

EXAMINATION OF THE PARTIAL REVIEW OF THE FYLDE LOCAL PLAN TO 2032

INSPECTOR'S MATTERS, ISSUES AND QUESTIONS

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Introduction

The following matters, issues and questions provide the focus for the Examination of the *Partial Review of the Fylde Local Plan to 2032* (referred to here as the Partial Review).

Further information about the Examination, the conduct of the Hearing and the format of any further written statements is provided in the accompanying Guidance Note. A further note on the conduct of the virtual hearing sessions will be published shortly.

All documents can be found on the Examination webpage on the Council's website using the following link -

<https://new.fylde.gov.uk/resident/planning/planning-policy-local-plan/partial-review-of-the-fylde-local-plan-to-2032-examination/>.

The National Planning Policy Framework (2019) is referenced in this document as 'the Framework'.

Matter 1 Compliance with statutory procedures and legal matters

Issue 1a – 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. Has the Council engaged constructively, actively and on an on-going basis in the preparation of the Partial Review, in the context of relevant strategic matters, including meeting any unmet needs from neighbouring authorities? Does the evidence clearly demonstrate the nature of any cooperation activities and the outcomes that have been achieved?
- Q2. In relation to Wyre Borough Council's unmet housing needs, a revised approach is set out for paragraphs 1.24-1.27 in the Partial Review. My queries are:
- How has the duty to cooperate been specifically met in this regard?
 - Does the evidence demonstrate that Wyre Borough Council will be able to deliver unmet housing needs in its own area, or is there still a potential that unmet needs may need to be provided elsewhere?

- c. The proposed revised wording for paragraph 1.26 states that '*Any housing need that cannot be met in Wyre...is provided for if needed through the new housing requirement range...in the Partial Review...*'. This is based on standard method calculations of assessing housing need which will be discussed under Matter 2, in response to questions posed there. Can the Council please clarify whether the Partial Review proposes to meet Wyre's identified unmet needs?
- d. Should the Partial Review include a revised commitment to help meet any unmet housing needs, where relevant?
- e. Overall, in this regard, is the approach in the Partial Review soundly based?

Issue 1b – Has the Partial Review been prepared in accordance with other legal and procedural requirements?

- Q3. Is the *Sustainability Appraisal and Strategic Environmental Assessment Report* [SDPR02] suitably comprehensive in assessing the environmental, social and economic effects of the of the Partial Review, in accordance with legal and national policy requirements?
- Q4. Does the *Habitat Regulations Assessment Screening Report* [SDPR03] meet the legal requirements for assessing whether the Partial Review, either in isolation and/or in combination with other plans, is likely to have a significant adverse effect on relevant European sites, in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended)?
- Q5. Has the Partial Review been prepared in accordance with the Council's Statement of Community Involvement and statutory consultation requirements?
- Q6. Has the Partial Review been prepared in accordance with the Council's Local Development Scheme?
- Q7. In accordance with paragraph 21 of the National Planning Policy Framework (the Framework), the Council proposes, in Appendix 1 of SDPR01, to distinguish whether policies are strategic or non-strategic. The vast majority of policies are proposed to be strategic. Are the reasons for determining the status of the policies as strategic or non-strategic clear? Are the strategic policies limited to the strategic priorities for the area and any relevant cross-boundary issues, as required by the Framework?
- Q8. Regulation 8(5) of the Town and Country Planning (Local Plan) (England) Regulations 2012 requires any new plan to list the policies in existing adopted plans which it is intended to supersede. The introductory text to the Schedule of Revisions to the Fylde Local Plan [SDPR01] states that the Partial Review supersedes nine specific policies in the adopted Fylde Local Plan to 2032. Is Appendix 1 of the adopted Local Plan proposed to be updated to show that these nine policies are to be superseded by the Partial Review? Can the Council clarify please?

- Q9. Does the Partial Review accord with the public sector equality duty, as specified under the Equality Act 2010? How has the Partial Review sought to ensure that due regard is had to the three aims expressed in s149 of the Equality Act 2010, in relation to those who have a relevant protected characteristic?
- Q10. Has the Partial Review been prepared in accordance with the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Plan) (England) Regulations 2012 in all other respects?

Matter 2 Housing

Issue 2 – Have the revisions to Policies DLF1 and H1 and relevant supporting text, in relation to housing needs and the housing requirement, been positively prepared and are they justified, effective and consistent with national policy? Is Policy H2 consistent with national policy?

- Q1. Policy DLF1 and its supporting text, in the Partial Review, seeks to set out the minimum housing requirement figure as a range of 6,895-8,715 dwellings for the plan period. Policy H1 and its supporting text, as proposed, seeks to set the housing requirement as 415 net new homes per annum between 2011 and 2019, and sets a range of 275-415 net new homes per annum between 2019 and 2032. The Partial Review also includes revisions to Paragraphs 9.13-9.19 on housing provision. My queries are:
- Is the assessment of housing need, using the standard method, consistent with national policy and does it accord with the methodology set out in the Planning Practice Guidance? Are there any 'exceptional circumstances' to justify an alternative approach?
 - Is the inclusion of a minimum housing requirement figure as a range justified and effective?
 - Why is 'minimum' proposed to be deleted from Policy H1 criterion a) in relation to the housing requirement figure? Is this consistent with Policy DLF1?
 - Overall, are proposed Policies DLF1 and H1 soundly based? Are they clearly written and unambiguous in accordance with paragraph 16 d) of the Framework, and supported by effective explanatory text?
- Q2. What effect, if any, does a minimum housing requirement as a range of 6,895-8,715 net new homes during the plan period, have on the ability of the Council to:
- deliver affordable housing to meet identified needs; and
 - achieve its economic ambitions to deliver growth, specifically employment provision and jobs, in line with the overall strategy for the Borough?
- Q3. The National Planning Policy Framework (2019) definition for older people differs from that in the 2012 version in that it now also includes people 'approaching retirement age'. Is Policy H2 and its supporting text, which includes specific requirements for '*Specialist Accommodation for the*

Elderly', consistent with this revised definition? Specifically, do the criteria in the policy for defining what development type is '*purpose-built 100% specialist accommodation for the elderly*', accord with national policy and the guidance set out in the Planning Practice Guidance?

Matter 3 Other revisions

Issue 3 – Are the other proposed revisions in the Partial Review soundly based?

- Q1. In relation to development in the countryside, is revised Policy GD4 and its supporting text, positively prepared, consistent with national policy, justified and effective? In particular:
- a. Does it support and enable a prosperous rural economy in accordance with paragraphs 83-84 of the Framework?
 - b. Is it consistent with national policy on rural housing (paragraphs 77-79 of the Framework)?
 - c. The Partial Review proposes to include a new criterion on entry-level exception sites for first-time buyers. Is this consistent with paragraph 71 of the Framework and is it justified and effective?
- Q2. In relation to Coastal Change Management Areas, is Policy ENV1, as proposed in the Partial Review, consistent with paragraphs 167-168 of the Framework? Is the proposed revised wording in criterion iii justified and effective?
- Q3. Is revised Policy ENV2 and its supporting text, soundly based, or is it necessary to include additional details on both the qualitative aspect of net gain and on off-site or on-site provision?
- Q4. Are all other revisions consistent with national policy?

Yvonne Wright

INSPECTOR

Version 2: Updated 29 January 2021 to include the following:

- Correction to Issue 1b Q7 to refer to document SPDR01
- Q3 added to Issue 2