

WYRE LOCAL PLAN PARTIAL REVIEW (2011-2031) EXAMINATION

MATTERS, ISSUES AND QUESTIONS FOR THE EXAMINATION AND HEARING SESSIONS

DRAFT HEARING PROGRAMME

Hearings Commence:	Tuesday 27 September 2022
Format of Sessions:	Primarily face-to-face
Location of hearings:	Civic Centre, Breck Road, Poulton-le-Fylde, FY6 7PU
Inspector:	Mark Dakeyne BA (Hons) MRTPI
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Preamble: The Matters, Issues and Questions set out below arise primarily from:
(1) The Inspector's initial assessment of the Plan against the tests of soundness; and
(2) The points made by representors that relate to soundness.

All references within the document to the National Planning Policy Framework (the Framework) are to the 2021 version.

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Background

The adopted Wyre Local Plan (WLP) did not meet the full Objectively Assessed Housing Needs (OAHN), setting a requirement of 9,200 dwellings or 460 dwellings per annum (dpa) against an OAHN of 9,580 dwellings, a shortfall of 380 dwellings. The main justification for a lower requirement was highways capacity. However, the WLP included Policy LPR1 which required that the Council bring forward a partial review of the WLP with the objective of meeting the full OAHN. The Council has progressed and submitted this partial review in accordance with the timetable set by Policy LPR1.

The Wyre Local Plan Partial Review (WLPPR) has taken into account changes in Government policy since 2019, particularly that strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance¹. As a result the Council now proposes a housing requirement of 7,232 net additional dwellings - 296 dpa for the period 2019/20 to 2030/31 based on the standard method, 460 dpa for the period between 2011/12 and 2018/19 reflecting the WLP housing requirement.

In bringing forward the WLPPR, the Council has also taken the opportunity to update some other policies to reflect revised national policy and regulations. In particular, Policies HP3 and HP4 are proposed to be modified to take into account the Government's First Homes policy. There are also references to the changes to the Use Classes Order (UCO) and, in particular, to the creation of the new Use Class E which encompasses a number of town centre uses and B1 business use.

The Council is also undertaking a full review of the WLP with the Local Development Scheme of April 2022 indicating that preparation will take place in 2022/23 with the objective of submitting the Plan for examination in 2023.

¹ Paragraph 61 of the Framework

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Session 1 – 09.30 Tuesday 27 September 2022

Matter 1

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

Likely Participants

Wyre Council
Home Builders Federation
Wainhomes
NPL Estates
Gladman Developments
Hollins Strategic Land

This matter explores whether the WLPPR has been prepared in accordance with legal and procedural requirements set out in the Planning Act 2004 and the Local Planning Regulations 2012.

There are provisions within the Act and Regulations relating to the Duty to Cooperate (DtC), Sustainability Appraisal (SA), publication and notification requirements and dealing with representations.

No representations allege a failure to be legally compliant. Based on the submitted evidence, I see no reason to take a different view. Notwithstanding this starting point, these MIQs and the relevant hearing session will briefly address legal and procedural requirements, in particular duty to cooperate and sustainability appraisal.

Policies to be covered by Matter 1: Policies SP1 and HP1 (in respect of the DtC and SA)

Main Evidence Base

SDPR01 – Publication draft Schedule of Revisions to the Wyre Local Plan (2011-2031) [November 2021]

SDPR03 – Sustainability Appraisal [November 2021]

SDPR07a, 7b and 7c – Statements of Common Ground and Duty to Cooperate Statements and annexes [April 2022]

SDPR08a, 8b and 8c – Statement of Consultation and annexes [April 2022]

SDPR10 – Statement of Community involvement [updated March 2022]

Issue 1: Consultation and community engagement

The Planning Act requires that the local planning authority (LPA) prepares a Statement of Community Involvement (SCI) and complies with it. The Council

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recently updated its SCI following a consultation process in April/May 2021 (SDPR10).

- 1. Is there any evidence that the Council has not complied with the SCI, not met the minimum requirements for consultation or that consultation and publicity has otherwise been inadequate at various stages of the LP Partial Review process?*

Issue 2: The Duty to Cooperate

The Planning Act requires that LPAs engage constructively, actively, and on an on-going basis with one another in order to maximise the effectiveness of plan preparation. SDPR07a, 7b and 7c have been provided by the Council to support its position that the DtC has been complied with.

- 2. Is there any evidence that the Council has not engaged constructively, actively, and on an on-going basis on strategic matters with other LPAs and other relevant bodies?*

Following examination and adoption in December 2021, the Partial Review of the Fylde Local Plan met Wyre's identified unmet housing need of 380 dwellings. Fylde now considers that, with a reduced housing requirement, it no longer needs to assist in meeting unmet needs. It is acknowledged by Wyre that, subject to the reduced housing requirement being accepted, it can meet all of its housing needs.

- 3. Does the LP (and/or the supporting information such as the DtC statement) need to be modified to reflect the position that Wyre can now meet all of its housing need, notwithstanding the provisions of the Partial Review of Fylde Local Plan?*

Issue 3: The Sustainability Appraisal and its consideration of reasonable alternatives

The Council's position is that the SA has considered the need for an assessment of reasonable alternatives and concluded there are no reasonable alternative options to the local housing need of 296 dwellings per annum (dpa). This is on the basis that there are no exceptional circumstances to justify an alternative approach over the standard method.

- 4. Does the SA meet statutory and legal requirements in relation to the assessment of reasonable alternatives? In particular should the SA have assessed, as reasonable alternatives, housing requirements in excess of the local housing need figure?*

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Session 2 – Tuesday 27 September 2022 (to follow Session 1)

Matter 2

Housing Need, Requirement and Supply

Likely Participants

Wyre Council
Home Builders Federation
Wainhomes
NPL Estates
Gladman Developments
Hollins Strategic Land

This matter explores whether the housing requirement proposed in the WLPPR is appropriate to meet the needs of the area and whether the housing supply position is up to date.

Policies to be covered by Matter 2: Policies SP1 and HP1

Main Evidence Base

SDPR01 – Publication draft Schedule of Revisions to the Wyre Local Plan (2011-2031) [November 2021]
EDPR02 – Implementation of Policy LPR1 Background Paper [November 2021]
EDPR03 – Housing Implementation Strategy Partial Review [November 2021]
EDPR04 – Authorities Monitoring Report

Issue 1: Housing Need and Requirement

As indicated above, the WLPPR proposes that the housing requirement should be based on the standard method. As a result the WLPPR contains a housing requirement of 7,232 net additional dwellings - 296 dpa for the period 2019/20 to 2030/31, 460 dpa for the period between 2011/12 and 2018/19. It is noted that the Fylde Local Plan Partial Review adopted a similar approach.

That said, the Framework and Planning Practice Guidance (PPG) support a significant boost in housing supply and indicate that alternative approaches to using the standard method may be justified. The documents refer to the circumstances where a higher figure might be appropriate. The non-exhaustive circumstances referred to in the PPG include growth strategies, strategic infrastructure, and unmet need from neighbouring authorities. Reference is also made to previous housing delivery². The PPG also notes that an increase in the total housing figures included

² Paragraph: 010 Reference ID: 2a-010-20201216

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in the plan may need to be considered where it could help deliver the required number of affordable homes³.

1. *In principle and taking into account the contents of the WLP, is it justified for the WLPPR to use the standard method as a basis for the housing requirement⁴ rather than undertaking a new housing needs assessment?*
2. *If the use of the standard method is justified, for what period should it apply?*
3. *Taking into account that the standard method should be taken as the minimum, do the circumstances exist to support an uplift on the housing figure derived from the standard method?*
4. *For example, should the housing requirement be increased to take into account economic growth aspirations, strategic infrastructure improvements, choice and competition in the housing market, and/or affordable housing need?*
5. *Do recent levels of delivery in the Council area justify a higher housing requirement⁵?*
6. *How should the 380 dwellings provided through the Fylde LP Partial Review to meet Wyre's needs be accounted for?*

Issue 2: Implications of the housing requirement

7. *Have the implications of using the reduced housing requirement for the Plan strategy as a whole been taken into account?*
8. *In particular*
 - (a) *Will the Plan as reviewed deliver the affordable homes needed?*
 - (b) *Will the reduced figure constrain jobs and economic growth, including in connection with initiatives such as the Hillhouse Enterprise Zone?*
9. *Would an alternative housing requirement figure, e.g. 479 dpa, be justified, based on up to date evidence?*
10. *What implications would there be for the WLP and WLPPR, if an alternative housing requirement figure was justified?*

The WLP includes a requirement to deliver a minimum of 43 hectares of employment land between 2011-31 reflecting the Objectively Assessed Employment Need. The WLPPR does not propose any changes to the employment land requirement.

11. *Should the employment land requirement be amended taking into account the reduced housing requirement?*

³ Paragraph: 024 Reference ID: 2a-024-20190220

⁴ The WLPPR uses the standard method for the period 2019/20 to 2030/31

⁵ EDPR03 shows delivery at an average of around 478 dpa for the five year period of 2016/17 to 2020/21

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12. Are there any significant implications for the soundness of the Plan, if the employment land requirement is not altered?

Issue 3: Housing Supply

EDPR02-04 assess allocations in the WLP and other sources of supply and indicate that there is a supply of 9,423 dwellings against the WLPPR requirement of 7,232 dwellings. The documents indicate that only two allocations (SA1/3 and SA3/1) do not have the benefit of planning permission or a pending application.

The Council has indicated that it will provide an update on housing land supply to reflect the position at 31 March 2022, in advance of the statement deadline.

13. Will the up to date housing supply position be clearly shown in the Plan (base date of 31 March 2022)?

14. Is there any evidence that allocations in the WLP overall are not coming forward as projected?

15. Does the evidence base support the Council's housing supply position, including the existence of a 5 year housing supply?

16. On the basis that the housing requirement remains as set out in the WLPPR, is there likely to be insufficient or too much flexibility in the supply?

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Session 3 – 09.30 Wednesday 28 September 2022

Matter 3

Affordable Housing

Matter 4

Use Classes Order

Matter 5

Other policies

Likely Participants

Wyre Council

Home Builders Federation

Wainhomes

NPL Estates

Gladman Developments

Hollins Strategic Land

Matter 3 – Affordable Housing

The matter considers whether the changes to Policies HP3 and HP4 and the reasoned justification relating to First Homes are consistent with national policy.

Policies to be covered by Matter 3: Policies HP3 and HP4

Main Evidence Base

SDPR01 – Publication draft Schedule of Revisions to the Wyre Local Plan (2011-2031) [November 2021]

EDPR02 – Implementation of Policy LPR1 Background Paper – Appendix 5 [November 2021]

- 1. Are Policies HP3 and HP4 (as amended) positively prepared and consistent with national policy?*
- 2. Is there a need for further explanation within Policies HP3 and HP4 and/or the reasoned justification to indicate how the revised policies will be applied, taking into account the contents of PPG⁶?*

Matter 4 – Use Classes Order

The matter considers the implications of the changes to the UCO for the WLPPR. The submission document includes a section in the introductory chapter (Section 1.5) drawing attention to the changes but does not propose any modifications to policy. The Council suggested that this will be a matter for the full review of the LP.

⁶ <https://www.gov.uk/guidance/first-homes>

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However, there are likely to be implications for the effectiveness of employment and town centre policies within the WLP arising from the inclusion of employment and other uses within Class E.

The Inspector has requested that the Council modify policies to reflect the changes to the UCO, particularly the creation of Class E.

Policies to be covered by Matter 4: Policies SP4, EP1, EP2, EP3, EP6, EP7, SA2, SA3, SA4, SA5, SA7

Main Evidence Base

SDPR01 – Publication draft Schedule of Revisions to the Wyre Local Plan (2011-2031) [November 2021]

EDPR02 – Implementation of Policy LPR1 Background Paper – Appendix 5 [November 2021]

EL1.004a and EL.004b – letters from Inspector and Council

- 1. On the basis that the Council has agreed to modify policies in the Plan that include reference to use classes that no longer exist (Classes A, B1 and D), would the draft changes be positively prepared and effective?*
- 2. Are the changes to the UCO likely to have any significant impacts on the effectiveness of the Plan and should any impacts be addressed by further modifications to the affected policies through the WLPPR or should this be considered as part of the full review of the WLP?*

Matter 5 – Other policies

Revisions are also proposed to Policies SP4 and EP5 and the explanation to Policies SP6 and CDMP3 to reflect changes to national policy. Representations also suggest that other policies of the Plan should be updated to reflect recent changes to Government policy e.g. climate change and biodiversity net gain.

Policies to be covered by Matter 5: Policies SP4, SP6, CDMP3 and EP5

Main Evidence Base

SDPR01 – Publication draft Schedule of Revisions to the Wyre Local Plan (2011-2031) [November 2021]

EDPR02 – Implementation of Policy LPR1 Background Paper – Appendix 5 [November 2021]

- 1. Are the changes to Policies SP4 and EP5 and the explanation to Policies SP6 and CDMP3 consistent with national policy?*
- 2. Should other policies of the Plan be updated to reflect recent changes to Government policy e.g. climate change and biodiversity net gain?*

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**Reserve Session – Wednesday 28 September 2022
(to follow Session 3 as necessary)
Matter 2 - Housing Need, Requirement and Supply**

Likely Participants

Wyre Council
Home Builders Federation
Wainhomes
NPL Estates
Gladman Developments
Hollins Strategic Land

This session will only be held if discussions on Tuesday 27 September 2022 relating to Matter 2 were not concluded and will address any questions not fully explored.

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**Session 4 – 13.30 Wednesday 28 September 2022
Review Session**

Likely Participants

Wyre Council

Any other participants will be primarily observers at the session

The purpose of the session is to consider how issues raised in the hearing sessions part of the Examination will be taken forward and to discuss how the Examination will proceed hereafter.