**Information update from Fylde Council to Inspector 241117**

**From:** Eddie Graves
**Sent:** 24 November 2017 13:16
**To:** Tony Blackburn <tony.blackburn@fylde.gov.uk>

**Subject:** Information Update: Background Issues of Relevance to the Fylde Council Local Plan Examination

Tony

Information Update: Background Issues of Relevance to the Fylde Council Local Plan Examination

This update is to provide information to the Inspector regarding various occurrences that are of relevance to the Fylde Council Local Plan and its Examination, arising since the closure of the Stage 2 hearings.

Blackpool Airport EZ Masterplan: the Draft Masterplan was approved by Fylde Council on 8th November 2017 and is subject to a current public consultation between 9th November 2017 and Thursday 21st December 2017. Further information and the Draft Masterplan are available to view on the Council’s website:

<http://www.fylde.gov.uk/council/planning-policy--local-plan-/www-fylde-gov-uk-airportez/> .

The Highways England Windy Harbour to Skippool major scheme has moved forward with the announcement of the preferred route. The leaflet announcing the preferred route can be found at  <https://highwaysengland.citizenspace.com/he/a585-windy-harbour-to-skippool-improvements/results/a585-windy-harbour-to-skippool_pra.pdf> . HE have also produced a Scheme Assessment Report, which reflects progress so far, and assesses the “buildability” of the scheme. The route chosen will be a dual carriageway bypass for Mains Lane. The scheme now proceeds to the detailed design stage: Highways England intend to hold a public consultation on the detailed design in early 2018. HE are currently engaging with landowners. Funding is committed through the Regional Investment Strategy 2015. The HE webpage with relevant information is <http://roads.highways.gov.uk/projects/a585-windy-harbour-to-skippool/> .

Wyre Council have published their Publication Draft Wyre Local Plan and have undertaken consultation on it between 22nd September 2017 and 3rd November 2017. The plan and other related documents can be found at <http://www.wyre.gov.uk/info/200319/wyres_emerging_new_local_plan/1168/> . Fylde Council has made a representation to the Publication Draft Wyre Local Plan. Wyre Council have not, at present, published representations made or any summary or response. Wyre Council have indicated that it is intended to submit the plan to the Secretary of State for Examination in December.

The St. Anne’s on the Sea Neighbourhood Plan was made on 24th May 2017, as previously reported. However, Oyston Estates have applied to judicially review the Council’s decision to make the St Annes on the Sea Neighbourhood plan on a number of grounds relating to the exclusion of the Oyston land from within the settlement boundary, contrary to the recommendation of the Examiner.  On the papers, Lang J had ruled that the grounds of challenge were arguable, and that the challenge should lead to a full hearing, subject to the action having been brought within the time allowed by the legislation. She had referred the issue of the time limits for decision as a preliminary point. The issue on the time limits was whether the challenge needed to have been made within six weeks of the decision of the council to modify the Examiner’s recommendations (as the Council argued), or whether it could be brought at any time up to six weeks after the formal ‘making’ of the neighbourhood plan, i.e. after the referendum, as Oyston Estates argued. The Court hearing was held on 9th November 2017, at which Kerr J ruled for the Council. This means that the judicial review does not have permission to proceed to a full hearing. However, because the point was one that had not been litigated before, he gave permission for Oyston Estates to appeal the time limit point to the Court of Appeal. If Oyston Estates choose to appeal, the Court of Appeal will probably hear the appeal in the early Spring, and their decision should be available by the middle of next year. If they disagree with the court’s decision, the challenge would then go to a full hearing, which would probably be held towards the end of next year. In the meantime, the neighbourhood plan remains part of the statutory development plan.

In relation to appeals since the last update provided on the 29th September 2017, a rundown is provided below.

New appeals since the 29th September 2017 update:

APP/M2325/W/17/3187426

Outline for 68 dwellings, land north of Sanderling way, Wesham (Metacre & Mr J. Bowdler)

APP/M2325/W/17/ 3188337

Erection of 14 dwellings, Land south of Whitehill Road, Westby (Kensington Developments Ltd)

Appeals decided since the 29th September 2017 update (decisions attached):

APP/M2325/W/17/3174723

Erection of 9 dwellings, Land adj to 195 Mains Lane, Singleton (Carrington Group)

Appeal allowed (hearing)

APP/M2325/W/17/3180107, written reps

Outline for erection of two dwellings, Land adj 15 Grange Road, Elswick  (Mr. D Hollingworth)

Appeal dismissed (written reps)

APP/M2325/W/16/3164516

Outline for 115 dwellings, Land adj Kilnhouse Lane and Queensway, St Annes (Greenhurst Investments)

Appeal dismissed (public inquiry)

The other appeals listed previously remain in progress at present.

Please let us know if any further information regarding any of the above is required.

**Eddie Graves**

**Planning Policy Officer**

**Extension: 8419**