

**Subject: LANCASHIRE COUNTY
COUNCIL POLICY PAPER**

Status: FOR PUBLICATION

**Report to: DEVELOPMENT CONTROL
COMMITTEE
CABINET**

**Date: 5TH DECEMBER 2006
13TH DECEMBER 2006**

Report of: THE HEAD OF PLANNING, LEGAL AND DEMOCRATIC SERVICES

Portfolio

Holder: CABINET MEMBER FOR REGENERATION

Key Decision: YES

Forward Plan General Exception Special Urgency

1. PURPOSE OF REPORT

- 1.1 The report requests the Committee's agreement to the application for Development Control purposes of the Lancashire County Council Planning Obligations in Lancashire Policy Paper.

Appendix 1 provides details of the main policies to be applied when dealing with planning applications. Appendix 2 provides details of the Council's Protocol for delivery of Commuted Sums and Planning obligations.

2. CORPORATE PRIORITIES

- 2.1 Delivering regeneration across the Borough.

3. RISK ASSESSMENT IMPLICATIONS

- 3.1 There are no specific risk issues for members to consider arising from this report.

4. BACKGROUND AND OPTIONS

- 4.1 Lancashire County Council have over the last year consulted on their Policy Paper on Planning Obligations in Lancashire.

- 4.2 This paper puts forward principles, methods and good practice with the aim of developing a consistent and robust approach to planning obligations across Lancashire. It is based upon extensive research undertaken by a working group from the Lancashire Planning Officers' Society (LPOS). The group consisted of

representatives from Lancashire County Council, Blackburn with Darwen Borough Council, Blackpool Borough Council, Chorley Borough Council, Hyndburn Borough Council and Preston City Council.

4.3 The paper has been through two stages of consultation.

- During the first stage in September 2005 the paper was circulated to 150 organisations, including developers, transport operators, housing and business organisations, environmental organisations and local authorities. 22 replies were received and in January 2006 a summary of the comments made and responses to them was circulated. Workshops were also held with local authorities.
- For the second stage of consultation a revised document was produced based on the comments received. This was circulated to the same organisations in March 2006 and 10 replies were received. The paper was revised further to reflect these additional comments. There has been no political involvement in the content of the Paper.

4.4 LPOS considered a final version of the Policy Paper at its meeting on 9th June 2006. It encouraged each local authority to consider the approach proposed in the paper and to take the document forward at the local level as each authority sees appropriate. This document is substantively the Paper the document that was submitted to LPOS with some changes to ordering of methodologies. This was considered as valuable in providing a wider context. The adoption of the Policy Paper by Lancashire County Council reflects the commitment of the Authority to developing a consistent and clear approach to planning obligations.

4.5 The document is structured as follows.

- Part 1 sets out the main guidance on planning obligations
- Part 2 provides detailed methodologies in three parts:
 - County Council Services;
 - Combined County Council/Local Authority Services;
 - Other Services.
- Part 3 sets out examples of good practice.

4.6 LPOS advised that Lancashire planning authorities may want to use the Policy Guidance as a basis for developing planning obligations policies in their local development frameworks (LDF5). Local authorities will also want to consider local research to form an evidence base for matters such as public open space, individual authorities may also want to develop internal good practice guidance. Lancashire County Council will undertake further internal research as appropriate. This paper is **not** a formal supplementary planning document (SPD) under the Planning and Compulsory Purchase Act 2004.

4.7 While this document has been drafted, the Government has published its consultation on the proposed planning gain supplement (PGS). This means that parts of this document may no longer apply after 2008. However, even if the PGS is introduced, this paper will still have value — particularly the methods described which relate to scaled-down on-site contributions and improving internal procedures.

5. COMMENTS OF THE HEAD OF FINANCIAL SERVICES

- 5.1 I am currently working with the Head of Planning, Legal and Democratic Services in ensuring we have systems in place to monitor Planning obligations.

6. COMMENTS OF THE HEAD OF HUMAN RESOURCES

- 6.1 No Human Resources implications.

7. CONCLUSION

- 7.1 It is considered appropriate to apply the policy paper for Development Control purposes. This report extracts the main policies and the relevant formulas which will be used in pre-application decisions. The full text of the document may be obtained from the Head of Planning, Legal and Democratic Services.

8. RECOMMENDATIONS

- 8.1 That the Cabinet agree to the adoption of the Lancashire County Council Policy Paper on Planning Obligations in Lancashire for Development Control purposes. The District Council will use the Policy as a starting point but ultimately exercise its discretion in applying the Policy when dealing with planning applications.
- 8.2 That Cabinet delegates the amendment of the Protocol for the working relationship between the Districts and the County to the Head of Planning, Legal and Democratic Services.
- 8.3 That Cabinet approves Appendices 2 and 3 as improvements to the way we deal with planning obligations.

9. CONSULTATION CARRIED OUT

- 9.1 As referred to within the report, officers will discuss at the Developer Forum on the 11th December 2006 and this will go to Cabinet for approval.

Contact Officer	
Name	Linda Fisher,
Position	Head of Planning, Legal and Democratic Services
Service / Team	Planning
Telephone	01706 252447
Email address	lindafisher@rossendalebc.gov.uk

Background Papers	
Document	Place of Inspection
Planning Obligation in Lancashire Policy Paper July 2006.	Planning website – the whole document.