



## **ECONOMY REGENERATION & DEVELOPMENT COMMITTEE**

**Wednesday, 26 January 2022**

<b>REPORT TITLE:</b>	<b>REVISED LOCAL DEVELOPMENT SCHEME</b>
<b>REPORT OF:</b>	<b>DIRECTOR OF REGENERATION AND PLACE</b>

### **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 at Appendix 1. The revised scheme will replace the Local Development Scheme adopted by the Council in October 2020.

It has become necessary to review the Local Development Scheme because of the delay caused by the impact of the Covid 19 Pandemic on work progress and the need to complete essential evidence studies. 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. The revised timescale, and the reasons for it, have been discussed with the Department for Levelling Up Housing and Communities (DLUHC).

This affects all wards and is a key decision.

### **RECOMMENDATION/S**

The Economy Regeneration and Development Committee is recommended to:

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

## **SUPPORTING INFORMATION**

### **1.0 REASON/S FOR RECOMMENDATION/S**

- 1.1 This revised document replaces the Local Development Scheme adopted by the Council on 3rd October 2020. 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 including updates to the Strategic Housing Land Availability Assessment, Strategic Housing Market Assessment, Employment Land Study, and transport related studies.
- 1.2 In addition, in late summer 2021 the Council had to procure at short notice new consultants to undertake the viability assessment of the Local Plan following the withdrawal of the previously appointed consultants due to unforeseen circumstances which meant they would be unable to complete their work to the agreed timetable. This has had the knock-on effect of delaying the preparation of the Regulation 19 stage of the Local Plan.
- 1.3 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 as set out at Appendix 1.

### **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 a 15 year period. 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 previously published the Issues and Options report at the Regulation 18 stage to the timescale agreed with the DLUHC. The revised timetable for the preparation of the Wirral Local Plan, as set out at Appendix 1, has been discussed with DLUHC.

## **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 £400,000 Local Plan revenue budget within the Regeneration and Place Directorate and use of the £729,000 that is earmarked from the Financial Resilience Reserve.

## **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: STAFFING, ICT 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 National Planning Policy Framework (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.

7.4 Full details of identified risks are set out in section 11 of Appendix 1.

## **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), the revised procedures required by the Town and Country Planning (Local Planning (England Regulations 2012 (as amended) and the Council's adopted Statement of Community Involvement.

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. An 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/wirral-new-local-plan/new-local-plan>

## **9.0 EQUALITY 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 included to have adverse impacts. To mitigate this, each of the proposed documents in 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. Equality Impact Assessments will be undertaken at the earliest possible stage.

## **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. These will be assessed and mitigated through the Sustainability Appraisal which has been prepared to support the preparation of the 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.

## **11.0 COMMUNITY WEALTH IMPLICATIONS**

11.1 The Local Development Scheme does not have any community wealth implications directly but the adoption of the Local Plan will result in the delivery of significant development which will give opportunities for social wealth capture. The Submission Draft Local Plan will contain a Social Value Policy.

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## APPENDICES

Appendix 1: Revised Local Development Scheme

## 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

[Planning Practice Guidance](#)

(DLUHC)

[Local Development Scheme for Wirral](#) (Wirral Council, October 2020)

## SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Leaders Decision	25 <sup>th</sup> September 2020
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	7December 2017(Minute40)
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)
	14 October 2019 (Minute 72)

Council – Approval of Revised Local Development Scheme

Delegated – Local Development Scheme

3<sup>rd</sup> October 2020