

REPORT TITLE:	APPROVAL OF REVISED LOCAL DEVELOPMENT SCHEME FOR WIRRAL – SEPTEMBER 2020
REPORT OF:	DIRECTOR OF REGENERATION AND PLACE

Councillor Pat Hackett, Leader of the Council 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 17 years (2020-2037). It is a priority for the Council to deliver a sound and quality plan.

The Council is currently pressing ahead with preparing the Local Plan which will play a key role in meeting the authority’s vision 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 the approval of 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. The revised scheme will replace the Local Development Scheme adopted by the Council in October 2019.

It has become necessary to review the Local Development Scheme because of the implications of Covid 19 which has delayed the completion of several evidence base studies and on-site assessment work. This has had the knock-on effect of delaying the preparation of the Regulation 19 stage of the Local Plan.

The Council is still under the threat of intervention from the Government because of the timescale for producing the Local Plan. Regular meetings have taken place with them over the past few months and they understand the need for a revision due to Covid 19. The revised timescale, and the reasons for it, have been discussed with them. They will make any comments on the revised timetable, if they have any, by exception.

This matter affects all wards

This decision is a key decision.

RECOMMENDATION

That the adoption of the revised Local Development Scheme as set out at Appendix 1 of this report be approved.

SUPPORTING INFORMATION

1.0 REASON FOR RECOMMENDATION/S

- 1.1 This revised document replaces the Local Development Scheme adopted by the Council on 14th October 2019. It has become necessary to review the Local Development Scheme because of changes to the timetable for the Local Plan. The Covid 19 pandemic has delayed the commissioning and completion of several evidence base studies and on-site assessment work. This includes work commissioned in response to submissions made at the Regulation 18 consultation in early 2020. This has had the knock-on effect of delaying the preparation of the Regulation 19 stage of the Local Plan.
- 1.2 In order to ensure that the Local Development Scheme is up to date and reflects the above practicalities, it is appropriate to seek approval for an amendment to the scheme.

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 17 years. It is also intended to provide the framework for future Development Plan Documents, Neighbourhood Plans, Supplementary Planning Documents and development management decisions.
- 3.2 The Council published the Issues and Options report at the Regulation 18 stage to the timescale agreed with the Ministry of Housing Communities and Local Government (MHCLG).
- 3.3 The timetable for the preparation of the Wirral Local Plan has had to be revised, in consultation with the MHCLG to take account of the Covid 19 pandemic which has delayed the completion of various evidence base studies and on-site assessment work. The timetable is set out in the draft revised Local Development Scheme at Appendix 1.

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 the Local Plan budget within the Regeneration and Place Directorate.

5.0 LEGAL IMPLICATIONS

- 5.1 Section 15 (1) of the Planning and Compulsory Purchase Act 2004 (as amended) (“the 2004 Act”) requires the Council to prepare and maintain a Local Development Scheme. The scheme must list the development plan documents and the subject matter and geographical area to which each development plan document is to relate and the timetable for the preparation and revision of the development plan documents.
- 5.2 Section 15(8) of the 2004 Act states that the Council must revise their local development scheme at such time as they consider appropriate. Furthermore Section 15(9A) of the 2004 Act states that 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
- 5.3 The proposals within this report will enable the Council to meet the statutory requirements of the 2004 Act and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
- 5.4 The Local Development Scheme is not part of the development plan.

6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS

- 6.1 The Council’s Local Plan will be prepared primarily using existing IT and staff resources in the Regeneration and Place Directorate and the Council’s Transformation Office. Additional specialist resources will also be used to provide essential technical support as required.

7.0 RELEVANT RISKS

- 7.1 The implications of paragraph 11 of the NPPF, is that unless additional land for residential development can be identified in the emerging Local Plan, the absence of an appropriate residential 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.
- 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 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 There is no requirement for the revised Local Development Scheme to be subject to external consultation. The documents set out within it are subject to various rounds of consultation in accordance with the Planning Compulsory Purchase Act 2014 (as amended) and the revised procedures required by the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
- 8.2 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 updated record of progress is available on the Council's website at: <https://www.wirral.gov.uk/planning-and-building/local-plans-and-planning-policy/wirral-new-local-plan/new-local-plan>

9.0 EQUALITIES IMPLICATIONS

9.1 The revision of the Local Development Scheme would not have any adverse impacts on any protected characteristics, although there is the potential for the documents proposed in the LDS to have adverse impacts. To mitigate this, each of the proposed documents will be subject to their own equalities assessments as a necessary part of the process of their production to ensure emerging policies are suitably framed to promote equal opportunities for all.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 The Local Development Scheme does not have any direct environmental or climate impacts. However, as the scheme facilitates the preparation of a Local Plan there will be a series of potential impacts on the environment through the adoption of the new Local Plan. The Examination in Public will be the forum in which the environmental or climate impacts of the Local Plan proposals can be examined.

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APPENDICES

Appendix 1: Draft Local Development Scheme (September 2020)

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, October 2019)

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)
Cabinet – Approval of Revised Local Development Scheme	30 September 2019 (Minute 33)
Council – Approval of Revised Local Development Scheme	14 October 2019 (Minute 72)