

COUNCIL

LANCASTER DISTRICT CORE STRATEGY

23rd July 2008

Report of Corporate Director – Regeneration

PURPOSE OF REPORT

To formally adopt the Lancaster District Core Strategy as the key component of the Council's Local Development Framework and, as such, part of the Council's Policy Framework

This report is public

RECOMMENDATIONS OF CORPORATE DIRECTOR - REGENERATION

That the Lancaster District Core Strategy be adopted as a Local Development Document

That the Forward Planning Team be congratulated for making the Council the first in the North West to adopt a Core Strategy under the reformed planning system

Introduction

1. Lancaster City Council's Core Strategy has been found sound. It is the first such strategy in the North West of England to pass this test and as such Lancaster City Council is pioneering the introduction of the reformed Development Plan system. A facsimile of the approved Core Strategy can be viewed on the LDF section of the Council's website.
2. Members will recall that the Local Development Framework (LDF) is the collection of documents which replaces the Lancaster District Local Plan. Core Strategy identifies the overall spatial vision for the District. It identifies broad locations for new development and sets the strategic framework for the preparation of other LDF documents such as land allocation policies, development management policies and action area plans.
3. The reformed Development Plan system is meant to produce plans which are shorter, clearer, quicker to produce and more flexible. The Core Strategy is 69 pages long. Lancaster City Council's adopted Local Plan is more than 200. The Core Strategy contains 18 policies. The Local Plan contains 156. The Local Plan took nine years to proceed from commencement to adoption. The Core Strategy has taken

three and a half years. The Local Plan Inquiry took 8 months and the Inspector took more than a year to submit his report. The Core Strategy examination involved two weeks of formal hearings and the Inspector delivered his initial report for fact checking in ten weeks and his final report in thirteen weeks.

4. Whilst the Local Plan is a more comprehensive document, it appears that the new process produces quicker and more succinct results. At the same time, the new system is a great deal more resource intensive and a substantial evidence base was required to justify the Strategy. It should also be noted that one of the main reasons why the Core Strategy has progressed quickly is because of the preparation of a vast body of supporting evidence by the Forward Planning Team;
5. Lancaster City Council's Core Strategy sets out a vision of Lancaster District as 'a sustainable, self contained and varied group of communities which will lead the North West in its quality of life, environment and design standards. The main elements of the Strategy are;
 - The concentration of most new development on Previously Developed Land within existing urban areas;
 - A strong emphasis on sustainable development and policy criteria to ensure that new development is as sustainable as possible;
 - Policies to maximise the economic benefit of the Higher Education sector;
 - The identification of the regeneration of Morecambe as the District's No 1 regeneration priority;
 - The identification of other regeneration priority areas at Luneside, South Heysham, Central Lancaster, White Lund, East Lancaster and Carnforth;
 - Policies to manage the impact of the Heysham-M6 link road and maximise sustainable transport choices;
6. Issues and Options Consultation for the Core Strategy was carried out throughout 2005. Preferred Options consultation was carried out in the spring of 2006. The original submission date of August 2006 was postponed to May 2007 in order to consider the implications of a number of early Core Strategies by other authorities being found unsound. In the intervening period, the opportunity was taken to reinforce the evidence base with additional material on flood risk and recreation needs. The Strategy was submitted in May 2007. The Pre-Examination Meeting took place on 6th December 2007 and the Independent Examination was held in March. The Inspector submitted his binding report on June 12th, more than a month ahead of schedule.

Independent Examination

7. The Core Strategy was subject to Independent Examination by an Inspector (Mr Stephen Pratt). The oral hearings took place between March 4th and March 14th 2008. In addition, the Inspector considered representations made by means of written representations. Unlike Local Plan Inquiries where objections to the plan are considered individually, in an Independent Examination, the Inspector's brief is to consider the Strategy against nine tests of soundness. These are;
 - i) The DPD has been prepared in accordance with the Local Development Scheme;

- ii) The DPD has been prepared in compliance with the Statement of Community Involvement (SCI), or the minimum requirements set out in the regulations where no SCI exists;
 - iii) The plan and its policies have been subjected to Sustainability Appraisal;
 - iv) The plan is a spatial plan which is consistent with national planning policy and in general conformity with the Regional Spatial Strategy;
 - v) It has had regard to the authority's Community Strategy;
 - vi) The strategies/policies/allocations in the plan are coherent and consistent within and between Development Plan Documents prepared by the authority and by neighbouring authorities, where cross boundary issues are relevant;
 - vii) The strategies/policies/allocations represent the most appropriate in all the circumstances, having considered the relevant alternatives, and they are founded on a robust and credible evidence base
 - viii) There are clear mechanisms for implementation and monitoring
 - ix) It is reasonably flexible to enable it to deal with changing circumstances
8. As part of the examination process, the Council prepared an extensive Soundness Self Assessment document which was commended by the Inspector for its thoroughness.
9. The Inspector considers the soundness of the whole document irrespective of whether objections have been raised. Objections are considered insofar as they call the soundness of the document into question. The Inspector does not give a detailed response to each individual objection. Like a Structure Plan Examination in Public, issues are grouped into themes. **The recommendations in the Inspectors Report are binding.** This means that the Council is obliged to accept the changes required by the Inspector if it wishes to adopt the Core Strategy.
10. The Inspector considered the representations made. He submitted his draft report the Council for fact checking on 23rd May and his final report on 12th June. A copy of the Inspector's report can be viewed on the Forward Planning page of the Council's website. He concluded that subject to minor changes suggested by the Council and a few minor modifications, he was satisfied that the Core Strategy met all nine tests and was sound. The Inspector has very little discretion to make changes to the submission strategy. Accordingly the changes which he requires are minor matters of clarification and updating and do not affect the overall substance of the Strategy. Some of the required changes are;
- Inclusion of reference to the sequential test for new development included in the emerging Regional Spatial Strategy which , namely:
 - first, using buildings (including conversions) within settlements and previously developed land within settlements;
 - second, using other suitable infill opportunities within settlements where compatible with other RSS policies;

- third, the development of other land where this is well located in relation to housing, jobs other services and infrastructure, normally on the fringes of settlements.
- An amendment to Policy EC1 sought to direct Lancaster University related development to the existing built up part of the Campus. Following representations from the University, the Inspector required that the policy be amended to allow development outside this area where special justification is demonstrated;
- In relation to the Heysham M6 Road, the Inspector requires that the sentence of Para 6.18. of the Strategy which read *'This application has been called in by the Government and a decision is not due until later in 2007'* be updated to read ***'Following a public inquiry in July/August 2007, this road scheme was approved by the Secretary of State in February 2008'***

The inspector also identified Affordable Housing, Planning Obligations and Climate Change as areas which should be prioritised in the next tranche of LDF documents.

What Happens Next

11. The Inspector's recommendations as described in Paragraph 10 are binding. This means that the Council in adopting the Core Strategy must include the amendments required by the Inspector. A mock-up of the adopted Core Strategy can be viewed on the LDF section of the Council's website. Adoption will mean publishing a Statutory Notice of Adoption and notifying all persons who requested to be notified throughout the process. There will then be a six week period during which a High Court Challenge to the document may be made.
12. Work will then start on the next tranche of LDF documents. A revised Local Development Scheme is currently in preparation which will set these out. Matters which will require coverage include Development Management Policies, Land Allocations and any necessary Action Area plans.

OPTIONS APPRAISAL

Note) The Inspector's Report is binding in that the Council cannot make additional changes to the Core Strategy or refuse to accept the Inspector's recommendations.

13. The Council must adopt the Core Strategy subject to the changes recommended by the Inspector unless it wishes to start the 3 year preparation process again from the beginning. Adoption of the Core Strategy would put in place the cornerstone of the Local Development Framework. It will give the District an up-to-date spatial planning strategy to guide investment and decisions on development in the District. It will mainstream sustainable development within the Council's spatial policy framework.
14. The development of the Core Strategy is a major step forward in modernising the Council's planning policy framework. The Council is now leading the reform of the planning system in the North West. The Strategy ensures that sustainability considerations are hardwired into the planning process. It provides a strategic basis for the regeneration of the District. It sets a framework for achieving high quality design. It provides a foundation for the next generation of LDF documents including land allocations and action areas.

RECOMMENDATION

That the Lancaster District Core Strategy, as amended by the changes required by the Inspector, be adopted as a Local Development Framework Document

That the Forward Planning Team be thanked for making the Council the first in the North West to adopt a Core Strategy under the reformed planning system

RELATIONSHIP TO POLICY FRAMEWORK The Adopted Core Strategy will be the cornerstone of the Local Development Framework Document and a key element of the Council's Policy Framework.	
CONCLUSION OF IMPACT ASSESSMENT Diversity; A wide variety of community and interest groups were consulted in preparing the Core Strategy. Human Rights; The Council has had full regard to the Human Rights Act in preparing the Core Strategy; Community Safety; Policy SC6 of the Core Strategy addresses Community Safety Sustainability The Core Strategy is a vital means to ensure that sustainability is given full weight in decisions on planning applications, site allocations and other Council strategies. Policy SC1 deals with sustainability Personnel None Rural Proofing Policy SC3 deals with rural communities and envisages a strong role for parish councils in shaping their area.	
FINANCIAL IMPLICATIONS There are no uncosted or unbudgeted proposals in the Core Strategy and therefore there are no direct financial implications arising from adopting the Strategy.	
SECTION 151 OFFICER'S COMMENTS The s151 Officer has been consulted and has no further comments.	
LEGAL IMPLICATIONS Under Section 38(3) of the Planning and Compulsory Purchase Act 2004, the development plan is (a) the regional spatial strategy, and (b) The development plan documents (taken as a whole) [including the Core Strategy] which have been adopted or approved in relation to that area. Under Section 38 (6) If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.	
MONITORING OFFICER'S COMMENTS The Monitoring Officer has been consulted and has no further comments.	
BACKGROUND PAPERS Town and Country Planning (Local Development)(England) Regulations 2004, HMSO	Contact Officer: Dan Hudson Telephone:X2329 E-mail:dhudson@lancaster.gov.uk

ODPM, (2004) Planning Policy Statement 12:
Local Development Frameworks, HMSO
Submission Lancaster District Core Strategy
May 2007;
Inspector's Report into Lancaster District Core
Strategy June 2008