

<p>COUNCILLOR GEORGE DAVIES</p> <p>CABINET MEMBER FOR HOUSING AND COMMUNITY SAFETY AND DEPUTY LEADER OF THE COUNCIL</p>	<p>DELEGATED REPORT</p> <p>CHESHIRE WEST AND CHESTER COUNCIL LOCAL PLAN (PART TWO) - LAND ALLOCATIONS AND DETAILED POLICIES – CONSULTATION RESPONSE</p>
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REPORT SUMMARY

Cheshire West and Chester Council has published Part Two of the Local Plan that it intends to submit for public examination. This is the last opportunity for Wirral Council to comment on the soundness and legal compliance of the Plan before it is considered by an independent Planning Inspector appointed by the Secretary of State prior to formal adoption. The deadline for comments to be received is 5pm on 29 January 2018.

The Local Plan (Part Two) provides detailed policies and land allocations for Cheshire West and Chester which support the strategic objectives and policies set out in the Local Plan (Part One) for the period to 2030, which was adopted on 29 January 2015.

Wirral Council has a legal duty to co-operate with Cheshire West and Chester Council on the development of statutory land use planning policies where it relates to a strategic cross-boundary matter.

This report sets out the background to the Cheshire West and Chester Council Local Plan (Part Two) and proposes a series of recommended responses to policies which are considered to be relevant to Wirral. Overall it is considered that there are no significant implications for Wirral arising from the Local Plan (Part Two).

RECOMMENDATION

That the responses recommended in section 3.0 of this report are approved to be submitted as Wirral Council's formal response to the Cheshire West and Chester Council Local Plan (Part Two) Land Allocations and Detailed Policies Publication Draft.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 To ensure that Wirral Council's views on the Local Plan (Part Two) are formally submitted to Cheshire West and Chester Council, in accordance with the Council's legal duty to co-operate on the development of statutory land use planning policies where it relates to a strategic cross-boundary matter.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 The only alternative option is to not submit any representations, which would not allow the Council to demonstrate that it has fulfilled its legal duty to co-operate on strategic cross boundary matters.

3.0 BACKGROUND INFORMATION

- 3.1 Cheshire West and Chester Council has published its Local Plan (Part Two) Land Allocations and Detailed Policies Publication Draft for comment. The Local Plan (Part Two) provides detailed policies and land allocations for Cheshire West and Chester Council which support the strategic objectives and policies set out in the Local Plan (Part One) for the period to 2030.
- 3.2 The deadline for comments to be submitted is 5pm on 29 January 2018.
- 3.3 The Local Plan (Part One) Strategic Policies document was adopted on 29 January 2015 and provides the overall vision, strategic objectives, spatial strategy and strategic policies for Cheshire West and Chester to 2030. This included setting out the level and location of new housing and employment land, as well as the identification of a number of strategic sites.
- 3.4 The Local Plan (Part Two) does not include any policies which alter or amend these requirements or the Green Belt boundary identified in the Local Plan (Part One).
- 3.5 When adopted, both documents will constitute the statutory Development Plan for Cheshire West and Chester and will replace all of the previously retained policies from the Chester District Local Plan; Ellesmere Port and Neston Borough Local Plan; Vale Royal Borough Local Plan; Cheshire Replacement Minerals Local Plan; and Cheshire Replacement Waste Local Plan.

Summary of Contents

- 3.6 Chapter 1 of the Local Plan (Part Two) Publication Draft provides an introduction to the background and purpose of the Local Plan.
- 3.7 Chapters 2 to 6 are structured around area-specific policies, including Chester, Ellesmere Port and the Rural Area, which identify the land

allocations and policies for the development of land within the settlement areas included in the Local Plan (Part One).

- 3.8 Chapters 7 to 19 set out development management policies including Green Belt and Countryside, Economic Growth, Enterprise and Town Centres, and Housing, which contain criteria against which planning applications for new development across Cheshire West and Chester will be assessed.
- 3.9 Chapter 20 sets out a monitoring framework, which will allow Cheshire West and Chester Council to determine if any corrective action is required to ensure that the strategy of the Local Plan is delivered over the plan period.
- 3.10 The Plan also contains three appendices. Appendix A provides maps showing Chester's key views and landmark buildings; Appendix B identifies the policies which will be replaced by the Local Plan (Part Two); and Appendix C provides a glossary of terms.
- 3.11 Appendix 1 to this report sets out a full list of the policies contained within the Cheshire West and Chester Council Local Plan (Part Two) Publication Draft.

Implications for Wirral

- 3.12 A number of policies proposed in the Local Plan (Part Two) are considered to be relevant to Wirral.
- 3.13 A summary of the proposed policies and recommended responses is set out below:
 - a) **Policy EP2 (Employment Land Provision in Ellesmere Port)** continues to allocate Hooton Park (between the Wirral Borough boundary and Vauxhall Motors) for employment use (Class B1, B2, B8) subject to criteria set out in Policy EP4 (Hooton Park).

It is recommended that the Council supports Policy EP2 and Policy EP4 on the basis that employment-related regeneration in Ellesmere Port is likely to provide employment opportunities accessible to Wirral residents and will support growth in the wider sub-region.

- b) **The Chester Policies (CH1 – CH6)** seek to contain development within the Settlement Area identified in the Local Plan (Part One).

It is recommended that the Council supports Policies CH1 – CH6, on the basis that they will support the level of development proposed for the Chester spatial area through the Local Plan (Part One), to meet identified employment and housing needs, while preserving and enhancing the character of the city centre.

- c) **Policy R1 (Development in the Rural Area)** identifies Neston (including Parkgate) as a Key Service Centre, under which development proposals that

are in line with the development plan for the settlement and are consistent with the Local Plan (Part One) will be supported.

Policy R1 also identifies Willaston as a Local Service Centre, with no change proposed to the current village boundary. New housing development outside but adjacent to a local service centre boundary will only be supported where the proposal is in line with Local Plan (Part Two) Policy DM24 (Rural Exception Sites), which only provides for rural exception sites where it would meet a clearly identified local need.

It is recommended that the Council raises no objections to Policy R1 on the basis that any growth within the identified settlements would only serve to meet local needs.

- d) **Policy GBC2 (Protection of Landscape)** designates the Dee Coastal Area (to the immediate south of Gayton) as an Area of Special County Value.

It is recommended that the Council supports Policy GBC2 on the basis that the policy seeks to protect the Dee Coastal Area from development that would unacceptably harm its landscape character, appearance or setting.

- e) **Policy DM43 (Water Quality, Supply and Treatment)** supports the development or expansion of infrastructure associated with water supply, surface water drainage and wastewater treatment facilities where proposals are consistent with other relevant development plan policies such as flood risk and nature conservation. Sutton Hall Water Treatment Works, operated by United Utilities, supplies over 90 per cent of Wirral's water and falls within the Cheshire West and Chester Council administrative boundary.

It is recommended that the Council supports Policy DM43 on the basis that the development or expansion of infrastructure could help to support any future increase in demand for water supply in Wirral.

- f) **Policy DM36 (Provision for Sport and Recreation)** seeks to protect, manage and enhance existing open space, sport and recreation facilities in accordance with Local Plan (Part One) Policy SOC6.

It is recommended that the Council supports Policy DM36 on the basis that Wirral Council's most up-to-date assessment of playing pitch provision (Council, 11 December 2017, Minute 97 refers) identifies that a number of Wirral-based sports clubs regularly use facilities within the Cheshire West and Chester Council administrative boundary.

- g) **Policy DM44 (Protecting and Enhancing the Natural Environment)** provides further detailed guidance to support the achievement of no net loss of biodiversity loss and the delivery of net gain, by guiding consideration of biodiversity, geodiversity and planting in development proposals. This supports policies ENV3 and ENV4 in the Local Plan (Part One), which set out the Council's approach to protecting and enhancing biodiversity, geodiversity and green infrastructure.

It is recommended that the Council supports Policy DM44 on the basis that it will support the protection and enhancement of cross-boundary ecological links.

- 3.14 The proposed electrification of the Bidston-Wrexham railway line is already supported under Local Plan (Part One) Policy STRAT10 (Transport and Accessibility).
- 3.15 Proposals by Highways England to upgrade M53 Junctions 5 to 11 to a Smart Motorway would be supported under Policy EP1 (Ellesmere Port Settlement Area) in the Local Plan (Part Two).
- 3.16 As it is considered that there are no significant implications for Wirral arising from other sections of the Plan, it is recommended that no further comments are submitted.

4.0 FINANCIAL IMPLICATIONS

- 4.1 There are no financial implications arising from this report.

5.0 LEGAL

- 5.1 The Council has a legal duty to co-operate with Cheshire West and Chester Council on the development of statutory land use planning policies relating to strategic cross-boundary matters, under section 33A of the Planning and Compulsory Purchase Act 2004 (as amended) and regulation 4 of Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 6.1 There are no implications arising from this report.

7.0 RELEVANT RISKS

- 7.1 The main risk is that the policies and proposals for Cheshire West and Chester are adopted without taking account of their potential impact on Wirral. It is, however, considered that there are no significant implications for Wirral arising from the current Local Plan (Part Two) Publication Draft.

8.0 ENGAGEMENT / CONSULTATION

- 8.1 Preparation of the Local Plan (Part Two) commenced in 2014, with public consultation on a series of issues between May and June 2014. Further consultation on the Council's preferred approach for the Local Plan (Part Two), which included draft policies and allocations, was carried out in between August and September 2016.
- 8.2 Wirral Council submitted a response to both consultations. No significant implications for Wirral were identified in either response.

8.3 The current consultation is a statutory stage which allows final representations and comments on the soundness and legal compliance of the proposals, before the Plan is submitted for independent examination by a Planning Inspector appointed by the Secretary of State.

9.0 EQUALITY IMPLICATIONS

9.1 There are no implications arising directly from this report.

9.2 Voluntary, community and faith groups can also comment on the content of the Local Plan (Part Two), provided their comments are received by Cheshire West and Chester Council within the statutory deadline.

9.3 The Cheshire West and Chester Local Plan (Part Two) is supported by a Sustainability Appraisal report which includes an Equalities Impact Assessment at Appendix H.

9.4 The report can be viewed at:
<http://consult.cheshirewestandchester.gov.uk/file/4805658>

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APPENDICES

Appendix 1 - Policies in Cheshire West and Chester Local Plan (Part Two)
Publication Draft

REFERENCE MATERIAL

Cheshire West and Chester Local Plan (Part Two) Land Allocations and Detailed Policies Publication Draft can be viewed at:
http://consult.cheshirewestandchester.gov.uk/portal/cwc_ldf/cw_lp_part_two/lp_pd/pd

Adopted Cheshire West and Chester Local Plan (Part One) Strategic Policies (January 2015) can be viewed at:
http://consult.cheshirewestandchester.gov.uk/portal/cwc_ldf/adopted_cwac_lp/lp_1_adopted?tab=files