



DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	COUNCIL	22 OCTOBER 2018	9
THE FYLDE LOCAL PLAN TO 2032			

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY

The production of a Local Plan is a key requirement of Local Planning Authorities. Under the plan-led system, having an up-to-date Local Plan in place is crucial to ensuring that the Council can shape the future development of Fylde. Following a process of evidence gathering, public engagement and Examination by a Government Inspector, the final version of the Fylde Local Plan to 2032 (Appendices 1 to 5 of this report) is presented to members with a recommendation for formal adoption as the principal part of the statutory Development Plan for Fylde.

The Local Plan promotes a sustainable pattern of development for the Borough over the plan period to 2032. The development strategy in the Local Plan directs 90% of development to 2032 to four strategic locations: Lytham and St. Annes; the Fylde-Blackpool Periphery; Warton; and Kirkham and Wesham. The Local Plan includes policies to allocate sites for housing and employment for the period to 2032 in accordance with the development strategy. It also includes policies for development management, i.e. for the assessment of planning applications, in relation to a wide range of themes including employment, retail, tourism, green belt, areas of separation, design, landscape, biodiversity, countryside, flood risk and heritage.

The Local Plan has been produced over a series of stages, with a succession of consultations. The soundness consultation immediately prior to submission for Examination resulted in representations from 71 individuals and bodies, over half of these being developers or their agents. This reflects the extensive engagement and consultation that had taken place on the earlier drafts of the Local Plan.

The Local Plan was submitted to the Secretary of State for Examination in December 2016. Hearings took place in March, June and December 2017. The Council has proposed Main Modifications to address concerns raised by the Inspector regarding the soundness of the plan.

The Inspector's Report (Appendix 6 to this report) found that the Local Plan is sound with the Main Modifications incorporated. The Main Modifications made to the Publication Local Plan are set out in the Appendix to the Inspector's Report (pages 39-77 of Appendix 6 to this report).

The Council's Planning Committee has approved each stage of the progress of the Local Plan, including the Publication Version of the Local Plan, consultation, submission to the Secretary of State, the findings of additional evidence, and the Main Modifications that have subsequently been agreed by the Inspector.

The Local Plan, if adopted by the Council, will be a powerful tool in directing development, in requiring a high standard of development, and in resisting development that is inappropriate. It will therefore be critical in shaping Fylde in the future.

RECOMMENDATION

1. That the Fylde Local Plan to 2032, including the Policies Map and Inset Maps attached as Appendices 1 to 5 of this report, be Adopted as statutory Development Plan Documents by the Council for use in determining planning applications and consideration of planning enforcement decisions.

SUMMARY OF PREVIOUS DECISIONS

Planning Committee 17th January 2018 – Schedule of Proposed Modifications to the Fylde Local Plan to 2032 – members resolved:

1. That authority be delegated to the Head of Planning and Housing and the Chairman and Vice-Chairman of Planning Committee to agree any further changes resulting from continued liaison with the Inspector.
2. That the final version of the Schedule of Proposed Main Modifications, Proposed Additional Modifications and Proposed Additional Modifications to the Policies Map, will be subject to Sustainability Appraisal and public consultation.

Planning Committee 8th May 2017 - Council's Response to the Local Plan Inspector's Stage 1 Interim Findings – members resolved:

1. That the amendments to the plan attached within Appendices 2, 3, 4 and 5 to the report/updated report be approved for inclusion within the Local Plan.
2. That the Housing Requirement for Fylde Borough to 2032 is 415 dwellings per annum and that the Local Plan be amended accordingly.
3. That delegated authority be given to the Head of Planning and Regeneration in order to further amend Policy DLF1 in line with the suggestions of the Inspector.
4. That the wording of Policy H7 is amended (*amended wording was attached*).

Development Management Committee 30th November 2016 - Submission of the Fylde Local Plan to the Secretary Of State – members agreed the following two recommendations

1. That the Publication Version Local Plan, Policies Map and all necessary accompanying documents be submitted to the Secretary of State for Examination.
2. That the Statement of Regulation 20 Consultation and the Schedule of Proposed Minor Modifications to the Fylde Publication Version Local Plan be approved for submission, to be included with items under recommendation 1.

Development Management Committee 15th June 2016 – Publication Version of the Fylde Local Plan to 2032 – members agreed the following five recommendations:

1. Issue the Publication version of the Fylde Local Plan to 2032 for public consultation on 'soundness' for 6 weeks commencing in August 2016, together with the draft Infrastructure Delivery Plan (the IDP), the draft Statement of Compliance with the Duty to Co-operate and the technical assessments.
2. Approve the policies in the housing chapter (Chapter 10: Provision of Homes in Fylde) of the Publication version of the Local Plan for immediate use as 'Interim Housing Policies' for use by the Development Management Committee and for decisions determined under Delegated Authority by the Head of Planning.
3. Approve the Masterplan Policy in Chapter 7 (Strategic Locations for Development) of the Publication version of the Local Plan for immediate use by the Development Management Committee and for decisions determined under Delegated Authority by the Head of Planning.
4. The Publication Version of the plan be amended to reflect the findings of the revised Gypsies and Travelling Showpeople Accommodation Assessment when available.
5. That delegated authority is given to the Head of Planning (in consultation with the Chairman and Vice Chairman of the Development Management Committee), to make any further amendments to the Publication version of the Local Plan, the Policies Map, the draft IDP and the draft Statement of Compliance with the Duty to Co-operate.

CORPORATE PRIORITIES	
Spending your money in the most efficient way to achieve excellent services (Value for Money)	✓
Delivering the services that customers expect of an excellent council (Clean and Green)	✓
Working with all partners (Vibrant Economy)	✓
To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live)	✓
Promoting Fylde as a great destination to visit (A Great Place to Visit)	✓

REPORT

THE FYLDE LOCAL PLAN TO 2032

1. Local Planning Authorities are required to produce a Local Plan for their area. The Government's objective is that the planning system should be genuinely plan-led. The production of an up-to-date Local Plan allows councils to set out their strategy for how and where development needs will be met and make detailed allocations of land for development, as well as to set out a broad suite of policies for the determination of planning applications, to set out the requirements that developers must meet and the types of developments that are acceptable.
2. If members accept the recommendation above, the new Fylde Local Plan to 2032 will become the most important planning document for Fylde, against which planning applications will be determined. The Local Plan is attached as Appendix 1 to this report. The Local Plan is accompanied by the Policies Map including Inset Plans, which are attached as Appendices 2 to 5 of this report. The report of the Inspector appointed to examine the Local Plan is attached as Appendix 6 to this report.
3. Once adopted, the Local Plan will become the principal component (along with the Minerals and Waste Plan produced by Lancashire County Council, the St Anne's on the Sea Neighbourhood Development Plan and the Bryning-with-Warton Neighbourhood Development Plan) of the Development Plan for the Borough. The Development Plan is important as it forms the starting point under planning law for the determination of planning applications.
4. The Local Plan includes Strategic and Non-Strategic Allocations for new homes and employment land, leisure, retail, tourism and community use, or a mixture of such uses. The Local Plan also contains Development Management policies, which will inform decisions on planning applications and appeals; together with policies to protect the natural and built environment and heritage assets.
5. The Local Plan, once adopted, will supersede the current saved policies of the Fylde Borough Local Plan (As Altered: October 2005). Appendix 1 of the Local Plan sets out the policies in the adopted Fylde Borough Local Plan (As Altered: October 2005) and shows:
 - Policies which will be replaced by policies in this new Fylde Local Plan to 2032 including both Strategic and Non-Strategic Allocations and Development Management policies;
 - Policies which have been superseded by the National Planning Policy Framework (the Framework); and
 - Policies which are no longer required.
6. Preparation of the Local Plan has fulfilled the requirements set out in the Planning and Compulsory Purchase Act, 2004, as amended, and the accompanying Town and Country Planning (Local Planning) (England) Regulations, 2012; and has followed the guidance set out in the Framework, published in March 2012 and the Planning Practice Guidance (PPG), issued in March 2014. The revised Framework was issued by the Government in July 2018: this includes a transitional arrangement whereby local plans submitted for Examination on or before 24th January 2019 are examined in relation to the 2012 Framework. The Local Plan therefore has been prepared and Examined in relation to the 2012 Framework.
7. The Local Plan is built upon the key principle of sustainable development and its three dimensions: social, economic and environmental. These dimensions give rise to the need for the planning system to perform a number of roles (the Framework 2012, paragraph 7):

- An economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support economic growth and innovation; and by identifying and co-ordinating development requirements, including the provision of infrastructure;
 - A social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
 - An environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.
8. The Local Plan will provide the locally-specific part of the statutory Development Plan, whilst the Framework provides the national framework against which all development in Fylde must be assessed. Local Plans must cover the strategic element of the development plan which was previously included in regional strategies and structure plans. The Local Plan will not repeat policies contained in the Framework unless there is a locally specific aspect of the Framework that needs to be clarified.
 9. Promoting health and wellbeing, equality, viability, achieving good design and sustainability are cross cutting themes promoted through the Framework. The cross cutting themes are integral to all the policies and they run through the Local Plan.
 10. The Local Plan was prepared in close co-operation with Blackpool Council, Wyre Council and Lancashire County Council, which collectively comprise the Fylde Coast sub-region, together with neighbouring local planning authorities i.e. Preston City Council and other statutory consultees including the Environment Agency and Natural England as part of the Duty to Co-operate on strategic planning issues introduced through the Localism Act 2011 and the Framework (paragraph 178).
 11. The Local Plan contains a Spatial Portrait (Chapter 2) of how the Borough looks and functions now, together with a Vision for Fylde (Chapter 3) to the end of the plan period, five Strategic Objectives (Chapter 4) and a Development Strategy (Chapter 5). The Vision and the Development Strategy set out how the Council envisages the area will develop over the course of the Local Plan period. It seeks to ensure that new homes, jobs and services required by communities are located in the most sustainable locations and that the mechanisms for delivering the necessary infrastructure, facilities and other development will be provided to make this achievable.
 12. The Local Plan identifies four Strategic Locations for Development in Chapters 5 and 6 which will be the focus for the level of housing and economic growth required in Fylde up to the end of the plan period. The four Strategic Locations are: Lytham and St Annes; Fylde – Blackpool Periphery; Warton; and Kirkham and Wesham. To accommodate the level of development proposed, the Local Plan includes a masterplan policy (policy M1) for all of the Strategic Locations to ensure that new development on strategic sites is planned and delivered in an effective manner. In Chapter 6, the Local Plan allocates strategic and non-strategic sites for development, to provide for identified needs up to 2032. The allocations and allowances will mean that around 90% of development will be located within the four strategic locations, with around 10% located in non-strategic locations: almost all of the latter will be distributed between Freckleton, the three Tier 1 Larger Rural Settlements and the four Tier 2 Smaller Rural Settlements.
 13. The Local Plan includes General Development Policies in Chapter 7, on the Green Belt, Areas of Separation, development in the countryside, promoting mixed use development, achieving good design in development, demonstrating viability, and contaminated land.
 14. Chapter 8 on the Fylde Economy includes policies on the overall provision of employment land and existing employment sites; the Lancashire Advanced Engineering and Manufacturing Enterprise Zone at BAE Systems, Warton and Blackpool Airport Enterprise Zone; the retail hierarchy, which is based upon vibrant town, district and local centres; leisure, culture and tourism development; and tourism accommodation.

15. Chapter 9 on the Provision of Homes in Fylde includes the housing requirement number; allocation of housing land; density and mix of new residential development, including specialist accommodation for the elderly and custom and self-build homes; conversions and change of use to residential; the provision of Affordable Housing; Gypsies, Travellers and Travelling Showpeople's Sites; isolated new homes in the countryside; and replacements of, and extensions to, existing homes in the countryside.
16. Chapter 10 on Health and Wellbeing includes, amongst other things, the provision of community facilities and indoor and outdoor sports facilities.
17. Chapter 11 on Infrastructure, Service Provision and Transport focusses on developer contributions and the Community Infrastructure Levy (CIL); strategic highway improvements; protection for Warton Aerodrome; safeguarding Blackpool Airport as a viable operational airport; enhancing sustainable transport choice and the provision of parking standards. Parking standards are proposed to be the subject of a separate supplementary planning document (SPD).
18. Chapter 12 on Water Resource Management, Flood Risk and Addressing Climate Change focusses on flood alleviation, water quality and water efficiency; surface water run-off and sustainable drainage (SuDs); renewable and low carbon energy generation; decentralised energy networks and district heating systems.
19. Chapter 13 on Conserving and Enhancing the Natural, Historic and Built Environment focusses on landscape; biodiversity; protecting existing and providing additional open space and Green Infrastructure; the management and enhancement of open space; and the protection of the historic environment including listed buildings, conservation areas and registered historic parks and gardens.
20. A Policies Map - including Inset Plans - accompanies the Local Plan. The Policies Map and Inset Plans are provided in Appendices 2 to 5 of this report. They show all of the sites allocated for development in the Local Plan, together with areas of constraint including the Green Belt, Areas of Separation, nature conservation sites (biodiversity) and infrastructure projects including the M55 (Junction 4) to Heyhouses (St Annes) Link Road. The Policies Map including Inset Plans has been updated to reflect Main Modifications as set out in the Appendix to the Inspector's report (Appendix 6 to this report).
21. It is a statutory requirement and best practice that the Local Plan is subject to several technical assessments during its preparation to ensure that it addresses the specific issues of sustainability, impacts on international sites of nature conservation importance, economic viability, health, equality and impact on rural areas. Therefore, the following technical assessments of the Local Plan were undertaken:
 - Sustainability Appraisal (SA)
 - Habitat Regulations Assessment (HRA) - Screening Report
 - Health Impact Assessment (HIA)
 - Equalities Impact Assessment
 - Rural Proofing Assessment
 - Viability Assessment

STAGES OF PRODUCTION OF THE LOCAL PLAN

22. The Local Plan is supported by a broad base of evidence which has been produced and updated throughout the plan preparation process. This evidence relates to a very diverse range of topics, including housing land, employment land, housing need, retailing, open space and sports facilities, landscape, flood risk and transport. The evidence documents are available on the Council's website: a link is provided under the "Background Documents" section below.
23. The Council consulted on what should be contained within the Local Plan through a Vision, Issues and Objectives consultation and a separate formal "Regulation 25" consultation in 2011. A wide range of consultation events were held to bring forward the views of the public. The result was the Local Plan Vision, and identification of a series of issues which were then used to develop the five Strategic Objectives in Chapter 4 of the Local Plan.
24. The Council consulted in 2012 on the Issues and Options document. The consultation document set out five alternative spatial options and 29 policy options for the future development of the Borough. The options

were designed to address the key policy issues of the Borough, including the overall distribution of development.

25. The Council then produced a Preferred Option document, responding to the issues raised in the Issues and Options consultation. This was a document that would have become a Core Strategy, rather than a full Local Plan, and only included strategic site allocation proposals. A full consultation was undertaken on this document.
26. The decision was then taken that a full Local Plan would be produced, rather than the initial strategic document that had been the Preferred Option. The advantage of this is that only a single Local Plan would need to be submitted to the Secretary of State, rather than having to undertake the plan-making process and Examination in Public effectively twice. The result was the Revised Preferred Option (RPO) Local Plan. This was the initial full draft of the Local Plan as it is now presented. The RPO was published for consultation in October to December 2015: there were responses from 208 respondents, plus a petition containing 32 signatories.
27. Following amendments prompted by the consultation on the Revised Preferred Option, and amendments to the housing chapter to reflect updated legislation, the Publication Version was produced for the purpose of submission for Examination. The Council's Development Management Committee approved the Publication Version Local Plan for consultation on 15th June 2016. The pre-submission consultation in August-September 2016, required under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, produced representations from 71 individuals or bodies.
28. The Local Plan was then submitted in December 2016 to the Secretary of State for Examination, along with the technical assessments listed above, evidence documents, consultation statements and the representations made in the consultation.

EXAMINATION OF THE LOCAL PLAN

29. Following submission, the Inspector, Mrs Yvonne Wright, was appointed to conduct the Examination in Public of the Local Plan. The purpose of the Examination is to assess whether the Local Plan has been prepared in accordance with all legal requirements, and whether it is sound. The tests of soundness are set out in the Framework, and are repeated for reference in the Local Plan (Appendix 1 to this report, paragraph 1.28). All of the documents that formed part of the Examination process are available on the Council's website: a link is provided under the "Background Documents" section below.
30. The Examination in Public of the Local Plan took place over three sessions of hearings. The initial hearings into the legal compliance and the soundness of the Local Plan were held in March 2017; this series of hearings was restricted by the Inspector to the housing requirement and development strategy, and to the legal tests, particularly the Duty to Cooperate which it was alleged by Wyre Council and others that the Council had failed to comply with. Following the stage 1 hearings the Inspector issued a letter providing interim findings that the Council had complied with the Duty to Cooperate and therefore that the Examination in Public could proceed to further hearings. The letter also indicated that a further update of housing evidence was required, to reflect the recently-published 2014-based Household Projections. The Council agreed to update its evidence and commissioned consultants to produce an Addendum to the housing evidence and projections for jobs growth. The conclusions from this resulted in a change to the housing requirement figure. The Council's Planning Committee accepted a revised housing requirement figure of 415 dwellings per annum on 8th May 2017 and the Council proposed modifications to the Local Plan to reflect this.
31. Following the satisfactory conclusion of the stage 1 hearings in relation to the Duty to Cooperate, the stage 2 hearings took place in June 2017, to discuss further the remaining policies of the Local Plan. A number of further Main Modifications were identified to be necessary to make the Local Plan sound, as a result of the proceedings in the hearing sessions.
32. At the end of the stage 2 hearing sessions the Inspector noted that the new evidence that had been introduced relating to the housing need and jobs growth, and an update to evidence relating to housing land supply, gypsies and travellers and the settlement hierarchy, had not been subject to consultation. It was therefore necessary to consult on these: this took place in August-September 2017. The evidence and the

Council's response to it were challenged by a number of representors; the Inspector therefore required a further stage of hearings.

33. The stage 3 hearings took place in December 2017, this being examination of the revised housing requirement of 415 dwellings per annum, the settlement hierarchy (in particular the position of Elswick and Wrea Green in the hierarchy) and the housing land supply.
34. Following the conclusion of the hearings, a complete draft of Main Modifications was prepared, to resolve matters where the Inspector had noted potential issues with the soundness of the Local Plan as originally drafted. The Main Modifications were considered by the Planning Committee on 17th January 2018 and accepted; they were then issued for a consultation in February-March 2018. The results of the consultation were provided to the Inspector in April 2018. In addition to the Main Modifications, the Council has also made Additional Modifications to the Local Plan. These are changes that are of a more minor nature and do not materially affect the policies set out in the Fylde Local Plan. Additional Modifications mainly relate to points where a need has been identified to clarify the text, include updated facts, or make typographical or grammatical revisions which improve the readability of the Local Plan.
35. The Inspector's Report on the Examination of the Local Plan is attached as Appendix 6 to this report. The Inspector has found that the Local Plan is legally compliant, and is sound providing that the Main Modifications shown in the accompanying schedule are made.

HOW THE LOCAL PLAN WILL BENEFIT THE BOROUGH OF FYLDE

36. If Members accept the recommendation, the Local Plan will become the principal part of the statutory Development Plan for Fylde. Planning law¹ requires that planning decisions must be in accordance with the Development Plan, unless material considerations indicate otherwise. The Local Plan will therefore be a powerful tool for the Council in determining the shape of the Borough in the future.
37. The adoption of the Local Plan will provide the Council's endorsement of the findings of the Local Plan Inspector. The Inspector's finding that the Local Plan is sound will ensure that the Council is able to restrict development to proposals that are in accordance with the Local Plan. In particular:
 - Confirmation that the objectively assessed need for housing over the plan period will be met through a housing requirement figure of 415 net additional homes per annum, contrary to the arguments of some representors for a higher figure;
 - Confirmation that the Council's five-year housing land supply should be assessed using the "Liverpool" approach, i.e. spreading shortfall in the number of homes delivered from the early years (2011-2015) over the whole of the remainder of the plan period to 2032. This means that the Council can comfortably demonstrate a five-years' supply of deliverable land, which will prevent challenges at appeal by promoters of less suitable sites being successful;
 - Confirmation of the Council's development strategy which directs most development to the four most sustainable locations, allowing the Council to maintain restriction on development at less sustainable locations and direct development in accordance with the Local Plan.
38. Members are therefore invited to adopt the Fylde Local Plan to 2032 as a Development Plan Document.
39. The introduction of the new Framework 2018 will mean that the policies of the Local Plan will need to be reviewed to ensure that they accord with the new Framework 2018. In addition, the Framework 2018 requires that Local Plans are reviewed within five years. Therefore, once the Local Plan is adopted, the imperative of ensuring it remains up-to-date through regular reviews will continue.

¹ Sn 38(6) Town & Country Planning Act 1990

IMPLICATIONS	
Finance	There are no financial implications arising directly from this report
Legal	The Fylde Local Plan to 2032 will replace the saved policies of the 2005 Fylde Borough Local Plan as part of the statutory development plan for the area. Because the plan will be up-to-date, its policies will be more robustly defensible in planning appeals.
Community Safety	Local Plan policy will require that new developments create safe and secure environments
Human Rights and Equalities	The Fylde Local Plan to 2032 has been subject to Equalities Impact Assessment
Sustainability and Environmental Impact	The Local Plan has been subject to Sustainability Appraisal. Modifications to the plan proposed by the Inspector have also been subject to Sustainability Appraisal. The Local Plan has been subject to Habitats Regulations Assessment to assess for any likely significant effects on Internationally protected sites. Where likely significant effects arising from a policy or allocation of a site could not be ruled out without mitigation, Appropriate Assessment has been undertaken, which demonstrates that the Local Plan would have no effect on the integrity of the designated sites.
Health & Safety and Risk Management	None

LEAD AUTHOR	CONTACT DETAILS	DATE
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BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Local Plan Submission documents	August 2016	http://www.fylde.gov.uk/council/planning-policy--local-plan-/local-development-framework/www-fylde-gov-uk-submission/
Local Plan Examination document library	January 2017 – July 2018	http://www.fylde.gov.uk/council/planning-policy--local-plan-/www-fylde-gov-uk-examination/
Local Plan Evidence Base	Up to August 2016	http://www.fylde.gov.uk/council/planning-policy--local-plan-/local-development-framework/comprehensivelistofevidence/

Link to Supporting documents

Appendix 1: [The Fylde Local Plan to 2032](#)

Appendix 2: [Policies Map](#)

Appendix 3: [Kirkham Inset Map](#)

Appendix 4: [St. Annes Inset Map](#)

Appendix 5: [Lytham Inset Map](#)

Appendix 6: [Inspector's Report including Appendix](#)