

CABINET**30 SEPTEMBER 2019****APPROVAL OF REVISED LOCAL DEVELOPMENT SCHEME FOR
WIRRAL – JULY 2019**

Councillor Anita Leech, Cabinet Member for Wirral’s Local Plan, said:

“The Local Development Scheme sets out the Council’s programme for producing key planning documents which underpin Wirral’s Local Plan. Together they set out our vision for the borough over the next 15 years.

The Council is currently pressing ahead with preparing the Local Plan which will play a key role in meeting the authority’s pledges relating to people, business and the environment: it presents an opportunity for regeneration in the borough, tackling inequality and in doing so improving the health and lifestyle of the residents of the borough and boosting employment opportunities.

Updating the Local Development Scheme in the way set out in this report will enable us to achieve this.”

REPORT SUMMARY

This report recommends that Council, at its meeting on the 14th October 2019, is recommended to approve revisions to the future timetable for the preparation of the Wirral Local Plan, as set out in the revised Local Development Scheme attached to this report which will replace the Local Development Scheme adopted by the Council on 6 March 2018.

The approval of the Local Development Scheme is a Key Decision requiring the approval of Full Council.

It has become necessary to review the Local Development Scheme because of changes to the timetable for the Local Plan; the expanded scope of the Local Plan, which will now be produced as a single document, containing both strategic and non-strategic policies; and changes to legislation governing the review of Local Plans. Cabinet on 17 December 2018 resolved that a revised Local Development Scheme be submitted for approval by Council once the amended future timetable had been determined (Minute 47 refers).

The revised timetable for the preparation of the Wirral Local Plan, set out within the revised Local Development Scheme, will contribute towards the delivery of a wide range of Wirral Plan pledges related to People, Business and Environment and the Council’s Medium Term Financial Strategy.

RECOMMENDATION/S

That Cabinet recommends that Council, at its meeting on the 14th October 2019, be recommended to approve the adoption of the revised Local Development Scheme attached to this report and resolves that the revised Scheme will come into effect on the day following the date that the Council resolution is passed.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

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

2.0 OTHER OPTIONS CONSIDERED

- 2.1 There are no alternative options, as national regulations require the publication of an up-to-date Local Development Scheme, as soon as possible after the information becomes available.

3.0 BACKGROUND INFORMATION

- 3.1 The Wirral Local Plan (previously the Core Strategy Local Plan) is a Development Plan Document that is intended to set the long-term vision, objectives, strategic and non-strategic policies for the Borough over the next 15 years and to provide the framework for future Development Plan Documents, neighbourhood planning documents, supplementary planning documents and development management decisions.
- 3.2 The timetable for the preparation of the Wirral Local Plan has been revised following a review of Development Options, legal advice and in response to the Secretary of State's letter to the Council in January 2019.
- 3.3 The Wirral Local Plan (which was previously being prepared as Core Strategy) went through several stages of public consultation from 2006 onwards culminating in the publication of a Proposed Submission Draft Core Strategy in December 2012. The revocation of the Regional Spatial Strategy, in May 2013, required the Council to re-assess the Borough's housing needs, complicated by results for Wirral from the 2011 Census, which made previous population and household projections unreliable.
- 3.4 A revised Strategic Housing Market Assessment (May 2016) was published for public consultation in August 2016, alongside the latest update to the Strategic Housing Land Availability Assessment, for April 2016 (Cabinet, 18 July 2016, Minute 31 refers). The results of consultation were reported to Cabinet in February 2017 and a wider review of development options approved (Minute 96 refers).
- 3.5 The Council's Cabinet considered a further report on 23 July 2018 setting out the results of the Development Options review and approved public consultation on the findings (Minute 17 refers). Although comments were received and recorded as soon as the Cabinet Report was published in July 2018, formal consultation took place between 3 September and 26 October 2018.
- 3.6 The consultation drew 3,221 responses from 2,989 individual respondents and an update report was considered by the Cabinet on 17 December 2018. Members resolved that a revised Local Development Scheme be submitted for approval by the Council once an amended future timetable has been determined (Minute 47 refers). A

report setting out the background and results of the consultation along with three volumes of consultation responses was published on the Council's web site at the end of February 2019 and can be viewed at <http://www.wirral.gov.uk/planning-and-building/local-plans-and-planning-policy/local-plans/core-strategy-local-plan-6>

- 3.7 The revised Local Development Scheme sets out the amended timetable for the remaining stages of the production of the Wirral Local Plan. The Council's original intention was to re-publish the Local Plan as a proposed submission draft under Regulation 19 of the Local Plan Regulations. Advice from the Council's legal advisors and from consultants undertaking the sustainability appraisal of the Local Plan is that including an additional stage of public consultation under Regulation 18 is required to take account of changes in national planning policy; and to ensure that all the revised spatial options and reasonable alternatives and the Council's revised preferred option, are documented and made available for public comment before any final proposals are prepared.
- 3.8 The timetable prior to the submission of the Wirral Local Plan to public examination is also influenced by the completion of key evidence base documents related to the review of development options, including housing requirements, land supply and development viability, and assessments of Agricultural Land and Economy, Minerals, Landscape Character, Recreation and Open Space, Retail and Town Centres, Employment and Brownfield Land Options, Transport Modelling and the Green Belt.
- 3.9 Additionally, the Council has prepared and submitted a Local Plan Action Plan to the Secretary of State for Housing, Communities and Local Government in response to his letter of 28 January 2019. The Action Plan commits the Council to submitting the Local Plan to the Secretary of State by November 2020. The Action Plan, covering letter and detailed delivery timetable can be viewed at: <https://www.wirral.gov.uk/planning-and-building/local-plans-and-planning-policy/local-plans/core-strategy-local-plan>
- 3.10 Subject to the examination timetable and the need for any further post-examination modifications, the Wirral Local Plan is therefore currently expected to be adopted by December 2021.
- 3.11 It is therefore recommended that Council is recommended to formally approve the revisions to the future timetable for the preparation of the Wirral Local Plan, set out in the revised Local Development Scheme attached to this report, in addition to the information that has been continuously updated on the Council's website.

Neighbourhood Planning

- 3.12 The Council has now designated five local neighbourhood planning areas, at Devonshire Park; Hoylake; Leasowe; Birkenhead and Tranmere; and for Birkenhead North, to allow Neighbourhood Forums to prepare their own planning proposals for their respective designated areas. Neighbourhood Development Plans have been 'made' (adopted) for Devonshire Park (December 2015) and Hoylake (December 2016). The Neighbourhood Forums for Hoylake and Devonshire Park were re-designated in October 2018 for a further period of five years. The Council were notified that the Birkenhead and Tranmere Neighbourhood Forum was formally dissolved in June 2018.

- 3.13 The Wirral Local Plan will set the strategic framework for the preparation of any future neighbourhood planning proposals for these and any other communities that may apply for designation to prepare neighbourhood planning proposals for their areas.

Duty to Co-operate

- 3.14 The Council adopted a Statement of Co-operation on Local Planning, with City Region Partners, on 17 October 2016 (Council, Minute 64 refers). The 2019 NPPF now requires strategic policy-making authorities to prepare and maintain one or more statement of common ground, documenting the cross-boundary matters being addressed and the progress made in co-operating to address them. A Liverpool City Region Statement of Common Ground has been jointly prepared during 2018, for approval by the individual districts. The Council will need to prepare a separate Statement of Common Ground to address co-operation with Cheshire West and Chester Council and other relevant stakeholders as part of the ongoing preparation of the Wirral Local Plan.

4.0 FINANCIAL IMPLICATIONS

- 4.1 There are no financial implications arising from the publication of the revised Local Development Scheme.
- 4.2 The continued preparation of the Wirral Local Plan will be funded from existing resources for Economic and Housing Growth.

5.0 LEGAL IMPLICATIONS

- 5.1 Section 15 of the Planning and Compulsory Purchase Act 2004 requires the Council to prepare and maintain a Statutory Local Development Scheme, to set out the timetable for the preparation of development plan documents such as Local Plans.
- 5.2 The revised Local Development Scheme for Wirral 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

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 6.1 The Council's Local Plan will be prepared using existing IT and staff resources in the Economic and Housing Growth Directorate and the Council's Transformation Office.

7.0 RELEVANT RISKS

- 7.1 Unless additional land for development can be identified in the emerging Local Plan, the absence of an appropriate land supply could lead to the loss of appeals against the refusal of planning permission, with costs awarded against the Council, unless any adverse impacts of approving the development would significantly and demonstrably outweigh the benefits, when assessed against national policy as a whole (NPPF, paragraph 11 refers).

- 7.2 The Local Development Scheme will be used by Government to assess the Council's progress in the preparation of an up-to-date Local Plan.
- 7.3 The Council's existing Local Development Scheme, which dates from March 2015, is now out-of-date.
- 7.4 The Secretary of State has the power to direct amendments to the Local Development Scheme, as well as powers over its content and review.

8.0 ENGAGEMENT/CONSULTATION

- 8.1 National planning guidance states that the Local Development Scheme must be made available publicly and kept up-to-date so that local communities and interested parties can keep track of progress. Local planning authorities should publish their Local Development Scheme on their website. A continuously up-dated record of progress is available on the Council's website at: <https://www.wirral.gov.uk/planning-and-building/local-plans-and-planning-policy/local-plans/local-development-scheme>

9.0 EQUALITY IMPLICATIONS

- 9.1 The Core Strategy has been subject to ongoing Equality Impact Assessment. Results of previous Equality Impact Assessments prepared at each stage in the preparation of the Core Strategy can be viewed at <http://www.wirral.gov.uk/planning-and-building/local-plans-and-planningpolicy/local-plans/core-strategy-local-plan-0>
- 9.2 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 additional equalities implications

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APPENDICES

Appendix 1 Draft Local Development Scheme (July 2019)

BACKGROUND PAPERS

[Planning and Compulsory Purchase Act 2004](#) (Sections 15, 17, 35 and 36 refer)

[Localism Act 2011](#) (Sections 111 and 113 refer)

[Neighbourhood Planning Act 2017](#) (Sections 11 and 12 refer)

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

[National Planning Policy Framework and Planning Practice Guidance](#) (MHCLG)

[Local Development Scheme for Wirral](#) (Wirral Council, March 2015)

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Delegated – Local Development Scheme	17 December 2014
Council – Local Development Scheme	6 July 2015 (Minute 23)
Cabinet - Core Strategy Local Plan - Report of Further Consultation on Housing Need and Land Supply	27 February 2017 (Minute 96)
Environment Overview and Scrutiny – Wirral Local Plan - Letter from Secretary of State	7 December 2017 (Minute 40)
Delegated – Local Development Scheme review	21 December 2017
Environment Overview and Scrutiny – Wirral Local Plan – Report of Progress since 2014	31 January 2018 (Minute 46)
Council – Local Development Scheme adoption	19 March 2018 (Minute 132)
Cabinet – Core Strategy Local Plan – Review of Development Options	23 July 2018 (Minute 17)
Cabinet - Wirral Local Plan – update report	17 December 2018 (Minute 47)