

Allan Oldfield
Chief Executive's Office
Fylde Borough Council
Town Hall
Lythan St Annes
Lancashire
FY8 1LW

Ask for: Garry Payne
Email: Garry.payne@wyre.gov.uk
Tel No: 01253 887500
Our Ref: Wyre LP

Date 24th May 2016

Dear Allan,

Thank you for your letter dated 18th May 2016.

I am pleased that you indicate that Fylde Members will be likely to support a proposal for a road to the SE of Poulton-le-Fylde as this will help deliver housing within Wyre, thus reducing the amount of housing shortfall to be met by neighbouring authorities. Wyre Council notes the range of challenges outlined in your letter and to aid discussion I have outlined a brief response to each of the issues raised below. These may help you discuss the issue with your Members. I understand that Blackpool is currently organising a meeting of the Joint Member and Officer Advisory Group in June and clearly this matter will be discussed then. I have sent a similar letter to Neil Jack in Blackpool.

Whilst I agree that we do not want to delay the production of our respective plans, as I stated in my previous letter this matter will feature in our respective examinations. You may be aware that the Inspector at the examination of the Blackpool Core Strategy raised the issue whether the total OAN within the Housing Market Area was being delivered and not just the OAN for Blackpool.

I will be interested to see the comments from DCLG and PINS when your Planning Team meets them. If you think there is merit in a joint meeting I am happy for an officer from Wyre to attend for part of the meeting as this is a key joint issue.

Establishing the OAN

Wyre notes that Fylde council considers the figure of 370 dpa to be the OAN for Fylde borough. Your letter states that unlike the approach taken in Wyre this is below the top of the identified OAN range. You state that it would add value to discuss further the reasons Wyre has chosen to seek to deliver the full OAN at the higher end of its range given there are a number of constraints to delivering this figure. Wyre council has adopted the OAN figure of 479 dpa as the most reasonable figure based on the evidence in the SHMA and its two addendums. It is the figure which best aligns with the economic evidence produced by the Council as explained in Addendum II to the SHMA.

It has not been adopted to support economic aspirations in Wyre, beyond what the most up to date economic forecasting is showing. Whilst Addendum II does identify a range of between 400-479 dwellings per annum as the OAN range for the Borough, the study recommends that the OAN should be at the upper end of the range. The study raises concerns over the use of OBR data which effectively makes up the lower end of the range. This view has been echoed by Wyre's legal counsel who raised concerns over the robustness and credibility of the OBR data assumptions.

The upper end of the range (479) represents a scenario which does not directly make more marked changes to older persons economic activity rates. This range aligns with the conclusions of the ELSU (Employment Land Study Update). This is considered to be a more robust approach. Indeed it is noted within Addendum II that a higher level of job growth – based on a Policy On scenario or higher job growth forecast by Oxford Economics as referenced in the ELSU Addendum – could generate a greater need for housing if achieved¹.

In accordance with Paragraph 47 of the NPPF and in light of the judgement in *Gallagher Homes Limited (2) Lioncourt Homes Limited v Solihull Metropolitan Borough Council* [2014] EWHC 1283 (Admin), Wyre understands that the OAN for the Borough should be established in a “policy off” arena. Indeed, the PPG states “*Plan makers should not apply constraints to the overall assessment of need, such as limitations imposed by the supply of land for new development, historic under performance, viability, infrastructure or environmental constraints*”.

Paragraph 47 requires full housing needs to be objectively assessed in the first instance, and then a distinct assessment made as to whether (and, if so, to what extent) other policies dictate or justify constraint. The process of balancing need, and other questions of capacity to deliver, such as infrastructure or environment constraints, is a second, discreet step in Plan production.

In this regard Wyre is surprised that Fylde make reference to potential additional housing land in Fylde being used to meet a higher OAN figure for Fylde. If Fylde consider the OAN to be 370 dwellings per annum, it cannot argue that the OAN can be increased because more land can be made available. The OAN figure is independent of how much deliverable land exists in the Borough.

Commuting concerns

Your letter also raises concerns that if housing is delivered in Fylde there will be increased commuting to employment sites in Wyre. Wyre accepts that this may be the case, but notes that there is already a significant amount of commuting from Wyre to Fylde already. The greatest out commuting from Wyre for work is to Fylde. Providing further housing within Fylde may help address this imbalance. However it is also unrealistic to expect all residents to live and work in the same Local Authority area.

If Wyre's OAN were to be met partly within Fylde this would still be within the same HMA and an element of commuting within the HMA is to be expected. It is also not

¹ Section 6 of the Wyre SHMA Addendum II sets out a more detailed explanation of the rationale behind the OAN range.

necessarily true that all new residents will commute back to Wyre for work, particularly in light of the fact the Fylde are providing 14ha of employment land to assist Blackpool. Any concerns regarding commuting would need to be assessed as part of highways evidence which is discussed further below.

Highways constraints

The first of the major constraints referred to is highways capacity. Wyre has been working closely with LCC and HE to establish the level of constraint to inform the local plan process to ensure that the level of housing growth within Wyre will not have a severe impact on the strategic and local highway network including junction 3 of the M55. Evidence shows that development in Wyre will not impact upon the M55 junction 4. Wyre is also discussing with LCC and HE what mitigation measures can be delivered within the plan period to support growth in Wyre. Reference is made to the holding objection from Highways England regarding junction capacity at M55 junctions 3 and 4.

My understanding is that Fylde has not produced sufficient evidence to support the Local Plan position and this is currently being undertaken which will establish the constraints to junction 3 and 4 from growth within Fylde. It is expected that the evidence will include consideration of any potential mitigation measures that could be delivered to support further development.

Furthermore it is appropriate that further growth in all settlements should be considered. Wyre anticipate that not all settlements and potential locations for growth in Fylde will impact on these junctions. It may be that alternative locations, which would not result in unacceptable impacts on these junctions, will need to be considered for extra growth.

Wintering Wildfowl

The second major constraint referred to is the impact of further development on wintering wildfowl feeding sites. Wyre also has large rural areas where pink footed geese are present as well as other bird populations due to the proximity of Morecambe Bay SPA; in fact, it would appear from mapping that a larger proportion of Wyre's rural area is used as feeding sites.

Your letter states that Natural England (NE) have raised issues with the HRA carried out on behalf of Fylde. Wyre would like to confirm if these issues are methodological / procedural and therefore relate to the HRA itself, or whether NE have raised concern regarding the quantum of development proposed. If this is the case, and NE are suggesting higher levels of growth cannot be accommodated in the sense that adverse impacts on the bird population cannot be mitigated Fylde and NE would have to set out evidence to show the rationale behind constraining development and the severe impacts on the bird populations that would ensue if higher levels of growth were to take place.

Yours sincerely,

Garry Payne