

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	PLANNING COMMITTEE	11 MARCH 2020	5

PARTIAL REVIEW OF FYLDE LOCAL PLAN TO 2032

PUBLIC ITEM

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

SUMMARY

The Council has commenced 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 (NPPF19) has made and examining the issue of Wyre's unmet housing need which was a commitment in the FLP32 and precondition of the Inspector finding the FLP32 sound.

On 22nd February members agreed the scope of the Partial Review and authorised the commissioning of technical assessments. These include Sustainability Appraisal, Habitats Regulations Assessment Screening and Economic Viability Appraisal. The Council has also carried out a screening of the Partial Review to determine whether there are any Health Impacts plus a three-week consultation with neighbouring authorities and statutory consultees on the draft statement of common ground, schedule of revisions and summary of responses.

The next stage is to publish the Partial Review for a six-week public consultation. This is the Regulation 19/20 Publication stage. Once the consultation has finished the Partial Review will be submitted to the Secretary of State for examination.

RECOMMENDATIONS

1. Members 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.
2. 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 13th November 2019 the Planning Committee agreed an updated Local Development Scheme which was then published on the Council's website. The Local Development Scheme sets out a timetable for the Partial Review.

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

Purpose of the Partial Review

1. The Council considers that it is necessary to undertake a partial review of the Fylde Local Plan to 2032 (FLP32) for two reasons:
2. First, the Fylde Local Plan to 2032 was adopted on 22nd October 2018. It was examined in accordance with the National Planning Policy Framework 2012 (NPPF12). NPPF19 was published in February 2019, Paragraph 212 of which states: Plans may need to be revised to reflect policy changes which the replacement framework has made. This should be progressed as quickly as possible, either through a partial revision or by preparing a new plan.
3. Second, Paragraph 1.27 of the Fylde Local Plan to 2032 states that Fylde Council recognises that Wyre Council have identified difficulties in planning to meet its objectively- assessed need for housing. Any need that remains unmet following the adoption of Wyre’s Local Plan will need to be addressed. Fylde Council will undertake an early review of the Plan (whether partial or full) to examine this issue, working with other authorities adjoining Wyre under the Duty to Co-Operate. The objective of this process would be to ensure that any unmet housing need is met within the Housing Market Area and/or in other appropriate locations, where consistent with the achievement of sustainable development. This early review was required by the Local Plan Inspector.
4. The review is triggered by the two reasons mentioned in paragraphs 2 and 3 above. It is a process which the Council will undertake in order to ensure the FLP32 is and remains up to date. The review is a procedural requirement which does not necessarily mean that the FLP32 has become out of date.
5. 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. Since then work has continued on the Statement of Common Ground and Housing Needs and Requirement Paper. A number of other technical assessments and supporting documents have been produced.

Progress Towards Publication

6. Since the Planning Committee in January a small number of amendments have been made to the supporting documents that were presented to that Committee. In most cases this involved changing the date on the cover from January to March and updating the introduction to clarify that the technical assessments had been carried out. With respect to the Appendix 6 Schedule of Revisions to FLP32, Town and Country Planning (Local Planning) (England) Regulations 2012 8(5) stipulates where a local plan (in this case the Partial Review) contains a policy that is intended to supersede another policy in the adopted development plan, it must state the fact and identify the superseded policy. Therefore, a list of policies that will be amended is included in the introduction to the Schedule of Revisions. For completeness, all of the documents (appendices) provided to Planning Committee on 22nd January are provided to this Planning Committee.
7. The Council has also carried out a three-week pre-consultation with statutory consultees. They were sent the Draft Statement of Common Ground, the Schedule of Revisions and the Summary of Responses to the Regulation 18 Consultation on 30th January. The Statutory Consultees were asked to respond saying that they wish to be an ‘additional signatory’ to the Draft Statement of Common Ground.
8. Wyre Council have responded to the Draft Statement of Common Ground and have 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.

9. Your officers consider that the existence of disagreement between the authorities need not impede progress of Fylde’s Partial Review. The Schedule of Revisions has been amended to note that the revised housing requirement allows account to be taken of any need from neighbouring authorities that cannot be met. Therefore, should Wyre’s current unmet need of approximately 30 dwellings per year still remain after Wyre’s Partial Review is complete, these 30 dwellings per annum could be provided in Fylde from within the range of 275-415. Therefore, no new allocations are needed. This will allow Fylde to progress its Partial Review in accordance with the Framework. This will create a more robust and effective five-year supply of housing land.
10. The Council has carried out a screening exercise to ascertain whether the revisions proposed by the Partial Review have any negative impacts on Health. Appendix 9 presents the results of this screening. Most of the proposed revisions have no impact and this is recorded in the right-hand column. Ten of the proposed revisions will have a positive impact on health. None of the proposed revisions have a negative impact on health.
11. The Council has also updated its Statement of Community Involvement (SCI). The SCI2020 is being presented to this Planning Committee for member approval. The Publication consultation will be carried out in accordance with the SCI2020.

Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA)

12. This work has been carried out by Arcadis. As more than five years has elapsed since the last time the scope of the Sustainability Appraisal (SA) was updated there is a statutory requirement to consult on the scope of the SA with the statutory consultees. A five-week consultation commenced on 17 January and ended on 21 February 2020. The responses received are analysed in the SA Scoping Report. There is also a requirement to update the plans, policies and programmes and baseline which inform the SA. Arcadis then prepared a focussed SA Report which meets all the regulatory requirements plus a non-technical summary. Arcadis have also prepared a focussed HRA screening report to cover the amended policies only. This references the previous HRA and explains how the Partial Review has affected its results.
13. The conclusion of the SA was that overall, only minor amendments and updates to the existing appraisals of policies were required and, generally speaking, where effects were updated they were made more positive. No new negative effects on the environment or sustainability are predicted as a result of the sustainability appraisal of the Partial Review.
14. With respect to the HRA the HRA Screening Report concludes that a likely significant effect on a European Site as a result of the Council’s proposed revisions to the FLP32, through the Partial Review, can be objectively ruled out at this stage.

Economic Viability Assessment (EVA)

15. Keppie Massie have prepared a review of the Partial Review of the Fylde Local Plan to 2032 to identify any changes to Local Plan Policies which may have an impact on viability. They have then considered the FLP32 policy testing undertaken in the original Economic Viability Assessments and identified whether the revisions introduced by the Partial Review give rise to a need for adjustments to the assumptions made and as a result further viability testing. Based on the review they have undertaken they are satisfied that the changes proposed do not result in any alterations to the policies previously tested and as a result give rise to additional costs for development not previously taken into account in the previous economic viability assessments.
16. The previous Economic Viability Assessments were based on NPPF12 and Keppie Massie have therefore analysed the methodology and inputs used in their preparation, in the light of new guidance in the form of NPPF19 and updated PPG. Having undertaken this assessment they are satisfied that the previous EVAs accord to the requirements of this new best practice guidance and hence there is no need to undertake any amendments or to make adjustments to the viability testing.

17. The evidence base supporting the previous EVAs was compiled in the summer of 2015. The final stage of this review has therefore been to consider market signals and any potential changes to appraisal inputs that may be required as a result. Having undertaken this exercise we are satisfied that there have been no significant changes that would give rise to a different viability outcome than that reported in the previous EVAs.
18. Overall Keppie Massie have concluded that they are satisfied that the policies contained in the FLP32 and the proposed revisions arising from the Partial Review are realistic and that the total cumulative cost of all relevant policies will not undermine the deliverability of the plan.
19. It should be noted that at the time of publication of the committee agenda a final version of the EVA2020 was not available. The final version of the EVA2020 will be made available at Planning Committee.

Next Steps

20. The Partial Review of the Fylde Local Plan to 2032, supporting documents and technical assessments will be published for a six-week public consultation in accordance with the SCI2020 and the Town and Country (Local Planning) (England) Regulations 2012. Once the consultation has ended the Council will prepare for the submission of the Partial Review 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 summer of 2020.

IMPLICATIONS	
Finance	The publication consultation, submission and examination in public will also incur costs which at present are unquantified but it is anticipated that these may also 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 of the proposed schedule of revisions has been carried out and will be published for consultation alongside the Partial Review of the Fylde Local Plan to 2032
Sustainability and Environmental Impact	A Sustainability Appraisal has been carried out and will be published for consultation alongside the Partial Review of the Fylde Local Plan to 2032.
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
Local Development Scheme	November 2019	https://new.fylde.gov.uk/resident/planning/planning-policy-local-plan/local-development-scheme/
Statement of Community Involvement	March 2020	Not published until after Committee

Linked documents: [CMIS > Meetings Calendar](#)

Appendix 1 Regulation 18 Consultation Letter

Appendix 2 Summary of Responses to the Regulation 18 Consultation

Appendix 3 Schedule of Evidence

Appendix 4 Implications of NPPF19 for FLP32

Appendix 5 References to NPPF12 within the Fylde Local Plan to 2032

Appendix 7 Statement of Common Ground

Appendix 8 Housing Needs and Requirement Background Paper

Appendix 9 Health Impact Screening of the Partial Review of the Fylde Local Plan to 2032

Appendix 10 Sustainability Appraisal and Habitats Regulations Assessment Screening

Appendix 11 Economic Viability Assessment 2020

Attached documents:

Appendix 6 Schedule of Revisions to FLP32