



DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	PLANNING COMMITTEE	14 OCTOBER 2020	4

PARTIAL REVIEW OF THE FLP32: SUBMISSION TO THE SECRETARY OF STATE

PUBLIC ITEM

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

SUMMARY

The Council has produced and consulted on a Partial Review of the Fylde Local Plan to 2032 (FLP32). The Partial Review will address the two objectives of revising plans to reflect policy changes that the National Planning Policy Framework 2019 (NPPF19) has made and examining the issue of Wyre's unmet housing need which was a commitment in the FLP32.

Members agreed on 11th March 2020 to the Partial Review documents and for their publication for a six-week consultation under Regulations 19 and 20. The consultation took place between 23rd July 2020 and 3rd September 2020. Representations were received from 27 bodies and individuals, and are provided in the accompanying documents in Appendices 8, 9 and summarised in Appendix 10.

A wide range of points have been made in the representations which are summarised briefly in this report and in more detail in Appendix 10. The Council's proposed responses to the representations are provided in Appendix 10.

Since the Partial Review consultation commenced, the Government has published a White Paper on changes to the planning system, and a separate consultation on amendments to the current system. A number of representations received make reference to the draft changes and have stated that the Council should pause/abandon/alter the Partial Review accordingly. Officers have sought legal counsel on the implications, and in light of the advice, recommend continuing with the submission of the Partial Review as planned, to the Secretary of State for Examination.

The full suite of submission documents is provided for completeness. A supporting five-year housing land supply draft calculation based on the proposed new housing requirement is now included (Appendix 11).

RECOMMENDATIONS

1. Members note the representations made to the Partial Review of the FLP32 in the documents accompanying this report;
2. Members approve the Council's response to those representations in the Statement of Regulation 20 Consultation (Regulation 22(1)(c)(v)) Statement) (Appendix 10)
3. Members approve the Partial Review, supporting documents, technical assessments and responses to the Regulation 19/20 consultation for submission to the Secretary of State.

SUMMARY OF PREVIOUS DECISIONS

On 11th March 2020 the Planning Committee agreed to approve the Partial Review, supporting documents and technical assessments for Publication in accordance with Regulation 19/20 of the Town and Country Planning (Local Planning) (England) Regulations 2012; to approve those documents together with the responses to the Regulation 19/20 consultation for submission to the Secretary of State; and that officers be asked to continue to liaise with Wyre Council in order to seek to address the issue of unmet housing need in Wyre.

On 22nd January 2020 the Planning Committee agreed the Council's responses to the Regulation 18 consultation, the scope of the partial review and that technical assessments be carried out.

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 Partial Review Consultation

1. The Planning Committee has previously approved the production of the Partial Review of the Fylde Local Plan to 2032 (FLP32) and its publication for consultation in advance of submission to the Secretary of State. The purpose of this report is to provide members with the results of the consultation and the Council's proposed responses to these, and to recommend submission to the Secretary of State.
2. Members of the Committee will be familiar with the reasoning for the Council undertaking the Partial Review of the Fylde Local Plan to 2032 (FLP32): to update the Fylde Local Plan to 2032 so that it accords with the National Planning Policy Framework of February 2019 which made changes from the 2012 version, including the introduction of the new standard method for assessing housing needs; and to fulfil the commitment made in paragraph 1.27 of the need to undertake an early review of the Plan (whether partial or full) to examine the issue of unmet housing need in Wyre, following the adoption of the Wyre Local Plan (2011-2031) with unmet need.
3. The principal document of the Partial Review is the Partial Review of the Fylde Local Plan to 2032: Schedule of Revisions to the FLP32 (Appendix 1). This was accompanied in the consultation with a range of supporting documents and technical assessments, which were presented to members previously and which are provided again for completeness. The consultation was sent to 1,125 consultees in total. The consultation was publicised through a formal press notice and press release, and on the Council's website. The consultation took place between 23rd July 2020 and 3rd September 2020. Copies of the material used for the consultation is provided within the Statement of Regulation 20 Consultation (Regulation 22(1)(c)(v)) Statement) (Appendix 10).
4. Representations were received from 27 bodies and individuals. The points made in the representations included the following (this is far from an exhaustive list):
 - It does not use the latest housing projections and therefore is not based on the most up-to-date housing need figure;
 - There would be a reduction to the housing requirement in relation to recent housing delivery;
 - There is no justification for a range for the housing requirement and the upper end looks like a cap;
 - There are matters of disagreement in the Statement of Common Ground and Wyre Council has suggested joint working which we do not appear to have considered;

- The reduction in the housing requirement is contrary to national policy of “significantly boosting the supply of homes”;
 - There is a risk of a need for a further review in relation to Wyre’s unmet need, which is still unmet;
 - Objection to the Sustainability Appraisal and its assessment that there are “no reasonable alternatives”;
 - No uplifts have been added to the housing need figure as there were for the SHMA figure: provision should be made for housing growth to reflect the significant job growth at the Blackpool Airport Enterprise Zone; and the need figure should provide for additional affordable housing need which has not been reassessed;
 - Use of the Sedgefield method for the 5-year supply calculation would now be appropriate given recent delivery;
 - It should cover a 15-year period from adoption and allocate sites to provide for it;
 - It has not been properly publicised;
 - The Statement of Common Ground lacks status;
 - There is a shortfall in the plan period against the 415 figure, therefore additional sites are needed anyway;
 - The Partial Review as a whole lacks justification and therefore should be withdrawn.
5. The full text of the responses is provided in the Copies of Representations Made Under Regulation 20 (Regulation 22(1)(d) Document) (Appendix 8). The responses are separately set out arranged by policy/paragraph in the Text of Representations Made Under Regulation 20 in Policy Order document (Appendix 9). A summary of the responses, again in policy order, is set out in the Statement of Regulation 20 Consultation (Regulation 22(1)(c)(v)) Statement) (Appendix 10).
6. Wyre Council responded to the Draft Statement of Common Ground and stated that as they still at present have unmet need the National Planning Policy Framework indicates that Fylde should meet this through the Partial Review. However, the Wyre Local Plan (2011-2032) includes a mechanism through its Policy LPR1 to address this unmet need. Therefore, it is not accepted that Wyre have unmet need that “cannot be met” in Wyre, as this can only be demonstrated by Wyre’s Partial Review. The Draft Statement of Common Ground presented here therefore indicates areas of disagreement. Wyre Council have responded to the publication consultation, and they note that cooperation has been positive, ongoing and constructive; they reiterate that the housing need for Wyre will only be altered through adoption of a new plan and as such remains 479 dpa at present; it cannot be assumed that Wyre will be able to meet its own needs; and the changes to the planning system through the White Paper will have implications for how both authorities go forward.

Effect of Emerging National Planning Policy and Guidance

7. The Partial Review consultation commenced on 23rd July 2020, although members will recall that the consultation was originally scheduled to commence in March 2020. On 6th August 2020, the Government published a consultation on amendments to the current planning system, which proposes significant amendments to the calculation of the standard method for calculating minimum local housing need. Also on 6th August 2020 the Government published a White Paper on changes to the planning system, involving proposed wholesale changes backed by primary legislation, which is the subject of a separate report to this meeting.
8. A number of representations received make reference to the draft changes, in particular the higher local housing need figure that would be calculated in the current year following the draft revised standard method. Some respondents have stated that the Council should pause/abandon/alter the Partial Review accordingly. Officers have sought legal counsel on the implications. The changes proposed remain draft only (the consultation closed on 1st October) and are therefore not current policy. Current policy remains as set out in the existing Planning Practice Guidance, which has been used to determine the Council’s proposed housing requirement figure. The draft changes propose a transitional arrangement for those authorities who have submitted a plan for examination up to 6 months after the publication date of the new guidance if they are

already at Regulation 19 stage (which the Partial Review has now completed). Therefore, a plan so submitted would be considered under current guidance. It is likely, given that the Partial Review would be submitted shortly following agreement of this committee, that the Council's submission would be even ahead of that point. Once adopted, the advice has been that the Partial Review should remain robust, as at appeal, any inspector should recognise the importance within national policy of the plan-led system. Therefore, in light of the current position and the advice received, officers recommend continuing with the submission of the Partial Review as planned, to the Secretary of State for Examination.

Five Year Housing Land Supply: version of the Draft APS based on the new Housing Requirement Range

9. In support of the submission to the Secretary of State, the Council has produced an edit of its Five-Year Housing Land Supply – Draft Annual Position for base date 1st April 2020. The edited version provides a calculation using the 275 dwellings per annum lower-end housing requirement figure. It is provided as Appendix 11. This provides an update and replaces the previous evidence document for 5 year housing land supply.

Next Steps

10. The Partial Review of the Fylde Local Plan to 2032, supporting documents and technical assessments will be submitted to the Secretary of State. A Planning Inspector will be appointed by the Planning Inspectorate and the Examination in Public is anticipated to take place over the winter of 2020/2021.
11. The Council has also updated its Local Development Scheme. The updated Local Development Scheme is being presented to this Planning Committee for member approval. The submission of the Partial Review of the FLP32 as recommended in this report is in accordance with the updated Local Development Scheme.

IMPLICATIONS	
Finance	The submission and examination in public will also incur costs which at present are unquantified but it is anticipated that these would be met from existing approved budgets. The Partial Review will be carried out by the existing policy team at the Council at no additional cost.
Legal	The Partial Review will follow the process set out in the Town and Country Planning (Local Planning) (England) Regulations 2012. Sustainability Appraisal will be carried out in accordance with the Environmental Assessment of Plans and Programmes 2004.
Community Safety	There are no implications for Community Safety.
Human Rights and Equalities	There are no implications for Human Rights and Equality. A Health Impact Screening has been subject to consultation alongside the Partial Review of the FLP32
Sustainability and Environmental Impact	A Sustainability Appraisal has been subject to consultation alongside the Partial Review of the FLP32.
Health & Safety and Risk Management	There are no health and safety implications.

LEAD AUTHOR	CONTACT DETAILS	DATE
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BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
EDPR01 – Fylde Local Plan to 2032	October 2018	https://new.fylde.gov.uk/wp-content/uploads/2020/07/8.-EDPR01-Fylde-Local-Plan-to-2032.pdf

EDPR02 – Implications of NPPF19 for FLP32	March 2020	https://new.fylde.gov.uk/wp-content/uploads/2020/07/9.-EDPR02-Implications-of-NPPF19-on-FLP32.pdf
EDPR03 – References to NPPF12 in FLP32	March 2020	https://new.fylde.gov.uk/wp-content/uploads/2020/07/10.-EDPR03-References-to-NPPF12-in-FLP32.pdf
EDPR04 – Housing Needs and Requirement Background Paper 2020	March 2020	https://new.fylde.gov.uk/wp-content/uploads/2020/07/11.-EDPR04-Housing-Needs-and-Requirement-Background-Paper-2020.pdf
EDPR06 – Fylde Council Authority Monitoring Report (2016-2019)		https://new.fylde.gov.uk/wp-content/uploads/2020/07/13.-EDPR06-Fylde-Council-Authority-Monitoring-Report-2016-19.pdf
EDPR07 – Fylde Council Housing Land Availability Schedule 2019		https://new.fylde.gov.uk/wp-content/uploads/2020/07/14.-EDPR07-Fylde-Council-Housing-Land-Availability-Schedule-2019.pdf
EDPR08 – Fylde Council Business and Industrial Land Schedule 2016-2018		https://new.fylde.gov.uk/wp-content/uploads/2020/07/15.-EDPR08-Fylde-Council-Business-and-Industrial-Land-Schedule-2016-2018.pdf
EDPR09 – Schedule of Evidence		https://new.fylde.gov.uk/wp-content/uploads/2020/07/16.-EDPR09-Schedule-of-Evidence.pdf
EDPR10 – Updates to Evidence		https://new.fylde.gov.uk/wp-content/uploads/2020/07/17.-EDPR10-Updates-to-Evidence.pdf
Local Development Scheme	October 2020	See item 3 of this meeting
Statement of Community Involvement	March 2020	https://new.fylde.gov.uk/wp-content/uploads/2020/06/Statement-of-Community-Involvement-SCI-June-2020-1.pdf

Attached documents:

Appendix 1 SDPR01 – The Partial Review of the Fylde Local Plan to 2032: Schedule of Revisions to the FLP32;
Appendix 5 SDPR05 – The Draft Statement of Common Ground;
Appendix 10 SDPR10 - Statement of Regulation 20 Consultation (Regulation 22(1)(c)(v)) Statement)

Additional documents available on line [here](#)

Appendix 2 SDPR02 – The Sustainability Appraisal and Strategic Environmental Assessment;
Appendix 3 SDPR03 – The Habitats Regulations Assessment Screening Report;
Appendix 4 SDPR04 – The Economic Viability Assessment Review 2020;
Appendix 6 SDPR06 – The Health Impact Assessment Screening;
Appendix 7 SDPR07 – The Statement of Regulation 18 Consultation;
Appendix 8 SDPR08 - Copies of Representations Made Under Regulation 20 (Regulation 22(1)(d) Document)
Appendix 9 SDPR09 - Text of Representations Made Under Regulation 20 in Policy Order
Appendix 11 EDPR05 – Five Year Housing Land Supply Draft Annual Position Statement (Partial Review)