

Wyre Borough Council**Overview and Scrutiny Committee**19th June 2017**Wyre Local Plan Preparation Update****1. Update on current Progress on the Local Plan****i. Housing Requirement and distribution.**

It was reported last June (2016) that the unconstrained housing Objectively Assessed Need (OAN) figure of 479 dwellings per annum was reported to full Council in April through the Portfolio Holder's Executive Report. This equates to 9,580 dwellings over the plan period (2011-2031).

Work is on-going on the Local Plan housing trajectory which will establish the Local Plan requirement, i.e. what level of housing can be delivered in the Local Plan by 2031. Following publication of the Highways Evidence at the end of February there is a minimum shortfall of 1400 dwellings over the plan period. The main constraining factor is highways capacity which sets upper limits for growth in individual settlements. The Local Plan will seek to identify land to meet the limits indicated in the highways evidence where possible.

Work is progressing in completing the annual housing land monitoring report as at 31 March 2017 which will establish completions and planning permissions in 2016/17 and timescales for delivering sites. This will feed into finalising the Local Plan housing trajectory.

As noted above at present (before work on the housing trajectory is finalised) the Local Plan will at best only make provision for about 8,180 of the 9,580 dwellings needed – a shortfall of 1,400 dwellings. This is an improved position from the previous guesstimate of 7,300 dwellings.

In response to a matter raised by the Inspector at the Fylde Local Plan examination with regards to implications for housing need taking into account the latest forecasts and projections, consultants have been asked to carry out sensitivity testing of the OAN figure using the latest 2017 economic forecasts and 2014 household projections. This work is due to be completed end of June.

ii. Draft Local Plan

Following publication of the highways evidence a second draft Local Plan was prepared in order to progress work on the Infrastructure Delivery Plan, Sustainability and Habitat Regulation Assessments and Local Plan Viability Assessment. Progress on these studies is covered in the 'Infrastructure and Viability Work' and 'Evidence Base' sections.

The second draft Local Plan differs from the draft prepared last September with more development along the A6 and less on the Peninsula and Over Wyre in response to the highway evidence.

As reported previously the first draft Local Plan prepared last summer was used as the basis for further engagement with Infrastructure Providers and stakeholders such as Ward

Members, Parish and Town Councils and two of the three MPs¹ between August and October 2016.

The second draft Local Plan is being used as the basis for further engagement with infrastructure providers and in particular the local education authority and clinical commissioning groups. There is also further engagement with representatives of some parish and town councils on a confidential basis, where new development will be proposed in addition to what has planning permission. Meetings have been held with representatives of Inskip, Stalmine, Great Eccleston and Forton PCs. A joint meeting is being organised with representatives from Cabus PC and Garstang TC and a further meeting with Forton PC. Engaging with PC/TC can be an onerous exercise especially where alternatives have been put forward for consideration as was the case with regards to two PCs.

As previously reported the draft Local Plan comprises –

1. Draft Vision and Objectives which have been revised taking into account comments received during the public consultation on the 'Issues and Options' document in summer 2015.
2. Draft Development Management Policies which have been finalised and circulated to ward Members and PC/TC representatives during the briefings in August - October.
3. Draft Site Allocations and Designations as shown on the draft Policies Map. The draft allocations for housing, employment and mix uses are being finalised.

iii. Infrastructure Planning and viability work

The second draft Local Plan is being used as the basis for further engagement with Infrastructure providers in order to finalise the Local Plan and the Infrastructure Delivery Plan. Meetings have been held with LCC as Local Education Authority and with United Utilities (UU). No final comments have been received from UU and a further meeting with UU is being organised mid June 2017. Comments from the LEA have been received with only one outstanding issue.

Attempts to engage with the various Clinical Commissioning Groups (CCGs) in order to finalise their position has been unsuccessful thus far. It has not been possible to arrange meetings with them. As previously reported meeting with infrastructure providers is a lengthy and resource intensive exercise and depends on getting a timely response from them. These meetings are necessary in order to finalise the Infrastructure Delivery Plan which is required to accompany the Local Plan and ideally should be in place when the Council considers the draft Local Plan.

The draft Local Plan had been forwarded to the Council's viability consultants in order to progress the Local Plan Viability Assessment. There has been a delay due to the lead consultant leaving and another needing to pick up the work. There is no indication at present that the generic viability work carried out last year needs to be updated before the evidence can be completed.

iv. Evidence Base

1. As previously reported the following pieces of evidence are now complete and published on the Council's website:
 - 2012 Employment Land and Commercial Leisure Study

¹ It should be noted that it has not been possible to meet with Paul Maynard MP.

- 2015 Employment Land Study Update and Addendum
- 2011 Fylde Coast Retail Study
- 2013 Fylde Coast Retail Study Update
- 2013 Strategic Housing Market Assessment (SHMA) and Addendums I (2015) and Addendum II (2016);
- 2016 Green Belt Study;
- 2015 Rural Affordable Housing Needs Study.
- 2013 Green Infrastructure Study
- 2016 Strategic Flood Risk Assessment Level 1
- 2016 Settlement Study
- 2016 Settlement Profiles
- Gypsy and Traveller and Travelling Showpeople (GTAA) Study Update.

Since the last Scrutiny Report the following evidence has been completed and published: -

- 2016 Highways England Evidence Base
 - 2017 Lancashire County Council Highways Evidence
2. The Strategic Flood Risk Assessment (SFRA) Level II and its Addendum has not yet been finalised. As previously reported the SFRA Level II main Report is complete and has been endorsed by the Environment Agency, (EA), LCC Flood Authority and UU.

However the EA has outstanding issue with the Addendum and the Flood Risk Sequential Paper. There is on-going liaison with the EA since March 2017 also involving also Council Engineers to resolve outstanding issues so that the evidence has the endorsement of the EA before it is published. It has been difficult and time consuming trying to resolve issue through e mail exchanges but the EA refuses to attend a meeting with engineers from both the Council and EA to discuss issues and agree what needs to be done. Ultimately EA may not endorse the Addendum and the Flood Risk Sequential Paper and this may be an issue at examination.

3. Work has progressed on the Local Centre Study update. The boundaries of all town, district and local centres have been reviewed and have been taken into account in preparing the draft Local Plan. This work has not been finalised.
4. No further heritage and ecology assessments are required.
5. As reported in November there will not be a bespoke Health Impact Assessment, (HIA) on the Local Plan. Health issues will be covered in the Sustainability Appraisal. Undertaking HIA could potentially delay the process. At this stage it is necessary to concentrate on completing the required evidence/assessments.
6. The Local Plan will be accompanied by an Equality Impact Assessment.

v. **Duty to Co-operate Meetings**

As previously reported, meetings have now been held with all adjoining local authorities to establish strategic cross boundary issues. Wyre's inability to meet in full its Objectively Assessed Needs for housing because of constraints is a strategic cross boundary issues which has been raised with all adjoining authorities. A formal letter from our Chief Executive has been sent to the Chief Executives of all adjoining Local Authorities (except Ribble Valley) requesting assistance in meeting housing need in Wyre in 2016. The matter was also discussed in the Fylde Coast Joint Officers and Members MoU meeting in June

2016 and subsequent officer meetings. No local authority has indicated that they are able to assist.

A meeting was arranged in March to present the final highways evidence to adjoining local authorities which was attended by an officer from LCC Highways. No comments have been received from any local authority including Blackpool which is a separate highways authority from LCC.

At a Fylde Coast duty to cooperate meeting on the 5 May 2017, Blackpool raised questions with regards to the housing and employment evidence and the Council's interpretation of the evidence. Blackpool is now questioning whether the OAHN annual figure of 479 is correct. This is frustrating as Blackpool were aware that this was the figure since early 2016. A session has been organised for the 5 July 2017 where the consultants who prepared the employment land and joint housing evidence can present the evidence to officers from adjoining local authorities.

As previously reported further collaboration is needed with adjoining authorities and in particular with Fylde and Blackpool who share responsibility for housing needs within the joint Housing Market Area once the highways evidence is complete. It will be necessary to get a position statement from each adjoining authority. We have not received any specific comments on any of the evidence from any local authority. A duty to co-operate meeting with all adjoining local authorities has been arranged for the 14 July to agree the approach in addressing the housing shortfall in Wyre.

vi. Sustainability Appraisal / Strategic Environmental Assessment (SA/SEA) & Habitat Regulation Assessment (HRA)

As reported previously the first draft Local Plan prepared last summer was used to progress this work which could take six to eight weeks. An interim Sustainability Appraisal (SA) Report on the emerging local plan was received last October. Using the second draft Local Plan a draft Sustainability Report was received in May. This is being checked before it can be finalised.

Habitat Regulations Assessment (HRA) screening on the emerging Local Plan was carried out in September and Natural England (NE) have agreed with the conclusions for an Appropriate Assessment (AA) in relation to draft allocations. A Technical Note (analysis of raw data and draft methodology) was produced in December to enable early engagement with NE. Comments were received early in January and a meeting was held on the 24 January to discuss the HRA requirements of potential allocation and agree the methodology. NE would not agree the methodology in advance of seeing the final HRA but advised on data sources which consultants have followed.

An HRA was carried out on the second draft Local Plan and comments have been received from NE raising many issues. Some issues can be resolved however there are issues which relate to NE's approach with regards to the Wyre Local Plan. NE's stance in relation to a number of sites is considered unreasonable and inconsistent with their approach in relation to other Local Plans including Fylde Local Plan which is currently going through examination. The main issues which could affect Local Plan progress and deliverability relate to mitigation and recreational pressures.

We will be seeking legal advice on the issues raised and also raising concerns with DCLG. Ultimately NE may not endorse the HRA and this may be an issue at examination.

2. Overall Programme

The Local Development Scheme was amended in May 2017. The amended LDS indicates

Publication of Local Plan for public consultation
Submission Plan to Inspector for Examination
Hearing Sessions
Adoption

September 2017
December 2017
Spring 2018
End 2018

3. Issues affecting progress

- a) Engagement with various organisations including adjoining local authorities, Parish/Town Councils and infrastructure providers is time consuming and depend on a timely response from the various stakeholders. At this stage work should have been progressing on background papers rather than chasing responses and seeking engagement.

The Local Plan cannot be finalised until the implications for infrastructure from proposed growth is known. As noted above it has not been possible to engage with the various CCGs. Furthermore North Lancashire CCG has now joined with South Lakes CCG as Morecambe Bay CCG and we need to establish new contacts. Although United Utilities are now engaging on the Local Plan this is at a very late stage which is causing difficulties in finalising the Plan. Comments from infrastructure providers potentially can have implications for the Housing trajectory which will set the housing requirement for the Local Plan and the viability assessment. For example comments from infrastructure providers may indicate that development in a certain location must be delayed which will mean that the quantum of development within the Plan period could be reduced.

- b) Resolving issues with statutory consultees is also time consuming. As reported above Natural England (NE) has raised a number of issues on the HRA some requiring additional work. NE have now raised new issues and appear to be adopting a different approach than their approach in relation to other Local Plans. There has been on-going liaison over several weeks with Environment Agency to resolve issues.
- c) As previously reported, the 2016 Housing and Planning Act covers further planning reforms. As yet there has not been any major impact on the Local Plan process. As measures are introduced through regulations there might be implications for the work of the team in terms of diverting resources.
- d) As previously reported a Neighbourhood Plan Area boundary at Dolphinholme has now been confirmed. There has not been anything further regarding the Neighbourhood Plan at Dolphinholme. An application for a Neighbourhood Plan Area designation at Barton has been received and it is currently subject to public consultation ending on 23rd of June.

To date neighbourhood planning work has not had a significant impact on Local Plan work. This is partly due to both neighbourhood plans at Barton and Dolphinholme being joint plan straddling the boundaries of Preston and Lancaster respectively and the adjoining authorities being the lead authority. The Council will have to comply with Neighbourhood Planning regulations as necessary and as previously indicated potentially this could divert resources from the Local Plan.

4. Critical Work in the next three months

- Confirming the Local Plan housing requirement remains the top priority
- Completing the Sustainability Assessment / Strategic Environmental Assessment, (SA/SEA); Habitat Regulations Assessment, (HRA); Viability Assessment, and Equality Impact Assessment, (EIA).
- Finalising the Infrastructure Delivery Plan
- Progress engagement with adjoining Local Authorities under the duty to co-operate with regarding to OAN requirement in Wyre.
- Complete all other Evidence work including background papers

Réa Psillidou
Planning Policy and Economic Development Manager
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