.1 The Monitoring Report includes information on recorded outcomes arising from the application of national and local planning policies and from local planning decisions in Wirral.
- 13.2 The findings of the Monitoring Report can be a material consideration in future development management decisions.
- 13.3 The Monitoring Report and the adoption of a revised Local Development Scheme will not have any community safety implications.

## **14.0 RECOMMENDATIONS**

- 14.1 That the Monitoring Report for 2013/14 and its accompanying background documents and data tables are approved and made available for public inspection and published on the Council's website.
- 14.2 That revised calculations are published on the Council's website, as an Addendum to the Monitoring Report, with the approval of the Portfolio Holder, as soon as the national 2012-based household projections are made available.
- 14.3 That Council is recommended to approve the adoption of the revised Local Development Scheme attached to this report and to resolve that the revised Scheme will come into effect on the day following the date that the Council resolution is passed.

## **15.0 REASON/S FOR RECOMMENDATION/S**

- 15.1 To enable the Council to meet the statutory requirements of the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012 (SI 2012, No. 767).

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## **APPENDICES**

Draft Monitoring Report 2013/14

Wirral Committed Residential Sites April 2014

Wirral Housing Completions 2013/14

Wirral Additional Housing Completions April 2013

Wirral Employment Land April 2014

Wirral Business Completions 2013/14

Wirral Business Losses 2013/14

Wirral Retail Completions 2013/14

Joint Waste Local Plan Monitoring Report 2014

Strategic Housing Land Availability Assessment 2014 and Appendices

Draft Local Development Scheme December 2014

## **REFERENCE MATERIAL**

[Planning and Compulsory Purchase Act 2004](#) (Section 35 and Section 15 refers)

[Localism Act 2011](#) (Section 113 refers)

[Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#) (Regulation 34)

[Community Infrastructure Regulations 2010](#) (Regulation 62 refers)

National Archives [Open Government Licence](#) for public sector information

[Code of Recommended Practice for Local Authorities on Data Transparency](#) (DCLG, September 2011)

[National Planning Policy Framework](#) (DCLG, March 2012)

## **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
Cabinet – Annual Monitoring Report 2010 (Minute 229)	25 November 2010
Cabinet – Annual Monitoring Report 2011 (Minute 244)	8 December 2011
Cabinet – Annual Monitoring Report 2012 (Minute 156)	20 December 2012
Council – Local Development Framework – Annual Monitoring Reports (Minute 108)	11 February 2013
Delegated – Annual Monitoring Report 2013	23 December 2013