

## WYRE LOCAL PLAN EXAMINATION

### INSPECTOR'S PRELIMINARY VIEWS ON MATTERS AND ISSUES FOR THE EXAMINATION INCLUDING SOME INITIAL QUESTIONS AND COMMENTS

#### Introduction

1. The purpose of this note is to:
  - set out my views on potential matters and issues for the examination and;
  - seek clarification from the Council on a number of points relating to those matters and issues.
2. These views and questions arise from my initial reading of the Local Plan (LP), some of the key supporting documents and the Summary of Representations.
3. The answers will help me to draw up 'Matters and Issues' for the examination hearings. I will have further questions during the preparation period, including some relating to the allocations and related policies which are not covered in this note. My questions and comments are without prejudice to consideration of the soundness of the Plan's policies during the remainder of the Examination, including at the hearings. **Some of the answers to the points that I raise may be contained within the evidence base. If that is the case please could my attention be drawn to where I can find the information?**
4. Not all matters raised go to soundness but may assist with the clarity of the LP. Where a point could potentially be addressed by a Main Modification (MM) or Additional Modification (AM) to the LP I will make this clear by including **MM** or **AM** in the text.
5. All references to paragraphs and policies relate to the 'Wyre LP Submission Draft Local Plan January 2018' (SD004).

#### Preliminary Points

6. The LP subject to consultation between September and November 2017 was the Publication Draft version (SD001). This is the version of the LP which is the starting point for the examination. The changes made after the consultation that are included in the Submission Draft and the Schedules of Minor Modifications (SD003a and SD003b) may also be considered during the examination. However, it appears that most of the changes do not go to 'soundness' and would therefore form the basis of AMs suggested by the Council during the examination. If any of the changes made do go to 'soundness' they would be included in the Schedule of MMs (see below). I will advise you in due course if I think that this is the case.
7. The AMs would be distinct from any further changes to the submitted LP which arise during the examination and are required to make the LP 'sound' which will comprise MMs. Assuming that any are necessary a Schedule of MMs should be produced during the examination which should be a living document to be updated and included on the website. After the hearing sessions it will be necessary to consult on MMs and consider any implications for the Sustainability Appraisal. To ensure that the number of MMs does not become unwieldy all proposed changes to a particular

policy and consequential changes to its explanation should be encompassed within a single MM.

8. Hearing sessions forming part of the examination are likely to take place for a period of up to 3 weeks. I understand that the Council Chamber is available for weeks commencing 14 and 21 May and 4 June. Six weeks' notice is required for the hearings i.e. by 2 April 2018. However, in view of the Easter weekend formal notice should be given during week commencing 26 March 2018.
9. I would envisage that strategic matters such as the duty to cooperate, statutory compliance, housing and economic development needs and the overall strategy would be dealt with during the first week or so. The first week would also accommodate discussions on the components of housing supply and whether these would be sufficient to meet the housing requirement over both the plan period and the next 5 years. Then site allocations, infrastructure, implementation and monitoring would be dealt with in the second week, with the third week available to undertake a review sessions and as a reserve.
10. In terms of programming each week would normally involve 3 days of hearings sessions (Tuesday to Thursday), albeit an additional day, probably a Friday, could be included if this avoided the need for a third week.
11. I set out an indicative programme for the hearings in **Appendix 1** based on the potential Matters and Issues and representations. Feedback on this programme would be welcome, particularly whether too much or too little time has been allocated to various sessions, having regard to the level and nature of representations.

### **Matter 1 – Legal Compliance, Procedural Requirements and the Duty to Cooperate (DTC)**

12. Paragraph 153 of the National Planning Policy Framework (the Framework) encourages each local planning authority (LPA) to produce a single LP. My understanding is that there is no intention to produce any additional development plan documents, albeit that supplementary planning documents (SPD) will be prepared. However, it is understood that there are Neighbourhood Plans emerging and a Minerals and Waste Plan has been produced by Lancashire County Council. Please could you confirm the position? The LP should explain how these various components of the development plan will fit together.
13. Issues that are likely to be discussed at the hearing session are:
  - The extent and type of consultation and community engagement;
  - The Sustainability Appraisal;
  - The timeframe of the LP and its relationship to the evidence base;
  - The DTC and in particular addressing housing needs in the Housing Market Area (HMA) and dealing with infrastructure constraints, particularly transport.
14. Fylde LP is currently undergoing its examination. The MMs to the Fylde LP indicate that an early partial or full review will be undertaken once any unmet housing needs from Wyre is established following this examination. In terms of other local

authorities no other authority has thus far offered assistance in meeting housing need arising in Wyre (para 1.4.4 refers). It is noted that Lancaster has asked for assistance in meeting its own objectively assessed need (OAN). Blackpool has an adopted Core Strategy (CS) and is progressing a Part 2 LP. Preston is covered by a CS and a Site Allocations Plan. Other than Fylde is there any prospect of other adjoining authorities assisting with meeting unmet needs through emerging or reviewed local plans?

## **Matter 2 – Strategy and Strategic Policies**

15. Issues that are likely to be discussed at the hearing session are:

- The spatial distribution of development (described as 'dispersal');
- The settlement hierarchy in Policy SP1;
- The justification for Strategic Areas of Separation;
- Green Belt – the terms of Policy SP3 and whether exceptional circumstances have been demonstrated for the alteration of Green Belt boundaries (Green Belt alterations will also be discussed in relation to specific allocations during Week 2);
- Whether other strategic policies are consistent with national policy.

16. Section 1 of Policy SP1 lacks clarity. The abbreviation GVA is not explained here or elsewhere in the LP. The meaning of the final sentence of Section 1 is unclear. The table within the policy includes precise figures whereas rounded figures should be used. The figures in Section 3 should be expressed as a minimum (**MM**).

17. ED008 refers to Strategic Areas of Separation. However, is there an assessment of the landscape and visual importance of these areas? Para 4.1.17 refers to Strategic Areas of Separation defined by Policy SP1 being in rural areas but the policy includes an area between Fleetwood and Thornton. Moreover, the critical gap is already protected by Green Belt whereas the land subject to Policy SP1 does not appear to be developable being referred to as marshland in ED008. An area between Forton and Hollins Lane is also protected but do parts of allocation SA3/4 erode the critical gap? Should b) and f) be deleted from the policy?

18. The Framework indicates that Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the LP. The LP seeks the alteration of Green Belt boundaries (paras 4.1.9, 4.1.16 and 7.2.1 refer) but does not justify the change with reference to exceptional circumstances. Whilst it may well be evidenced in supporting documents such as ED008 such justification should be included in the LP, should it have been demonstrated (**MM**).

19. There is no need to reiterate policies set out in the NPPF<sup>1</sup>. Sections 1-3 of Policy SP2 do this and can be deleted (**MM**). Other policies do likewise (see below). In attempting to repeat national policy there is a danger that some inconsistencies will creep in and lead to small but critical differences between national and local policy and difficulties in interpretation and relative weighting. Moreover, national policy is likely to change with the revised Framework.

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<sup>1</sup> NPPG (Paragraph: 010 Reference ID: 12-010-20140306)

20. Section 8 of Policy SP2 refers to development proposals responding to climate change and amongst other things water and energy efficiency measures. However, there is no 'meat on the bones' in terms of how such objectives would be achieved. Is there any intention to require developers to exceed the mandatory minimum standards in the Building Regulations by, for example, applying optional standards for water efficiency? However, the new optional national technical standards should only be required through LP policies if there is an evidenced need and where their impact on viability has been considered.
21. Policy SP3 to a large extent repeats national policy (see para 19 above). Those elements which are particular to Wyre should be included e.g. that relating to Policy HP7. Otherwise is it not sufficient to indicate that national policy will apply? e.g. in Section 1 – 'The Policies Map defines the Green Belt in Wyre. Within the Green Belt, planning permission will not be granted for inappropriate development as defined by national policy, except in very special circumstances.' The developments referred to in Sections 5 and 6 of the policy would be inappropriate development but could be justified by very special circumstances. **(MM)**
22. Policy SP4 is not consistent with national policy as it seeks to protect the countryside for its own sake rather than recognise the intrinsic character and beauty of the countryside. Protection and enhancement is only sought by the Framework for valued landscapes (para 109). Moreover, Section 4 goes beyond paragraph 55 of the Framework and appears to ignore the flexibility offered by permitted development rights. Is there a particular local justification for a more restrictive policy for the conversion of redundant buildings in the countryside? In terms of Section 5, it is not clear why Policy SP2 needs to be cross referenced given the detailed criteria within Section 4. **(MM)**
23. Within Section 2 of Policy SP4 provision should be included for accommodation for gypsies, travellers and travelling showpeople in accordance with Policy HP8. Within Section 7 the word 'only' should be inserted in the 2<sup>nd</sup> line so it reads 'will only be granted for development....' **(MM)**
24. Section 1 of Policy SP5 does not refer to landscape and scenic beauty which are the key assets of the Area of Outstanding Natural Beauty (AONB). Section 4 of Policy SP5 reiterates national policy (para 116 of the Framework) and therefore appears superfluous. Moreover, there are no allocations in the AONB so that reference seems unnecessary. **(MM)**
25. In relation to Policy SP6 there may be occasions where it would be unacceptable to reduce infrastructure requirements e.g. where residual cumulative impacts on the transport network would be severe. Does this need to be made clear by the policy?
26. With regard to evidence of marketing would it be clearer if the circumstances where it is required are made explicit e.g. in relation to Policies SP4, CDMP5? Does 3 d) make it clear that advertising by electronic means would be acceptable?
27. In Section 3 of Policy SP8 there appears to be a contradiction. If development is likely to have an adverse impact on public health then it will contribute to a negative impact on health.

### **Matter 3 - Housing and Employment OAN and Requirements**

28. Issues that are likely to be discussed at the hearing session are:

- Whether the evidence base supports the OAN for housing of 479 dwellings per annum (dpa) or 9850 dwellings for the LP period;
- The need for 43 ha of employment land;
- The justification for a requirement of 8,225 dwellings which does not meet the OAN (primarily highway capacity and flood risk constraints);
- The relationship between housing and employment land provision.

29. The figures in paragraph 8.2.1, Table 8.2 and Policy EP1 in relation to employment land needs and allocations appear confusing. Consideration should be given to revising para 8.2.1 for clarity. Policy EP1 should make reference to provision of around 48 ha of employment land over the plan period as that is the gross amount. The explanation should point out that provision is above the employment OAN to provide flexibility and a portfolio of sites.

30. With regard to the final point, it is understood that housing and employment allocations have different implications for traffic movements. However, on the basis that there is an imbalance between housing and employment land provision set against assessed needs is there any scope for increasing housing allocations by utilising more of the land allocated for employment/mixed use? What level of analysis has been undertaken to assess the traffic generation/trips from various options?

31. On a related point are there existing employment sites (subject to Policies EP2 and EP3) which could be released for housing or for mixed use given the wording of para 22 of the Framework (no reasonable prospect)? For example para 4.1.19 suggests that there is highway capacity in Fleetwood and Cleveleys to support additional development.

### **Matter 4 –Housing Land Supply**

32. Issues that are likely to be discussed at the hearing session are:

- The components of housing supply to meet the housing requirement;
- The method of addressing shortfall – Sedgefield or Liverpool method;
- 5% or 20% buffer;
- The housing trajectory;
- The need for a Housing Implementation Strategy (HIS);
- The base date for housing supply calculations.

33. In relation to the HIS, the 4<sup>th</sup> bullet point of paragraph 47 of the Framework expects LPAs to illustrate the expected rate of housing delivery through a housing trajectory for the plan period and set out a HIS. How are these elements to be incorporated into the LP? The Housing Background Paper includes much of this information including detailed tables in Appendix 2 but a simplified trajectory should be included in the LP.

34. In relation to the base date will the information be available to use 31 March 2018 to inform the hearing discussions? This base date could then be incorporated into the

LP once adopted.

35. Table 4.1 on page 35 would be updated to reflect a base date of 31 March 2018. The table, given the level of detail, would be best included as an appendix to the LP rather than part of the Strategy Chapter (**MM**). That said it would be helpful to have a simple table in the LP at para 7.2 showing the components of housing land supply using a base date of 31 March 2018. The table should be called 'Housing Provision 2011-2031' and be along the following lines:

- Completions 2011-2018
- Commitments
- Allocations
- TOTAL

36. The LP should also clearly express the key assumptions and parameters which will be relied upon to calculate the 5 year housing land supply. Therefore, para 7.2.2 should not only refer to the method of addressing the shortfall of circa 820 dwellings since the start of the LP period (be it Sedgefield or Liverpool) but also the buffer to be applied (5% or 20%) and the approach to windfalls. The Housing Background Paper explains the Council's position (Liverpool, 5% and no windfall allowance). These matters will be discussed at the relevant hearing session.

37. In terms of Policy HP1 itself I would suggest the following amended wording:  
'Between 2011 and 2011 provision will be made for a minimum of 8,225 dwellings which equates to at least 411 dwellings per annum of which around 4,800 dwellings will be on sites allocated in Policies SA1 and SA3.' On the assumption that para 7.2.2 explains the approach to maintaining supply Section 2 of the policy is not strictly necessary. (**MM**)

38. Paragraph 47 of the Framework refers to local planning authorities setting out an approach to housing density to reflect local circumstances. Is there a case for seeking higher density development on sites that are well-connected to boost supply?

### **Matter 5 – Specific Housing Needs and Generic Housing Policies**

39. Issues that are likely to be discussed at the hearing session are:

- The effectiveness of Policy HP2 in meeting the need for smaller dwellings;
- The justification for 20% of dwellings to be designed for those with restricted mobility;
- The justification for affordable housing targets in Policy HP3;
- The terms of Policy HP7 and whether provision should be made for a proportion of market housing;
- Whether there is a need to make allocations for gypsies and travellers (residential and transit) taking into account the Gypsy and Traveller Accommodation Assessment (GTAA) and other evidence;
- The allocation for travelling showpeople (Policy SA6).

40. Although Policy HP2 refers to an appropriate mix of housing, there is no specific reference in the policy to the need for smaller homes. Should the policy be more prescriptive in this respect?

41. There is no reference to provision for self-build housing in Policy HP2 or elsewhere. Does the Council's register indicate a need that should be reflected in policy?
42. Para 2.4.4 refers to affordable housing needs which far exceed those set out in para 7.4.2. The most up to date figures should be referred to for consistency. It is noted that the Council does not expect to meet the needs of between 134 and 189 dpa in full. Maximum delivery from private sites is only 30% and that only applies to certain areas of the Borough. What other mechanisms are available to the Council, other than rural exception sites, to make up some of the shortfall? Is this explained in the evidence base?
43. Paragraph 7.4.2 and Policy HP3 refer to affordable housing being required on developments of 10 dwellings or more whereas the NPPG refers to contributions not being sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1,000 square metres. Therefore, the figure of 10 should be changed to 11. In addition in Section 2 of the policy 'all' should be deleted as sites in Fleetwood will not be expected to contribute to affordable housing. **(MM)**. Is there a case for a lower threshold in designated rural areas as suggested by the NPPG?
44. In Section 6 I would recommend that the wording is amended to read: 'Affordable housing should be designed as an integral part of developments and be 'tenure blind' in relation to other properties within the site.' **(MM)**
45. In Section 7 'where possible' should be deleted as it is not clear in what circumstances a legal agreement or condition would not be used. **(MM)**
46. In Policy HP4 the reference to 'visual amenity' and 'amenity' should be removed and replaced with 'appearance' as 'amenity' in this context is a nebulous term. **(AM)** The terms of Section 3 appear overly restrictive. Such extensions would be considered against Policies SP3 and SP5 and national policy which provide an appropriate level of protection. **(MM)**
47. In Policy HP6 consideration should be given to a criterion relating to no buildings suitable for conversion being available within the holding. In relation to Section 2 why is this element limited to 'agricultural dwellings'? In relation to Section 6 what about an essential need elsewhere in the locality? **(MM)**
48. As Policy HP7 deals with affordable housing it would be more logical for it to follow immediately after Policy HP3. **(AM)**. Should 'need' and 'locality' be clarified either in the policy or supporting text? Should the policy allow for a proportion of market housing in accordance with para 54 of the Framework?
49. The GTAA (ED079) suggests the need for transit site provision in the sub-region (along the A6 corridor). Has there been any steps to make such provision since October 2016? In relation to Policy HP8 Section 1 should make reference to the allocation through Policy SA6. In addition should the criteria include reference to sites being well planned and landscaped to reduce the impact on the character and appearance of the countryside?

50. In relation to Policy HP9 taking into account the advice within the NPPG on tariff-style contributions is it reasonable to require all new residential development (including single and small numbers of dwellings) to make provision for GI? In terms of the application of the standards and having regard to the NPPG should this apply to '11 or more units'? Moreover, the quantity requirements would not result in meaningful areas of open space for smaller developments. Therefore, should the circumstances where on-site provision or contributions be made clearer? In terms of playing pitches will the required provision be clear from supporting documentation? **(MM)**

51. In Policy HP10 'the amenity of neighbouring properties' in criterion a) is a nebulous phrase. I would suggest rewording along the lines of 'the living conditions of nearby residents'. Criterion d) refers to provision of parking and manoeuvring on site. Is this realistic for some locations where there is likely to be a reliance on on-street parking? Rewording to state 'The site or surrounding area can accommodate...' would seem more realistic. **(MM)**

### **Matter 6 – Employment Policies (including town centres and tourism)**

52. Issues that are likely to be discussed at the hearing session are:

- The effectiveness of Policies EP2 and EP3 and their consistency with national policy;
- The terms of Policy EP4 in relation to the sequential test and the threshold for impact assessment;
- Whether there should be a distinction between Fleetwood and other town centres in terms of level of impact.

53. Both Policies EP2 and EP3 seek to protect existing employment sites. Have the existing sites been reviewed such that the policies will avoid the long term protection of sites where there is no reasonable prospect of them being used for employment purposes (para 22 of the Framework refers)? Should the policies be more flexible in allowing other economic development or in certain circumstances housing?

54. In terms of the detail of the policies, Sections 2 and 5 of Policy EP2 repeat the same criterion. Both policies are included within the same blue box. The policies should be separated for clarity. **(AM)**

55. Taking into account the need for flexibility between town centre uses Policy EP6 sets out some fairly prescriptive criteria. In particular is it realistic to expect 50% of secondary frontages to be in A1 use? Moreover in terms of some uses such as restaurants and takeaways is it realistic to expect opening during the period 0900 to 1700 hours (criterion d)?

56. In relation to Policy EP7 a net sales area of 280 sq m would be a better threshold as this would coincide with Sunday trading limitations (criterion a). Criterion b) and c) would not necessarily protect existing town centres and could potentially stifle competition between operators. If the criterion related to the protection of convenience stores in existing defined centres it would be more effective and consistent with national policy. **(MM)**

57. Section 4 of Policy EP9 supports touring and camping sites but there are no caveats. Accepting that the LP should be read as a whole should the policy be amended to read something like:

'Holiday accommodation sites, including new short stay touring caravan and camping sites, will be permitted where they meet the requirements of the Core Development Management Policies and provided they satisfy the following criteria:

- a) The totality of development, including on-site services, is of appropriate scale and appearance to the local landscape;
- b) Any new building and supporting infrastructure is necessary;
- c) New tourism accommodation sites incorporating new build accommodation should be supported by a sound business plan demonstrating long term viability; and,
- d) Proposals for extension to sites which include new built accommodation outside settlement boundaries will need to be supported by a viability assessment of the existing and proposed business.'

(MM)

58. Policy EP10 is somewhat restrictive. The 'only' in Section 1 would make the policy more positive. In addition should there be a requirement to demonstrate the need for private stables (2a)? This requirement would seem more relevant to larger scale commercial stables? (MM)

59. The terms of Policy EP11 do not specifically refer to the circumstances where a community facility is no longer needed. Accepting that the policy refers to uses 'considered important to the sustainability of the community' should this be made explicit? In addition should there be a provision that facilities are offered to the community at a realistic price? (MM)

60. Accepting that Policy SP5 protects the AONB is there a need for Policy EP12 to indicate that wind energy (and indeed solar farms) would not be permissible in the AONB?

## **Matter 7 – Development Management Policies**

61. Issues that are likely to be discussed at the hearing session are:

- Whether the policies are positively prepared and consistent with national policy.

62. The LP should be read as a whole. In this respect the requirement in Policy CDMP1 for development to meet all Core Development Management Policies appears superfluous and is not repeated in other policies. Moreover, criterion a) seems wide ranging and more appropriate for inclusion in a strategic policy, if at all. In view of the dangers to health caused by pollutants is the qualification in criteria d) ('unless...etc') appropriate? (MM)

63. With regard to Policy CDMP2, the requirement in Section 6 for all development to achieve greenfield run off rates seems inflexible. A wording such as 'All development should seek to achieve greenfield run off rates...' should be considered. Moreover, the hierarchy within Section 6 seems prescriptive as the management of surface water will often depend on the particular location and the nature of the site and surroundings. The hierarchy could be simplified along the lines set out in the

National Planning Practice Guidance (NPPG)<sup>2</sup>. **(MM)**

64. Whilst Policy CDMP3 refers to 'local context' there is no reference to promoting and reinforcing local distinctiveness (para 60 of the Framework refers). In addition whilst the policy deals with several components of design there is no reference to development mitigating against climate change and minimising energy consumption which are key aspects of sustainable design (see para 96 of the Framework). **(MM)**
65. The definition of Green Infrastructure (GI) in Policy CDMP4 is wider than that in the Framework (see also para 77 below).
66. Are the Council satisfied that Sections 10-13 of the policy makes sufficient distinction between the hierarchy of international, national and locally designated sites as referred to in para 113 of the Framework?
67. Section 15 would be more consistent with other policies of the LP if worded along the following lines: 'Development permitted by other policies of the plan should have no unacceptable cumulative impact...etc.'**(MM)**
68. In terms of agricultural land Section 17 should allow development where it is clear that it cannot be located on areas of poorer quality land. Section 18 appears to be a plan-making clause. **(MM)**
69. In relation to trees and hedgerows I would suggest rewording of Sections 22-25 as follows:  
'22. Development will be expected to incorporate existing trees and hedgerows into the design and layout of the scheme where possible unless their loss is essential to allow the development to go ahead and is supported by evidence in a tree or hedgerow condition survey.  
23. Where tree and hedgerow loss is unavoidable, an equivalent amount of new trees and hedgerows of suitable species should be proposed unless a clear justification is provided for not doing so. Where appropriate, opportunities to increase tree and hedgerow cover should be explored.  
24. Development and planting schemes must be designed so as to avoid:  
a) Damage to existing trees which are to be retained; or  
b) The potential for future conflict between buildings and trees.  
25. Where development is proposed which would result in the loss of ancient woodland, protected tree(s) or veteran tree(s), planning permission will only be granted where:  
a) The removal of one or more trees would be in the interests of good arboriculture practice; or  
b) It is demonstrated that the benefits of the proposed development outweighs the amenity and/or nature conservation value of the tree(s).' **(MM)**
70. Section 4 of Policy CDMP5 relating to 'substantial harm' to a designated heritage asset repeats para 133 of the Framework. By contrast there is no reference in the policy to 'less than substantial harm' as in para 134 of the Framework. Section 8 dealing with undesignated heritage assets applies a higher bar than para 135 of the

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<sup>2</sup> Paragraph: 080 Reference ID: 7-080-20150323

Framework.

71. There is some repetition in Policy CDMP6 in relation to public rights of way (see g and Section 6) **(AM)**. In terms of Section 2 and Electric Vehicle Recharging Points would the addition of the words 'where practical' ensure alignment with para 35 of the Framework? With regard to Section 5 the implication is that travel plans will not apply to major residential developments. However, para 36 of the Framework does not make the distinction. I would suggest a wording along the following lines: 'Development which would attract large numbers of people on a regular basis or generate significant amounts of movement will be required to be supported...etc.'  
**(MM)**

### **Matter 8 – Housing, Employment and Mixed Use Allocations**

72. Issues that are likely to be discussed at the hearing sessions are:
- The suitability of the allocations having regard to infrastructure and other constraints;
  - Whether any significant adverse impacts would arise for the economic, social and environmental dimensions of sustainable development, taking into account potential mitigation;
  - The key development considerations;
  - The delivery of the allocations over the plan period.

### **Matter 9 – Infrastructure and Delivery**

73. Issues that are likely to be discussed at the hearing session are:
- The effectiveness of Policy SP6 (Viability)
  - Whether Policy SP7 is consistent with national policy;
  - Whether necessary infrastructure will be delivered in a timely fashion e.g. road improvements, schools; health services;
  - The delivery of GI.
74. The Infrastructure Delivery Plan (IDP) refers to committed highway improvements together with other schemes that are needed to support LP development. Section 23 of the IDP references a schedule but this does not form part of the electronic document. Does such a schedule exist? It would be helpful to have a table of schemes including projected implementation dates, sources of funding, delivery agency and an assessment of how critical they are to the LP.
75. Paragraph 5.8.4 refers to the Community Infrastructure Levy (CIL). What is the timetable for the introduction of CIL in Wyre? What are the implications of the pooling limitations on developer contributions? In framing these questions I am aware of the Government's consultation on reforming developer contributions.
76. Section 2 of Policy SP7 should include the word 'delivered' after 'infrastructure' (final line). Sections 6 and 7 of Policy SP7 are seeking one and the same. Moreover, the provision of infrastructure by developers on or near the site should be seen as preferable to contributions and therefore the ordering of the policy should be revised so that provision comes before contribution **(MM)**.

77. GI in the LP appears to have a wider definition than envisaged by the Framework. For example para 4.1.3 states that 'the countryside' forms part of GI whereas the definition in the Glossary to the Framework is narrower referring to 'multi-functional green space'. There ought to be consistency between the two. **(MM)**

### **Matter 10 – Monitoring and Implementation**

78. Issues that are likely to be discussed at the hearing session are:

- Monitoring Indicators;
- LP Review Mechanisms

79. Paragraph 1.5.1 sets out circumstances where a review of the LP would be undertaken. This section would be best incorporated into the Chapter 10 of the LP. The need for review or partial review would be best linked to particular key indicators contained within Table 10.1 such as those related to the delivery of housing. Reference could also be made to the need for review because of a significant change in circumstances related to national policy or the evidence base rather than the criteria set out which could be seen as too prescriptive. **(MM)**

### **Other Minor Comments**

80. I noted a number of typos when reading the LP and also have some minor queries. These do not go to soundness but to be helpful I have set these out in **Appendix 2**. I do not require any feedback on these comments unless a point needs clarification.

### **Response**

81. I would like a response by the Council to the above comments and questions by **28 March 2018** or earlier if possible. I am not inviting comments from other parties at this stage. I want to clarify the Council's position first. This will help me to refine Matters and Issues for the hearings and set agendas and questions. All parties with relevant representations will have the opportunity to respond in advance of the hearings should they wish.

82. As referred to earlier if the Council consider that the point or question could be dealt with by a **MM** or **AM** then please confirm. As the examination develops Schedules of MMs and AMs should be produced. The former should be in place in draft form in advance of the hearings, preferably published at the same time as any statements when it will become an examination document and inform discussion at the hearings. It will be refined during and after the hearings. This is on the assumption that the Council wish me to recommend any MMs that are necessary to resolve issues of legal compliance or 'unsoundness'.

83. If you require clarification of any of the above points please contact me via the Programme Officer.

*Mark DaKeyne*

INSPECTOR

**Attached – Appendices 1 and 2**

## **Appendix 1 – Possible Hearing Programme**

### **Tuesday 15 May**

9.30 – Introduction to the Hearings, Legal Compliance, Procedural Requirements and the Duty to Cooperate

13.30 - Strategy and Strategic Policies

### **Wednesday 16 May**

09.30 - Housing and Employment OAN and Requirements

13.30 - Housing Land Supply

### **Thursday 17 May**

09.30 – Specific Housing Needs and Generic Housing Policies

13.30 - Employment Policies (including town centres and tourism)<sup>3</sup>

### **Friday 18 May**

09.30 - Development Management Policies

### **Tuesday 22 May**

09.30 – Allocations (Fleetwood, Thornton and Norcross)

13.30 – Allocations (Poulton-le-Fylde)

### **Wednesday 23 May**

09.30 – Allocations (Great Eccleston, Stalmine, Pilling and Hambleton)

13.30 – Allocations (Inskip)

### **Thursday 24 May**

09.30 – Allocations (Forton)

13.30 – Allocations (Garstang, Bowgreave, Catterall and Barton)

### **Friday 25 May**

09.30 – Infrastructure and Delivery

12.30 – Monitoring and Implementation

### **Tuesday 5 June**

11.30 – Review Session

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<sup>3</sup> Council Chamber only available until 1600 hours

## Appendix 2 – Typos and Minor Queries

### 1. Introduction

Para 1.3.3 – This sentence lacks clarity. Is it necessary?

Para 1.3.4 – Reword as follows: 'The Local Plan is supported by the Strategic Flood Risk Assessment Level 2 which includes the Sequential Test Paper for proposed allocations, ~~and~~ the Habitat Regulations Assessment **and the** Viability Assessment. These assessments should be the basis for more detailed **ed** assessment required at planning application stage. The Infrastructure Delivery Plan must also be read alongside the Local Plan.'

1.3.6 – Reword 1<sup>st</sup> sentence as follows: 'The Publication 'Submission' draft Wyre Local Plan and housing trajectory ~~uses~~ housing and employment figures remain as at 31 March 2017 monitoring date.' 4<sup>th</sup> sentence 'represents'.

The level of detail in the 2<sup>nd</sup> part of this paragraph is unnecessary. In any event it would be superseded if the base date used is 31 March 2018 (see para 34 above).

1.5.1 – criterion c) – 'housing **need**' (not land)

### 2. Spatial Portrait and Key Issues

2.2.1 – final sentence – '**southern** boundary' (not western)

2.2.6 – 3<sup>rd</sup> line - semi-colon after 'Fylde'

2.3.3 – 5<sup>th</sup> line - 'considerably'

2.5.1 – 4<sup>th</sup> line - 'serves'

2.5.4 – 2<sup>nd</sup> sentence – does this make sense – delete after 'throughout the Borough'?  
Last line – 'sustainability **of...**'

2.5.5 – 3<sup>rd</sup> line – 'includes**s**'

Figure 2.6 – the Legend is not very clear and uses abbreviations which are not explained in the figure.

2.6.5 – 3<sup>rd</sup> line – 'Site' (singular)

2.6.11 – 5<sup>th</sup> line – 'have been'

2.9.1 – 1<sup>st</sup> line – 'natural and built heritage assets'

2.9.3 – 2<sup>nd</sup> line – delete first comma

2.9.4 – there is some repetition with para 2.8.4

2.9.7 – 2<sup>nd</sup> line – '**the** local economy'

2.9.11 – 1<sup>st</sup> line – ~~the~~ local economic growth'

2.9.14 – 4<sup>th</sup> line – delete 'they'

2.9.16 – final line – 'contributes'

### 3. Vision and Objectives

3.2.3 – final sentence – ‘There are better links between job opportunities and education.’

3.2.12 – final sentence – ‘buses to and from and across the Borough’

### 4. Local Plan Strategy

4.1.2 – penultimate line – insert semi-colon after ‘countryside’

4.1.4 – penultimate sentence – ‘fosters’

Final sentence – ‘meet needs also’ (delete ‘it’)

4.1.6 – 2<sup>nd</sup> line – ‘Local Plan’ (upper case ‘L’)

4.1.11 – final line – delete stray full stop

4.1.14 – 2<sup>nd</sup> sentence lacks clarity

4.1.16 – 4<sup>th</sup> line – delete ‘it’

Table 4.1 – column widths should be adjusted to ensure that figures are contained on same row

4.1.22 – final sentence – ‘This is a matter **for** consideration **by** the Local Plans of adjoining local authorities.’

### 5. Strategic Policies

5.3.1 – final sentence – ‘Within the context of national policy ~~on sustainable development~~ Policy SP2 sets how **the** sustainable development...etc’

5.6.1 – reword as follows: ‘The Forest of Bowland was designated as an AONB in February 1964. It covers an area of 803 square kilometres, ~~and~~ straddling 6 local authority boundaries. ~~It is~~ **A** designated AONB ~~which~~ signifies the landscape therein is of national importance. The rivers Wyre, Brock and Calder originate in the ~~in the~~ upland core of the Bowland Fells.

5.6.2 – 5<sup>th</sup> line – insert ‘for’ before ‘liaison’

5.6.3 – 2<sup>nd</sup> line ‘Policy SP5’

Footnote 27 – ‘accessed’

5.8.1 – 1<sup>st</sup> line – ‘structures’

5.9.1 – final sentence – ‘detailed policies’

### 6. Core Development Management Policies

6.2.2 – final sentence – ‘future occupiers’

6.3.1 – 2<sup>nd</sup> line – ‘the Calder and Brock’

Policy CDMP2 – Section 6 – 1<sup>st</sup> line – ‘rates’; Section 7 – 1<sup>st</sup> line – ‘measures’; Section 8 – space required between 2<sup>nd</sup> and 3<sup>rd</sup> sentences.

6.5.2 – 4<sup>th</sup> line – ‘Policy CDMP4’

Policy CDMP4 – Section 2 – ‘Development ~~proposals~~ will be required to be...’

Policy CDMP4 – Section 21 – ‘...meets current quality standards.’

Policy CDMP6 – e) – insert comma after ‘Where appropriate, access...’. Delete ‘and’ after g). Missing semi-colons after h) and i). Insert ‘and’ after i).

## 7. Housing

7.2.1 – amend 2<sup>nd</sup> sentence – ‘...but also makes ~~a number of~~ extensions to a number of settlements.’

7.6.1 – amend 2<sup>nd</sup> sentence – ‘does not have a materially greater impact’

Policy HP5 – amend 4<sup>th</sup> line of Section 1 – ‘...including massing **compared to** the existing building...’

Policy HP6 – amend Section 1 to read: ‘Outside settlement boundaries planning permission will only be granted for a new rural worker’s dwelling where it meets the requirements of the Core Development Management Policies, ~~and~~ it is within or close to the land holding of the source of employment **and** where it is demonstrated that the proposal satisfies all the following criteria:’

## 8. Economy

8.2.6 – 3<sup>rd</sup> line – ‘**in** Wyre’. 10<sup>th</sup> line – ‘proposals’

8.6.1 – final sentence – ‘Policy EP6’

8.8.1 – 1<sup>st</sup> sentence – ‘settlements.’

Policy EP8 – Section 2 a) – ‘**rural** character of the area’

Policy EP10 – Criterion 2 d) – ‘**is** well screened...’

Policy EP12 – Section 3 – 2<sup>nd</sup> sentence – ‘Proposals must **meet** the requirements...’

## General Points

Each policy should be prefaced with ‘Policy’ e.g. ‘Policy EP1’.

References to ‘Publication/Submission Draft Policies Map’ within the policies can be simplified to ‘Policies Map’. **(AM)**