

METROPOLITAN BOROUGH OF KNOWSLEY

To: Deputy Chief Executive in consultation with the Cabinet Member for Regeneration, Economy and Skills

Meeting: 20 June 2014

Wards Affected: Borough-wide

Portfolio Area: Regeneration, Economy and Skills

Non-Key Decision

REPORT OF THE DIRECTOR OF REGENERATION AND HOUSING

KNOWSLEY LOCAL PLAN: CORE STRATEGY – APPROVAL OF SUPPORTING DOCUMENTS

1. PURPOSE OF THE REPORT

- 1.1 This report seeks approval to publish a range of supporting documents to accompany modifications to the Knowsley Local Plan: Core Strategy ("**the Plan**"). The modifications themselves are recommended to be approved at Cabinet on 18 June 2014). The supporting documents will be considered as part of the Council's case at the current Examination in Public of the Plan.

2. RECOMMENDATIONS

- 2.1 The Deputy Chief Executive in consultation with the Cabinet Member for Regeneration, Economy and Skills is recommended to grant approval for the supporting documents referred to in section 4 of this report to be published and submitted to the current Examination in Public for the Knowsley Local Plan: Core Strategy to accompany the proposed modifications to the Plan (which are subject to a separate report to Cabinet on 18 June 2014).

3. BACKGROUND

- 3.1 On 19 September 2012, full Council granted approval for the Knowsley Local Plan: Core Strategy ("**the Plan**") to be published for comments and then submitted to the Secretary of State for Communities and Local Government under the relevant planning legislation. The Plan was submitted to the Secretary of State in July 2013.
- 3.2 The Plan is currently subject to an Examination in Public by a Government Planning Inspector (Mr Martin Pike). Following hearing sessions in November 2013, the Inspector published Interim Findings in January 2014. To address issues raised in these Interim Findings, Cabinet approval is being sought (on 18 June 2014) for a number of modifications to the Plan. Subject to this Cabinet approval being obtained, the modifications will be submitted to the Inspector and discussed

at fresh hearing sessions (which are scheduled provisionally to take place on 22-24 July 2014).

- 3.3 Further details of the modifications and the likely next steps are set out in the report to Cabinet on 18 June 2014 entitled "Knowsley Local Plan: Core Strategy – approval of modifications".
- 3.4 A significant number of supporting documents were published with the Plan at earlier stages. It is now necessary to update this material and submit further documents (see section 4 below) for consideration as part of the on-going Examination in Public. It is crucially important that this supporting material is robust to avoid the risk of legal challenge.

4. NEW SUPPORTING DOCUMENTS

Letter to the Inspector

- 4.1 To explain the rationale for the modifications to the Plan referred to above it is proposed to send a **letter to the Inspector**. This is attached as Appendix A.

New Technical Reports

- 4.2 Three new detailed Technical Reports have been produced to explain and justify in further detail the proposed modifications relating to key aspects of the Plan. The three additional Technical Reports set out (for each of their respective topic areas) options which have been assessed in addressing the issues and a detailed justification as why the Inspector should support the Council's preferred approach. These Reports complement the information in the reports presented to Cabinet on 18 June 2014 entitled "Knowsley Local Plan: Core Strategy – Approval of Modifications" and "A new approach to developer contributions in Knowsley".
- 4.3 The "**Technical Report: Sustainable Urban Extensions**" provides technical evidence to support the modifications to the Plan relating to the proposed Sustainable Urban Extensions. This document sets out background information concerning the proposed allocation of these sites for housing and/or employment, to be released from the Green Belt on adoption of the Plan. This Report also sets out further details of the capacity and expected timing of delivery of development in each location.
- 4.4. The "**Technical Report: Developer Contributions**" provides technical evidence to support the proposed modifications which aim to prioritise between different forms of financial contribution from developers on sites where development viability is challenging.
- 4.5 The "**Technical Report: Affordable Housing Policy**" provides evidence which supports the modifications to the Plan which propose a split target for affordable housing provision in schemes for market sector housing developments (up to 10% affordable housing provision in current urban areas and 25% within the proposed Sustainable Urban Extensions).

New appraisal documents

- 4.6 The **Knowsley Local Plan: Core Strategy Proposed Modifications - Sustainability Appraisal Report, 2014** sets out a detailed sustainability appraisal and Strategic Environmental Assessment of the proposed modifications to the Plan. This is an extremely important document as Local Plans can be legally challenged if a robust sustainability appraisal of alternative approaches is not undertaken at this stage in their development. This document has been prepared – in common with earlier sustainability appraisal documents - on behalf of the Council by Urban Vision, consultants. Whilst the new Sustainability Appraisal Report identifies a range of sustainability implications arising from the modifications it does not present any evidence that a more sustainable option is in overall terms available to the Council in modifying the Plan.
- 4.7 A further legal requirement relates to the need for **Habitats Regulation Assessment** or "HRA", which is a process by which the impact of the Plan on European sites of nature conservation value is assessed. To complement HRA reports prepared at earlier stages the Council's specialist consultant (URS Infrastructure and Environment) has written a letter to the Council which assesses the impact of the modifications on qualifying species and their habitats (which exist in the Liverpool City Region and surrounding areas including some supporting habitats in Knowsley). This letter dated 13 June 2014 includes analysis which identifies that the modifications will not significantly affect these qualifying species and their habitats.

Other documents

- 4.8 An **Extended Phase 1 Habitat Survey Report** has been prepared by Merseyside Environmental Advisory Service on behalf of the Council for the proposed Sustainable Urban Extensions at South Whiston and land south of the M62. This is necessary because this area contains a number of locally important natural habitats. The survey updates the information concerning the habitats in these areas. This will be used as evidence in any further discussions about these locations in the Examination in Public for the Plan. The Report will also help inform the future master planning of these sites by confirming the parts of the site which are less valuable in terms of their ecology (and hence more likely to be considered suitable for development subject to consideration of other constraints).
- 4.9 A **Proposed Modifications to the Policies Map** booklet has been produced which illustrates how the 9 proposed new Sustainable Urban Extensions and 1 area of Safeguarded Land (referred to in paragraph 5.3.1 and Appendix B of the report to Cabinet on 18 June 2014) would affect the Council's adopted Policies Map. The Policies Map is a separate Local Plan document. The changes identified in this booklet would be made to the Policies Map when the Plan is adopted assuming the proposals to allocate the Sustainable Urban Extensions in the form set out in the modifications to the Plan are agreed by the Inspector. This booklet is likely to be used (subject to any further modifications which may be advised by the

Inspector) as supporting material for the consultation on the modifications in summer 2014.

- 4.10 An Addendum has been prepared for the Council's **Duty to Cooperate Statement**. This Addendum sets out how the Council has continued to engage with neighbouring authorities and other "duty to cooperate" bodies in drafting up the modifications to the Plan and the impact of the modifications on strategic cross boundary matters affecting these bodies. A **changes tracked version** of the Plan has also been prepared to help stakeholders understand how the proposed modifications will affect the Plan.
- 4.11 Copies of all the documents referred to in paragraphs 4.2 to 4.10 above are available to view via an electronic link as Appendix B to this report.

5. RESOURCE IMPLICATIONS

5.1 Financial

There continue to be financial implications for the Council in progressing the Core Strategy through its remaining stages, for example the costs of the on-going Examination in Public. Provision for this and all other elements has been made in the Council reserves which are expected to be sufficient to progress the Core Strategy to adoption.

5.2 Human Resources

There are no human resource implications stemming from the report.

5.3 Information Technology

There are no information technology implications stemming from the report.

5.4 Physical Assets

There are no implications for physical assets stemming from the report.

6. PERFORMANCE AND RISKS

- 6.1 The Council will only be able to adopt the Plan if the Inspector, following the current Examination in Public, concludes that the Plan meets the "soundness" and legal requirements set by Government. To address issues raised by the Inspector with the Plan in its current form, Cabinet approval is being sought on 18 June 2014 for a number of modifications to the Plan. It is necessary to publish the detailed supporting documents covered in this report to demonstrate to the Inspector that the modifications are soundly based and will address his concerns in the most appropriate manner compared to the available alternatives.

7. EQUALITY AND ENVIRONMENTAL ASSESSMENT

7.1 Equality and Diversity

The previously published Health Impact Assessment and Equality Impact Assessments consider the potential implications of the Plan on different population groups in the Borough. The supporting documents for which approval is sought in this report will not specifically affect these implications.

7.2 Environmental Policy

The Plan has been subject to robust sustainability appraisal, Strategic Environmental Assessment and Habitats Regulation Assessment processes as it has been prepared. The further sustainability appraisal and Habitats Regulation Assessment documents prepared for the modifications stage (as referred to in section 4 above) will help ensure that the Plan continues to meet an effective balance of environmental (as well as economic and social) objectives.

8. COMMUNICATION ISSUES

- 8.1 It will be necessary to publish the supporting documents referred to in this report and submit these to the Inspector and representors at the current examination in Public of the Plan. They will be available to all parties to analyse and comment upon up to and during the re-convened hearings in July 2014 and then during consultation on the modifications (which is expected to take place between August and October 2014). Copies will be made available of some documents at Council offices and libraries, and all of the documents will be available on the Council's website.

9. CONCLUSION

- 9.1 It is recommended that the supporting documents presented in this report be published and made available to the Inspector and other parties during the current Examination in Public of the Plan.

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Appendices:-

- A. Proposed letter to Mr Martin Pike, Inspector, Examination in Public of Knowsley Local Plan: Core Strategy
- B. Supporting documents referred to in section 4 of this report (note: these documents have not been circulated with this report but are available electronically by clicking [here](#))

Background Documents:-

None