

WYRE LOCAL PLAN EXAMINATION

INSPECTOR'S POST HEARING ADVICE – MAIN MODIFICATIONS AND RELATED MATTERS

Please reply to the Programme Officer

Introduction

1. The purpose of this note is to provide advice on some key issues and my views on the further Main Modifications (MMs) that are likely to be required to make the Wyre Local Plan (LP) sound following the hearing sessions. The MMs are in addition to those potential MMs (1) prepared by the Council in advance of the hearings following consultation on the publication version of the LP (September 2017), (2) produced in response to my preliminary questions and (3) put forward during the hearing sessions. In addition to possible **MMs** which I have highlighted in bold the note seeks clarification/further information from the Council on some matters following the hearings. Paragraph references are from the tracked changes version of the LP prepared to assist during the hearings.
2. I would also advise that I have given full consideration to all the representations made about the LP including the oral contributions at the hearings. My final conclusions regarding soundness and procedural compliance will be set out in the report to be produced following consultation on the proposed MMs. Nevertheless, having regard to the criteria for soundness and to assist at this stage, I shall provide brief explanations for my advice thus far.
3. My findings may alter in the light of any further evidence that emerges including the consultation process. My views are therefore given here without prejudice to the conclusions that will appear in the report. I do not comment on every issue in this advice. My final report will cover other main issues that arose during the examination but which are not dealt with in this note.

Matter 1 – Legal Compliance, Procedural Requirements and the Duty to Cooperate

Issue 3 – Sustainability Appraisal (SA) and Habitat Regulations Assessment (HRA)

4. The SA considers the options for spatial distribution at Section 4 but does not appear to assess the likely significant effects of implementing the Objectively Assessed Need (OAN) of 9,580 dwellings (479 dpa) or reasonable alternatives within the OAN range of 457 to 479 dpa. The SA only appears to assess the effects of the delivery of 8,224 dwellings (411

dpa)¹. As the SA is a continuing process and will need to be updated to take into account MMs already proposed and the advice elsewhere in this document, the opportunity should be taken to remedy these omissions.

5. I welcome the Council's commitment to undertake further work on the HRA in view of the recent judgement as set out in EL5.031.

Matter 2 – Strategy and Strategic Policies

Issue 1 – The Spatial Distribution of Development

6. The Council suggests that the only strategy possible is that of 'managed dispersal' primarily because of highway capacity and flood risk constraints. In terms of flood risk constraints there is sufficient land around the higher order settlements of Poulton-le-Fylde, Thornton, Garstang, Great Eccleston, Preesall, Hambleton and Catterall which is beyond Flood Zones 2 and 3 to support an alternative strategy and indeed meet the full OAN. Therefore, flood risk should not be seen as an overriding constraint on its own.
7. Highway capacity has the effect of not only limiting the strategy options but also constraining the ability to meet the OAN. As a result the evidence on highway capacity is a fundamental component of the evidence base. Lancashire County Council's (LCC) report (ED094a) is helpful in understanding the constraints of the options and particular settlements/sites. However, it is necessarily a high level primarily desktop assessment. Moreover, although having regard to committed schemes, it does not appear to robustly model how new transport infrastructure could cost effectively limit the significant impacts of development.
8. Proposed transport infrastructure includes the committed highway improvement schemes within the Infrastructure Delivery Plan (IDP), the Poulton-le-Fylde Highway Mitigation Strategy, the A6 Corridor Highway Mitigation Strategy and other off-site improvements which could be developed to mitigate localised highway impacts. Some of these planned and potential improvements do not appear to have been taken into account as measures to mitigate adverse transport impacts now so that the LP plans positively for the development and infrastructure required.
9. Moreover, the need to focus significant development in locations that can be made sustainable and where the use of sustainable transport modes can be maximised is in my view not given sufficient weight in the analysis and highway caps. For example along the A6 corridor affected by the

¹ Page 49 of SD005a

Severe Restriction Zone (n1) there are existing and proposed employment opportunities, a range of services and facilities, particularly in Garstang, and the opportunity to use and build upon sustainable modes of travel. Similar factors would apply in Poulton-le-Fylde and to a lesser extent in Thornton. In contrast the 'managed dispersal' strategy is likely to increase the reliance on the private vehicle and longer distance travel.

10. However, I also appreciate the need to get a LP in place as soon as possible so that development is plan led, policies are up-to-date, and allocations can be made which would boost the provision of housing and ensure a 5 year supply.
11. There appear to be two ways that the above highway and transport issues could be dealt with. Option 1 would be to robustly review the highway and transport evidence during the examination. This would require suspension of the examination whilst the additional work was undertaken.
12. Option 2 would be to build an early review mechanism into the LP as suggested by the Council during the hearings. However, should this option be pursued there should be a commitment to undertake this partial review as soon as possible with the objective of submitting for examination within 3 years of the adoption of the LP. Such a commitment should be supported by a specific policy (**MM**).
13. With both options more work would be required on highway constraints and transport infrastructure in the form of:
 - (i) More robust modelling of the likely mitigating effects of the committed transport and highway schemes;
 - (ii) Reviewing LCC's approach to severe congestion and severe residual cumulative impacts. Is the level of congestion severe and the LCC approach comparable with other authorities?;
 - (iii) Reviewing whether LCC has put enough emphasis on sustainably located sites where the use of sustainable transport modes can be maximised in analysing congestion and highway impacts and applying the highway caps.
 - (iv) taking into account the policies and allocations of the LP.The purpose of both options would be to ensure that OAN would be met by allocating more sites alongside the necessary infrastructure.
14. In terms of the review option, work on updating the evidence base relating to the transport network would need to be commenced as soon as possible after the adoption of the LP.
15. In addition in relation to the review option I am mindful that the standardised approach to calculating housing needs may be part of

Government policy by the time of a review. However, whatever policy is in place at the time of review would need to be considered.

16. Notwithstanding the highway caps derived from ED094a I see opportunities for some modest increases in housing provision in some locations which would not lead to severe residual cumulative impacts based on the existing evidence base and representations. There are other locations where for reasons other than highway impacts I find the scale of allocations unsound. In this context I set out below further detailed comments and suggested MMs which when taken together would increase housing supply and bring overall provision closer to the OAN.

Issue 4 – Strategic Areas of Separation

17. The Strategic Area of Separation (SAS) between Forton and Hollins Lane would be significantly eroded by the allocations within the LP. I return to this matter below when considering the allocations.

Issue 5 – Green Belt

18. With regard to Parcel 11 the small 0.7 ha parcel of previously developed land on the Norcross Lane frontage forms part of the development area which has outline planning permission and would not be used as open space. Therefore, the Site Assessment forming part of the Green Belt Study (ED109b) is out of date. Having regard to the characteristics of the 0.7 ha parcel and the planning position I consider that exceptional circumstances exist and that this area should be removed from the Green Belt (**MM**).

Matter 3 – Housing and Employment OAN and Requirements

Issue 4 – The Housing Requirement

19. I have concerns about the failure of the LP to meet the Housing OAN requirements and have suggested two options to remedy this as set out above.

Matter 4 – Housing Land Supply

Issue 1 – Components of Housing Supply

20. The assessment of completions on non-allocated housing sites of less than 25 dwellings since 1 April 2011 (EL5.012) indicates to me that there is a justification for a windfall allowance within the range of 25-50 dpa. This would be an additional component of the supply but would only take effect after say 31 March 2021 so not to lead to double counting of commitments (sites with planning permission at 31 March 2018). Windfalls would add between 250 to 500 dwellings to the supply. Paragraphs 7.2.2 and 7.2.3 should be modified accordingly (**MM**).

Issue 2 – The Housing Trajectory

21. Applying the substantial shortfall of 836 dwellings to the next 5 years requirement through the Sedgfield approach would not be realistic as it would set a 5 year housing requirement that is unlikely to be delivered and would risk the LP being out-of-date soon after adoption. Therefore, I agree that spreading the shortfall over the Plan period is justified (the Liverpool approach).

Issue 3 – Five Year Housing Land Supply

22. Since the 2011 base date of the LP completions have not exceeded the OAN of 479 dpa in any year and only exceeded the housing requirement of 411 dpa in one year (2016/17). Using the Regional Spatial Strategy requirement to judge delivery since 2011 (206 dpa) would not be appropriate as it is not anyway near the OAN for the period 2011-18. As Wyre has only met its housing target in 1 out of 7 years since 2011, there has been a record of persistent under delivery so a buffer of 20% should be applied in accordance with paragraph 47 of the National Planning Policy Framework (NPPF). Paragraph 7.2.7 of the LP will need to be modified accordingly (**MM**). The evidence appears to indicate that there would be a 5 year supply of housing land on adoption of the LP using the Liverpool method to address the shortfall and applying a 20% buffer.

23. Applying the lead in times and build out rates from the Housing Background Paper (HBP) (ED010) suggests that some sites may deliver more housing within the LP period than projected. This would allow an upward adjustment in the number of houses that could be delivered in the LP period taking the total closer to the OAN. I return to specific sites and delivery when I deal with the allocations below.

Matter 7 – Core Development Management Policies

Issue 4 – Natural and Historic Environment Policies

24. The definition of Green Infrastructure within Policy CDMP4 (Section 4) is too wide ranging. To include all countryside areas goes well beyond the definition within the NPPF as many such areas are not multi-functional and cover large expanses of agricultural land in Over Wyre and to the east of the Fylde Peninsula up to the Forest of Bowland. That said I can appreciate the need to maintain most of the remaining areas of countryside on the peninsula which are not otherwise protected by Green Belt as the areas provide an important recreational resource/green lung as well as having landscape and biodiversity benefits. In this respect the definition of Green Infrastructure within Policy CDMP4 should be modified (**MM**).

Matter 8 - Allocations

Site SA1/2 – Lambs Road/Raikes Road, Thornton

25. The separate parcel of land to the south of Raikes Road has landscape and recreational attributes providing a green link between the built up area of Thornton and the more extensive areas of countryside towards the River Wyre and Skippool Creek. It has public footpaths along two boundaries. Access is via narrow lanes. In addition a new road from Skippool Road (Thornton Mews) may not be necessary or deliverable and would have some adverse impacts. This part of the allocation should be deleted (**MM**).

26. Notwithstanding the recommended change to the allocation and based on the evidence I consider delivery of 360 dwellings from the remaining part of SA1/2 within the LP period is realistic.

Site SA1/8 – South of Blackpool Road, Poulton-le-Fylde

27. The site extends to almost 20 ha but is only shown as delivering 154 dwellings. Whilst there are constraints affecting the site (highway, flood risk, railway line) and there is a need to provide land for a new primary school and a car park, the site is in an accessible location within walking distance of the town centre and railway station. There is scope to provide walking and cycling links across the site combined with Green Infrastructure which would make walking and cycling from the site and other areas to the north and west of the site more attractive. A larger number of houses would allow a greater contribution to the Poulton-le-Fylde Highway Mitigation Strategy and off-site sustainable transport measures. The opportunity to make best use of the site should be taken and the numbers to be delivered should be increased. For the reasons given above and notwithstanding the highways cap the Council should reassess the capacity of the allocation and the LP should be modified (**MM**).

Site SA1/11 – North of Norcross Lane

28. Adjustments should be made to the Policies Map to reflect the comments made at paragraph 18. Does the site capacity and site delivery need to be adjusted as the allocation is to be extended? This was not entirely clear to me from discussion at the hearings.

Site SA1/9 – South Stalmine, Stalmine

29. There would appear to be logic to allocating STA_20 as an alternative to STA_16 as it is physically well-related to the village, there are no known constraints (other than the highways cap) and evidence indicates that it is deliverable (access via STA_05 and subject to a planning application).

This option should be given serious consideration by the Council.

Site SA1/13 – Inskip Extension

30. There are a number of adverse impacts that would arise from this allocation – notably effect on the character and appearance of the village and its countryside surroundings, loss of Grade 2 agricultural land, relatively remoteness from many services and sources of employment, reliance on the private car for most trips which would involve relatively long journeys along a network of rural B and C roads, encouragement of commuting and implications for climate change. Cumulatively these adverse impacts indicate to me that the scale of allocations would be too large. Indeed the 255 dwellings appear to derive principally from highway capacity considerations. In addition I would question whether the site would deliver as anticipated.

31. A modest scale of allocation would be justified to enhance and maintain the vitality of the village but this should be confined to the area which already has planning permission and the land allocated either side of the school (**MM**). Such land would be well-related to the school and allow extension of the school if necessary. The Council may wish to consider whether a modest allocation at Site INS_07 would also be justified having regard to the recent advice from HSE (EL5.027).

Site SA1/16 – West of Cockerham Road, Garstang

32. The development may need to deliver a primary school. In this respect it is questionable whether sufficient land has been allocated to allow delivery of the school and 100 dwellings. Moreover for the reasons given in paragraph 7-9 and based on the existing highways evidence base there is scope for a modest increase in housing delivered in Garstang. Additional land to the west of the allocation is well-contained and could be considered to not have significant landscape attributes. The technical constraints identified in the SHLAA (access, electricity lines, public right of way) can be overcome by master planning. Questions were raised about delivery at the hearings but the larger site is being promoted by a national housebuilder. I recommend the extension of the allocation so that it has an overall capacity of 200+ dwellings (**MM**).

Site SA1/17 – Land south of Prospect Farm, West of Garstang

33. For the reasons given in paragraph 7-9 and based on the existing highways evidence base there is scope for a modest increase in housing delivered in Garstang. Taking into account the size of the allocation a small increase in the site capacity is recommended (up to 70 dwellings)

(MM).

Site SA3/3 – Land west of Great Ecclestone

34. The rate of delivery should be increased so that it is consistent with the HDP. The site is capable of accommodating two developers. Although the HDP refers to Great Ecclestone being an untested market area it is an attractive location and vibrant settlement. The development company support a higher rate of delivery. Delivery should be increased to 50 dpa from at least 2025/26, leading to an additional 60 dwellings being delivered in the LP period (MM).

Site SA3/4 – Forton Extension

35. The decision to make large scale allocations at Forton appear to derive principally from highway capacity considerations elsewhere. The parcels of land to the south and east of Sunnybank Nurseries significantly erode the gap between the settlements of Forton and Hollins Lane and undermine the SAS. Moreover, development on these sites would be poorly related to the existing settlement structure and could not form an 'organic extension' to Forton appearing as satellite housing estates. In addition they would be some distance from the hub of services in Forton (primary school, village hall, open space/recreational facilities and potential convenience store). Finally there is evidence that that the amount of land allocated at Forton is in excess of that required to deliver the anticipated capacity of 468 dwellings.

36. I have taken into account the suggested MM to include an area of Green Infrastructure on the southern part of the allocation (EL5.028) and the potential to provide a landscaped corridor along the A6. However, even with this mitigation development of these parcels would still close the gap between the settlements.

37. I acknowledge the Parish Council's preference for some of the southern parcel to be developed rather than the westernmost parcel. However, although the latter would have some landscape impacts it would be capable of being designed as an 'organic extension', would provide scope for an extension of the primary school and would be closer to village facilities.

38. With regard to employment I support the need to bring forward at least 1 ha of employment land at this location. In this respect allocation of a 1 ha parcel of land on the A6 north of the existing employment site at Ashmead would be one option. The site would have direct access to the A6, be adjacent to an existing employment use and would not materially erode the SAS. Although isolated from the remainder of the allocation it should

be included in the master planning process. The alternative would be to include 1 ha of employment land to the east of Jesmond Dene (existing employment). I would welcome the Council's view on these options (or alternatives).

39. In conclusion I recommend that the allocation at Forton be amended to delete the parcels to the south and east of Sunnybank Nurseries (**MM**). The site capacity and delivery figures will also need to be adjusted albeit the Council's trajectory and representations indicate that at least 340 dwellings could still be delivered in the LP period based on realistic delivery of a maximum of 40 dpa.

Future Timetable

40. If the Council favour Option 1 as a way forward (paragraph 11 refers) an indicative timetable should be provided for carrying out the work as soon as possible.

41. If Option 2 is favoured the Council should prepare a composite Schedule of Proposed Main Modifications (MMs). This schedule should include MMs which have arisen since the publication of the LP, including potential MMs discussed at the hearings and those recommended in this post hearings advice. Supporting documentation such as an updated SA and HRA and the Housing Implementation Strategy (HIS) would also be required. An indication of the likely timetable for these tasks would be helpful. That said I would anticipate that the Schedule could be finalised by the end of August 2018 by the latest. Based on this expectation the timetable for the remainder of the examination could pan out as follows:

- September – October 2018 – publicity/consultation on MMs alongside updated SA/HRA and HIS for a 6 week period.
- November 2018 – Council and then the Inspector consider representations on MMs.
- December 2018 – Inspector finalises report. The report will be subject to QA and a LPA fact check as described in the Procedural Practice in the Examination of Local Plans (page 9) – see link below – which would probably take place in January 2019.

<https://www.gov.uk/government/publications/examining-local-plans-procedural-practice>

42. I would not anticipate the need for additional hearings should Option 2 be followed. However, if they are found necessary an additional 2 months should be built into the programme in late 2018/early 2019 to accommodate them.

Response

43. A response to this note should be provided as soon as possible. It would be particularly appreciated if any comments on the timetable could be provided quickly so that I can ensure that my future work and other commitments do not prevent expeditious progress on the remainder of the examination.
44. This advice should be published on the website as soon as possible. The Council's response should also be published once prepared. However, it should be emphasised that no representations on the contents of this note and the Council's response should be submitted at this stage. Representations will be invited on MMs once these are published. This note and the Council's response will form background documents to the MMs.
45. If the Council require clarification of any of the above points please contact me via the Programme Officer.

Thank you.

Mark Dakeyne

INSPECTOR

5 July 2018