

**REPORT FROM: PLANNING, ECONOMIC DEVELOPMENT AND
REGULATORY SERVICES MANAGER**

TO: POLICY AND RESOURCES COMMITTEE

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CORE STRATEGY REVIEW AND NEW LOCAL PLAN

PURPOSE OF REPORT

To report to members initial findings of the review of the Core Strategy and Local Plan Part 2, requested in the motion carried at Full Council on 9 December 2021, and to provide recommendations on next steps in the plan-making process.

RECOMMENDATIONS

- (1) That the content of this report and supporting papers are noted.
- (2) That members agree that a new Local Plan can be produced with associated evidence in accordance with a new Local Development Scheme (Appendix 1).

REASONS FOR RECOMMENDATIONS

- (1) To fulfill the Council's statutory duty to prepare and have in place an up-to-date Local Plan.
- (2) To prepare a Local Plan which is responsive to local issues, needs, and aspirations that will assist in securing a sustainable recovery for the Borough from the effects of the pandemic.

ISSUE

1. The planning system in England is plan-led. This means that the policies in Local Plans and Neighbourhood Plans provide the starting point for taking decisions on applications for planning permission.
2. On 9 December 2021, Council resolved that:
 - i. A housing requirement based on the Government's Standard Method be agreed for a new Pendle Local Plan.

- ii. Officers re-visit the Core Strategy and Pendle Local Plan Part 2 and its supporting policies in order to protect greenfield sites.
3. Reviewing the Core Strategy can be carried out in two ways.
 - i. Amend the Core Strategy and, at the same time, update the Part 2 Plan.
 - ii. Prepare a new single Local Plan
4. The basis for the review is to align the evidence on housing and employment. It is difficult to see how this can be achieved by amending the existing two part Plan. The evidence base on which the Core Strategy is based is fast becoming out of date. Given the time required to commission new evidence, amend and consult on updated planning policies, it will become even more dated.
5. The most expedient and cost effective way to introduce a new strategic approach for spatial planning in Pendle, is through the production of a new single Local Plan. The timetable for this is set-out in an update of the Local Development Scheme (Appendix 1) which would mean it going to publication in around 18 months' time
6. A large number of policies from both the Core Strategy and Local Plan Part 2 are capable of being transferred into a new Local Plan with little or no alteration. There is also an opportunity to consolidate policies, which would result in a shorter and more accessible document. In turn this will reduce the pressure on limited resources; saving both time and money
7. Evidence will need to be commissioned to establish a new baseline; assess future development requirements and justify the need for policy intervention. The key areas where new evidence is required are local housing needs, future employment growth, the future of retailing and town centres and design guidance. A programme of work and costs is currently being drawn-up.
8. Key issues to note in the preparation of a new Local Plan, or when conducting a future policy review:
 - The planning system is evidence based and Local Plans must satisfy each of the four tests of soundness set out in the NPPF.
 - The Council must also satisfy a number of legal requirements including:
 - the preparation of a Sustainability Appraisal report (incorporating the requirement for Strategic Environmental Assessment);
 - carrying out a Habitats Regulations Assessment, to test if the plan proposals could significantly harm the designated features of a site defined in [Regulation 8 of the Conservation of Habitats and Species Regulations 2017](#)
 - publishing an up-to-date Local Development Scheme setting to the timescales for plan production;
 - carrying out public consultation at specified stages in the plan-making process; and
 - considering strategic cross boundary issues through compliance with the Duty to Cooperate.

IMPLICATIONS

Policy: The report confirms that many policies in the Core Strategy are now out-of-date and in need of review. Taking into account the motion passed by Council and national planning policy requirements, it is recommended that a new single Local Plan is prepared.

Financial: The full costs are not known but will be prepared once the Council has agreed to the production of a new Local Plan.

Legal: The Council has statutory duty to prepare and have in place an up-to-date Local Plan. There are legal requirements associated with plan preparation which must be fulfilled.

Risk Management: The preparation of a new Local Plan carries limited risk. The key risk for any Local Plan is that it may be found unsound, should its proposed strategy conflict with national planning policy, or the supporting evidence. The preparation of a new Local Plan minimises the risks and costs associated with the potential that new planning reforms could have on plan preparation for the Borough.

Health and Safety: None arising directly from this report.

Sustainability: None arising directly from this report.

Community Safety: None arising directly from this report.

Equality and Diversity: None arising directly from this report.

APPENDICES

Appendix 1: Local Development Scheme for New Local Plan

LIST OF BACKGROUND PAPERS

National Planning Policy Framework 2021.