

Date: March 2017

Consultee ID: 23

Matter 1

FYLDE LOCAL PLAN EXAMINATION

Matter 1 – Compliance with statutory procedures and legal matters

1. The following hearing statement is made for and on behalf of the Home Builders Federation. This statement responds to selected questions set out within Matter 1 of the *Inspector's Matters, Issues and Questions*.
2. The Inspector's Issues and Questions are included in bold for ease of reference. The following responses should be read in conjunction with our comments upon the submission version of the Local Plan, dated 22nd September 2016. The HBF has also expressed a desire to attend the examination hearing sessions.

Issue 1 – Has the Council met the statutory duty to cooperate as set out under Sections 20(5)c and 33A of the Planning and Compulsory Purchase Act 2004?

Q1. What are the relevant strategic matters in relation to this duty?

3. Whilst there are numerous matters which are required to be addressed under the duty the primary concerns of the HBF are those of housing need and delivery. In this regard it is common ground between the HBF and the Council that Fylde is part of the wider Fylde Coast Housing Market Area (Fylde Coast HMA). Fylde is joined by two other local authorities, Blackpool and Wyre, within the wider in making HMA.
4. Paragraph 159 of the NPPF is clear that local authorities should;

“...prepare a Strategic Housing Market Assessment to assess their full housing needs, working with neighbouring authorities where housing market areas cross administrative boundaries...”

5. The NPPF (paragraph 47) is also clear that local planning authorities must;

“...use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area...”

6. It is therefore clear that housing needs and delivery are a key issues for the Flyde Coast authorities under the duty to co-operate.

Q2. Has the Council maximised the effectiveness of plan-making activities by engaging constructively, actively and on an on-going basis with the prescribed bodies, in the preparation of the Plan in the context of these relevant strategic matters? In particular:

a. What has been the nature of any cooperation and have any mechanisms or formal agreements been established? Is the Memorandum of Understanding by authorities within the Fylde Coast Housing Market Area (HMA) up to date and effective in this regard?

7. The HBF addressed this issue in relation to housing growth within our comments upon the Publication version of the plan, paragraphs 4 to 11. The Council's evidence with regards to compliance with the Duty to Co-operate is set out within *Statement of Compliance with the Duty to Co-operate* (exam ref: SD007). This document has not been updated since our previous comments and as such they are still considered valid.
8. The HBF does not consider that the Memorandum of Understanding (MoU) is effective in terms of housing delivery and the plan. In relation to housing issues the MoU states that that the authorities must;

"...reach a consensus on housing provision across the Fylde Coast sub-region..." (page 29, SD007)

However, as discussed below, this consensus does not appear to have been achieved.

b. Has the Council tried to resolve any issues through cooperation and what have been the outcomes?

9. The importance of identified actions resulting from fulfilment of the duty is clearly articulated within the National Planning Practice Guidance (PPG). The National PPG states;

"...it is unlikely that this (the duty) can be satisfied by consultation alone..." and that *"...inspectors will assess the outcomes of the co-operation and not just whether local planning authorities have approached others..."* (ID 9-009 and ID 9-010 respectively).

10. The key concern for the HBF relates to how the unmet housing needs of Wyre will be met. It remains our opinion that this issue has not been adequately dealt with. I refer to our response to question 3d below.

c. Is there robust evidence to support the cooperation activities that have taken place?

11. The HBF notes the evidence within the *Statement of Compliance with the Duty to Co-operate* (exam ref: SD007) this clearly demonstrates that co-operation activities have taken place, some of which have led to positive outcomes. The exception to this appears to be the issue of unmet housing needs across the Fylde Coast HMA.

Q3. In light of Wyre Borough Council's statement that they will be unable to meet their own objectively assessed housing need (OAN):

a. What has been the nature of any cooperation in this regard?

12. The HBF considers this is a matter for the Council to address.

b. Has cooperation led to an agreed mechanism for the delivery of unmet housing needs within the HMA?

13. This is not clear from the evidence submitted.

c. In what way has this influenced the Plan?

14. The identification of unmet needs from Wyre does not appear to have been adequately taken into account.

d. Is there an obligation for Fylde Council to ensure that the objectively assessed need for the HMA as a whole is met?

15. Yes in combination with the other Fylde Coast authorities. As noted above this is a requirement of the NPPF.

16. In comparison to the other Fylde Coast authorities of Blackpool and Wyre, Fylde would appear to have the greatest capacity to meet the needs of the HMA. As noted within our comments upon the Publication version of the Plan (paragraphs 7 to 9) Blackpool is unlikely to be able to assist further, in any significant manner, due to its constrained nature. Whilst Wyre is unlikely to meet its share of housing needs in full, due to the clear request for assistance.

17. In response to the Inspector's initial questions (exam ref: EL1.001b) it is noted that the Council considers it has met the duty. This is based upon the fact that the extent of the unmet need from Wyre is unclear and the evidence has not yet been presented. The HBF is sympathetic to this issue and notes the problems this raises for the Council, particularly if the unmet need is such that a new or redrawn development strategy for Fylde is required. It is, however, considered that a more positive approach would be for Fylde to consider the quantum of assistance it is willing or able to provide. This could be achieved without significantly altering the strategy.

18. Ideally the Fylde Local Plan would also provide clarity upon the location of such development. The unmet housing needs of Wyre Council could be accommodated in reasonable proximity to the administrative boundary.

e. Should the Plan include a commitment to help meet any unmet housing needs or to review the Plan?

19. Yes, the HBF consider that the Plan should seek to positively meet the unmet needs of neighbouring authorities. To ensure that the plan is positively prepared and effective this should include an element of additional capacity to assist in meeting the needs of Wyre over the short-term. Without this additional capacity needs simply will not be met. The sole reliance upon a Local Plan review will create a lag of several years before the full needs of the HMA are met.

20. The plan should also provide a firm, time-limited commitment to a review if the scale of the unmet needs from Wyre makes this a requirement. Without such a commitment there is no guarantee that the long-term housing needs of the Fylde Coast will be met in full.

Issue 2 – Has the Plan been positively prepared in accordance with other legal and procedural requirements?

21. HBF has no further comments upon this issue.

Yours sincerely,

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