



Agenda

Planning Committee

Date:	Monday, 8 May 2017 at 1:00pm
Venue:	Town Hall, St Annes, FY8 1LW
Committee members:	<p>Councillor Trevor Fiddler (Chairman)</p> <p>Councillor Richard Redcliffe (Vice-Chairman)</p> <p>Councillors Christine Akeroyd, Jan Barker, Michael Cornah, Neil Harvey, Kiran Mulholland, Barbara Nash, Linda Nulty, Liz Oades, Albert Pounder, Heather Speak.</p>

	PROCEDURAL ITEMS:	PAGE
1	<p>Declarations of Interest:</p> <p>Declarations of interest, and the responsibility for declaring the same, are matters for elected members. Members are able to obtain advice, in writing, in advance of meetings. This should only be sought via the Council's Monitoring Officer. However, it should be noted that no advice on interests sought less than one working day prior to any meeting will be provided.</p>	1
2	<p>Confirmation of Minutes:</p> <p>To confirm the minutes, as previously circulated, of the meeting held on 19 April 2017 as a correct record.</p>	1
3	<p>Substitute Members:</p> <p>Details of any substitute members notified in accordance with council procedure rule 25.</p>	1
	DECISION ITEMS:	
4	Council's Response to the Local Plan Inspector's Stage 1 Interim Findings	3 - 17

Contact: Lyndsey Lacey-Simone - Telephone: (01253) 658504 – Email: democracy@fylde.gov.uk

The code of conduct for members can be found in the council's constitution at
<http://fylde.cmis.uk.com/fylde/DocumentsandInformation/PublicDocumentsandInformation.aspx>

© Fylde Borough Council copyright 2017

You may re-use this document/publication (not including logos) free of charge in any format or medium. You must re-use it accurately and not in a misleading context.

The material must be acknowledged as Fylde Borough Council copyright and you must give the title of the source document/publication.

Where we have identified any third party copyright material you will need to obtain permission from the copyright holders concerned.

This document/publication is also available on our website at www.fylde.gov.uk

Any enquiries regarding this document/publication should be sent to us at the Town Hall, St Annes Road West, St Annes FY8 1LW, or to listening@fylde.gov.uk.

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	PLANNING COMMITTEE	8 MAY 2017	4
COUNCIL'S RESPONSE TO THE LOCAL PLAN INSPECTOR'S STAGE 1 INTERIM FINDINGS			

PUBLIC ITEM

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

SUMMARY

Stage 1 of the Local Plan Examination in Public took place on 28th and 29th March 2017. Following this, on 11th April, the Inspector wrote to the Council requesting further work and amendments to the plan.

This meeting has been convened to seek approval for the response of the Council to the Inspector, which involves some amendments to the Local Plan. Approval will be necessary in order for the Examination of the Local Plan to continue.

A Late Observation or Amended Report to this report will provide a recommendation (number 2) in respect of Objectively Assessed Need for Housing.

RECOMMENDATIONS

1. That the amendments to the plan attached within Appendices 2, 3, 4 and 5 to this report be approved for inclusion within the Local Plan.

SUMMARY OF PREVIOUS DECISIONS

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

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

COUNCIL'S RESPONSE TO THE LOCAL PLAN INSPECTOR'S STAGE 1 INTERIM FINDINGS

1. The Local Plan was submitted to the Secretary of State, for Examination in Public, on 9th December 2016. The stage 1 hearings were held in March; a second set of hearings will follow later. The Inspector has sent a letter to the Council, setting out initial findings of the stage 1 sessions and requesting that the Council undertake further work. The letter from the Inspector is reproduced as Appendix 1 to this report.
2. In respect of the Duty to Co-Operate, the Inspector found that the Council has met the statutory Duty. However, the Inspector found that the existing wording in the plan is inadequate to provide a mechanism for any unmet need from Wyre Council to be addressed. Accordingly, revised wording has been put forward. The revised text is in Appendix 2 to this report.
3. In respect of establishing the Objectively Assessed Housing Need figure for the borough, the Inspector has requested the production of a paper that will clarify how the figure is arrived at, taking account of up-to-date projections. The Council has commissioned consultants to produce a paper which will fulfil this requirement. This will form Appendix 3 to this report, which will be made available once completed and checked. A Late Observation or Amended Report will be produced in relation to this matter.
4. The Inspector also requested clarification to the policy DLF1 which sets out the Development Strategy, in order to make it effective (one of the tests of soundness). Appendix 4 provides the wording to be suggested to the Inspector, in place of the current wording. The Housing Trajectory (Appendix 2 of the Plan) and Policies SL1 to SL5 will be updated to reflect this change.
5. The Inspector is likely to allow the Local Plan to proceed to the second stage of hearings, but has indicated that discussions on the issues of Objectively Assessed Housing Need and Development Strategy will continue as part of those sessions. No firm dates for the second stage hearings are yet established.
6. In addition to the matters considered as part of the Inspector's letter, ongoing monitoring of the application of the plan's policies by Development Management officers has revealed an issue with the wording of Policy H7. This policy has not yet been considered as part of the Examination process. Counsel has recommended that the issue is raised at the current stage with the Inspector. The proposed revision to the wording of Policy H7 is shown in Appendix 5. The intention of the change is to make the policy more straightforward to apply.
7. Members' agreement is sought for the necessary changes set out in the Appendices which, with the Inspector's approval, will alter the Local Plan in order to ensure its soundness, and allow the Examination to continue.

IMPLICATIONS	
Finance	The Council's approved Revenue Budget contains provision for the resources required to ensure delivery of the Local Plan, the Infrastructure Delivery Plan (the IDP) and the Community Infrastructure Levy (the CIL), in accordance with the decision made by Cabinet on 26 th November 2014 and the delivery timescale contained therein. Additional costs associated with this work will be met from existing budgets.
Legal	None
Community Safety	None
Human Rights and Equalities	None
Sustainability and Environmental Impact	None
Health & Safety and Risk Management	None

LEAD AUTHOR	CONTACT DETAILS	DATE
Eddie Graves	01253 658419	25 th April 2017

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
The Fylde Local Plan to 2032	August 2016	http://www.fylde.gov.uk/council/planning-policy--local-plan-/local-development-framework/www-fylde-gov-uk-submission/

Attached documents

Appendix 1: Letter 110417 from Inspector to Council

Appendix 2: Revised Local Plan Paragraphs 1.24 to 1.28

Appendix 4: Revised Local Plan Policy DLF1

Appendix 5: Revised Local Plan Policy H7

To follow: Appendix 3 Report in respect of Objectively Assessed Housing Need

LOCAL PLAN TO 2032 EXAMINATION

Inspector: Mrs Yvonne Wright BSc(Hons) Dip TP MSc DMS MRTPI

Please direct all communications to:

Tony Blackburn, Programme Officer, 15 Ottawa Close, Blackburn, BB2 7EB.

Email: tony.blackburn@fylde.gov.uk

Tel: 01254 260286

Julie Glaister
Fylde Borough Council
(via email)

11 April 2017

Miss Glaister

Fylde Council Local Plan – Duty to Cooperate, Objectively Assessed Needs and the Development Strategy

1. Further to the Stage 1 examination hearing sessions held on 28 and 29 March 2017, I am writing to firstly set out my interim findings on the matter of the duty to cooperate. I am also requesting that the Council give further consideration to specific matters relating to objectively assessed housing needs and the development strategy. These matters are set out in this letter.

Duty to Cooperate

2. In respect of the duty to cooperate I have considered all relevant evidence presented both in writing and orally at the hearing sessions. The Council has submitted evidence that illustrates the extent and nature of engagement that has occurred on relevant strategic matters. I acknowledge that there is a strong possibility that Wyre Council may not be able to meet all of its objectively assessed housing need within its own administrative area. However I note that the emerging Local Plan for Wyre is at an early stage of production. I consider that there is insufficient evidence available at this time to ascertain with any degree of certainty the level of any unmet need and the proportion that may need to be accommodated in Fylde.

LOCAL PLAN TO 2032 EXAMINATION

Inspector: Mrs Yvonne Wright BSc(Hons) Dip TP MSc DMS MRTPI

Please direct all communications to:

Tony Blackburn, Programme Officer, 15 Ottawa Close, Blackburn, BB2 7EB.

Email: tony.blackburn@fylde.gov.uk

Tel: 01254 260286

3. I therefore consider that, when viewed in the context of what has been realistic and achievable, the engagement and cooperation that has taken place has maximised effectiveness in the preparation of the plan. Overall, therefore, the evidence before me at this point indicates that Fylde Council has met the statutory duty to cooperate as set out under Sections 20 and 33A of the Planning and Compulsory Purchase Act 2004.
4. I am not inviting any responses on this finding. My full reasoning will be set out in my report on legal compliance and soundness. Consequently, my intention is that the examination should now move on to the Stage 2 hearing sessions.

Objectively Assessed Housing Needs (OAHN)

5. Notwithstanding my interim findings on the duty to cooperate, paragraphs 1.24-1.28 of the plan do not provide a clear commitment as to the specific action the Council will take in relation to meeting any unmet OAHN from Wyre Council. The Council should therefore consider what commitments would be necessary to ensure the plan would be effective in this regard. Any potential modification to the plan should be set out in writing.
6. It is clear that the SHMA (2013) and its two addendums (2014 and 2015) have not used the most up-to-date population and household projections that are now available. In response to my initial questions to the Council and my Stage 1 Matters, Issues and Questions (MIQs) on OAHN, the Council submitted additional evidence including a sense check and update to the SHMA demographic projections (EL2.025b(ii) and EL1.011) which included reference to the 2014-based population and household projections. However the latter document EL1.011 was provided the day before the hearings were opened and so there was insufficient time for me or the representors to reasonably digest its contents prior to the hearings.
7. Notwithstanding this additional evidence it is still unclear to me what implications, if any, the ONS 2014-based sub-national population projections and the 2014-based sub-national household projections have on the OAHN for Fylde. Consequently I would be most grateful if the Council could provide further clarity on this matter. This should be in the

LOCAL PLAN TO 2032 EXAMINATION

Inspector: Mrs Yvonne Wright BSc(Hons) Dip TP MSc DMS MRTPI

Please direct all communications to:

Tony Blackburn, Programme Officer, 15 Ottawa Close, Blackburn, BB2 7EB.

Email: tony.blackburn@fylde.gov.uk

Tel: 01254 260286

form of a paper which sets out the 2014-based assessments using relevant scenarios (including economic) and takes account of all reasonable adjustments and uplifts as referred to in previous demographic evidence. It should also include an explanation as to what the implications of this are for the OAHN, including meeting affordable housing needs.

Development Strategy

8. Local Plan Policy DLF1 defines the development strategy for the Borough. It sets out a minimum number of new homes and a minimum amount of new employment land to be developed during the Plan period. It identifies four strategic locations (Lytham and St Annes; Fylde-Blackpool Periphery; Warton; and Kirkham and Wesham) and states that development of the strategic sites at these locations is key to ensuring that the development strategy within the Plan is achieved.
9. However the policy does not effectively set out the development strategy as it does not specify the amount of new dwellings proposed at each location, nor does it define what a strategic site is. Whilst Table 2 within the supporting text on page 41 of the Plan sets out the distribution of development within the Borough by referring to housing numbers at each location, this is not set out within the policy. Table 2 is also very specific numerically and refers to total rather than minimum housing numbers.
10. Furthermore, Policy DLF1 does not clearly define the difference between non-strategic development sites and non-strategic sites as referred to under sections headed 'Non-strategic locations' and 'Windfalls and small sites allowances'.
11. The Council should therefore consider what modifications would be necessary for Policy DLF1 to make it effective.

Next Steps

12. I would be most grateful if the Council could provide a written response on these matters by 1700 on Wednesday 3 May 2017.
13. Following this I am proposing to proceed to Stage 2 of the examination which will include consideration and discussion of the matters raised on

LOCAL PLAN TO 2032 EXAMINATION

Inspector: Mrs Yvonne Wright BSc(Hons) Dip TP MSc DMS MRTPI

Please direct all communications to:

Tony Blackburn, Programme Officer, 15 Ottawa Close, Blackburn, BB2 7EB.

Email: tony.blackburn@fylde.gov.uk

Tel: 01254 260286

OAHN and the development strategy within this letter. The dates for the Stage 2 hearings will be confirmed in due course, as will the publication of my Stage 2 MIQs.

Yours Sincerely

Y Wright

Inspector

Appendix 2

Revised Local Plan Paragraphs 1.24 to 1.28

Neighbouring Local Authorities and the Duty to Cooperate

1.23 In October 2012, Blackpool Council requested that Fylde Council provide 14Ha of employment land to assist in meeting Blackpool's requirement to 2027. Blackpool provided its 2012 Employment Land Update which evidenced why this employment land could not be provided within Blackpool's administrative area. Fylde Council accepted this evidence and an additional 14Ha of employment land (to meet Blackpool's needs) was identified in the Fylde Local Plan.

1.24 Wyre Council wrote to Fylde Council in May 2016, under the Duty Cooperate, to request that Fylde Council assist Wyre Council in meeting its objectively assessed housing need. The Objectively Assessed Need (OAN) figures for the three Fylde Coast Authorities originate from the ranges set out in the original SHMA 2014 and its updates which considered revised population and household formation data. For Wyre Council this gave an OAN of between 400 and 479 dwellings per annum from 2011 to 2031. Wyre Council considers 479 dwellings per annum to be an appropriate housing requirement figure which ties in with their economic evidence and this figure was accepted by Wyre Council on 14th April 2016.

1.25 Wyre Council has identified that the supply of deliverable land is constrained by three main issues:

- Highway capacity, in particular on the A585(T), and A6 and also at Junctions 1 and 3 on the M55
- Flood Risk
- Green Belt

1.26 Wyre Council's evidence base in relation to these issues remains incomplete and the exact extent of their unmet need is still unknown as the precise numbers of homes that will need to be delivered outside Wyre Council's administrative area has not yet been assessed. It is also unclear at this stage what provision, if any, other neighbouring authorities will be able to make. The difficulty has arisen because of timing: the production of plans has not been aligned.

1.27 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 Fylde Local Plan (whether full or partial) 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 need is met within the Housing Market Area and/or in other appropriate locations, where consistent with the achievement of sustainable development.

1.28 - Delete

Appendix 4

Revised Local Plan Policy DLF1

Policy DLF1

Development Locations for Fylde

The Local Plan will promote the delivery of sustainable development to provide a minimum of **7,768** new homes along with a minimum of **60.6 Ha** (gross requirement) of employment land over the plan period to 31 March 2032.

Locations for Development

Strategic Locations for Development

The Local Plan Development Strategy is to direct the majority of future growth to the most accessible and sustainable locations specifically centred around four Strategic Locations for Development.

The four Strategic Locations are:

- **Lytham and St Annes;**
- **Fylde-Blackpool Periphery;**
- **Warton;** and
- **Kirkham and Wesham.**

Development of the Strategic Sites at these Strategic Locations is key to ensuring that the Development Strategy is achieved.

Non-strategic Locations for Development

The Non-strategic Locations comprise the Local Service Centre of Freckleton, the Tier 1 Larger Rural Settlements and the Tier 2 Smaller Rural Settlements.

Broad Distribution of Development

Strategic Locations

Development will occur on allocated sites to provide the broad distribution of development as follows:

Strategic Location	Minimum number of homes provided on allocated sites	Approximate proportion of total housing supply provided by allocated sites in these locations
Lytham and St Annes	1993	23%
Fylde-Blackpool Periphery	2422	27%
Warton	1330	15%
Kirkham and Wesham	1332	15%

Non-strategic Locations

Sites of 10 or more dwellings comprising a minimum of 787 homes (approximately 9% of all homes) will be located at Non-strategic Locations.

Windfalls

Small housing sites (amounting to between 1 and 9 homes) are not allocated; they can occur throughout the borough where compliant with the other policies of the plan. Small sites are provided for through a windfall allowance of 40 homes per annum in years 11 to 21 of the plan. The delivery of small sites that are already committed is included within the Housing Trajectory (Appendix 2): this provides for the delivery of small sites up to year 10 of the plan. Small committed sites and windfalls yet to come will provide at least 1007 homes within the plan period (approximately 11% of the total housing supply). There may also be some larger windfall sites that will contribute to this figure.

Development Sites

Strategic development sites (amounting to 100 or more homes) are set out in Policies SL1 to SL5 and in the Housing Trajectory (Appendix 2), prefixed by the letters **HSS** (for housing) or **MUS** (for mixed-use).

Non-strategic housing sites (amounting to between 10 and 99 homes) are set out in Policies SL1 to SL5 and in the Housing Trajectory (Appendix 2), prefixed by the letters **HS**.

Small housing sites (amounting to between 1 and 9 homes) are not allocated within the plan.

Existing Land Uses

Development will not be permitted which would prevent or undermine the operation of existing land uses outside the application site, including hazardous installations and the ethylene pipeline and Mineral Safeguarding Areas, or prejudice airport safety at Blackpool Airport or at Warton Aerodrome.

Development will contribute towards sustainable growth, the continuation and creation of sustainable communities, by their locations and accessibility and through the sustainable use of resources and construction materials.

Appendix 5

Revised Local Plan Policy H7

Policy H7

Replacements of, and Extensions to, Existing Homes in the Countryside

Proposals to replace and / or to extend an existing home in the countryside will be permitted where the following criteria are met:

- a. The replacement or extended home is increased in size by a maximum of **33%** calculated in relation to the ground floor area of the original home. ~~(This calculation will exclude any outbuildings and integral garages / workshops);~~ and
- b. The appearance of the replacement or extended home respects the character of the original building and surrounding rural area with regard to scale, design and use of materials.