

Plan for Fylde - Plan for the Future

Fylde Borough Council
**Copies of Regulation 20
Representations (Regulation 22(1)
(d) document)**

December 2016

Section 1 of 4



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1. Anthony Guest

Eddie Graves

From: [REDACTED]
Sent: 22 September 2016 16:18
To: PlanningPolicy
Subject: Consultation Response to Fylde Local Plan, Publication Version
Attachments: LP2016Response a.docx; LP2016Response b.docx; LP2016Response c.docx; LP2016Response d.docx

Please find attached my consultation responses to the Fylde Local Plan Publication Version

Regards

Tony Guest

1. Anthony Guest



Publication Version Local Plan Representation Form

Ref:
Date Received:
Date acknowledged:
(For official use only)

Name of the Local Plan to which this representation relates:

Publication Version Fylde Local Plan to 2032

Please return to Fylde Borough Council by 5pm on Thursday 22 September 2016

This form has two parts:

Part A – Personal Details

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details*

2. Agent's Details (if applicable)

** If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.*

Title	Mr	
First Name	Anthony	
Last Name	Guest	
Job Title (Where Relevant)		
Organisation (where relevant)		
Address Line 1	████████████████████	
Line 2	████████	
Line 3	████████	
Line 4	██████	
Post Code	████████	
Telephone Number	██████████████	
Email Address (where relevant)	██	

1. Anthony Guest

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph	9.8 to 9.30	Policy	EC1, EC2, EC3	Policies Map	
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4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	NO
4.(3) Complies with the Duty to cooperate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Evidence set out in the Fylde Employment Land and Premises Study, 2012 (FELPS 2012 study) has been grossly misinterpreted by the Council and this has led to significant **errors of policy. The author's of the report have not** adequately explained why their own summary conclusions (on which the Council has apparently relied without critical examination) are at odds with the bulk of the evidence in their own study.

My own report (A brief critical review of Fylde Borough Employment Land Studies, May 2014) that was provided to the Council, examined the FELPS 2012 study, the previous study (Grimley 2006) and the Fylde Sub Region Employment Land Review, 2010. It found gross errors in the 2006 Grimley study (a point that appears to have been accepted by the Council) that led to a gross overestimate of the requirement for new employment land. While this has been superseded by the FELPS 2012 study, the errors of the 2006 study were incorporated into the 2010 Sub Region study with unknown consequences. My review also found that the bulk of the work undertaken in the FELPS 2012 study (by AECOM/BE Group) **and reported in detail was arbitrarily rejected in the study's own** summary conclusion.

The FELPS 2012 study used 7 different models to predict the requirement for additional employment land in the plan period. Six of the models (using a range of assumptions, based on recognised techniques and following ODPM guidance) demonstrated that no additional employment land (beyond that already identified in the planning process) would be required despite assuming substantial employment growth. The 7th model which was based on a simple extrapolation forward of the historic average annual uptake of new employment land over the previous 20 years, identified a need for substantial additional employment land.

This 7th model failed to account for the substantial amount of land taken out of employment use (mainly to housing) over the same historic periods. The model simply presented (the historic average annual take up of new employment land) x (the number of years of the plan period) as a requirement for additional employment land in the plan period.

1. Anthony Guest

Unaccountably the **study's summary conclusion was based** on the results of the 7th model, specifically rejecting the conclusions of all the other models. It should be noted that, while the work undertaken in the other six models was rejected for the purposes of establishing the need for employment land, that same work was accepted as being valid to support an inflated housing requirement.

Following submission of my own report to the Council there were a number of exchanges with the Council and the FELPS 2012 authors. No satisfactory explanations were provided **for the study's** last minute rejection of its own work (in favour of a calculation that could **have been undertaken by pupils in any of the Borough's primary schools**) or the failure of their chosen model to address the land taken out of employment use. A subsequent short report to the Council by the authors of the FELPS 2012 study (Fylde Employment Land and Premises Study Briefing Note, Sept 2014) fails to address the substantive criticisms of their study.

My own examination of the evidence provided by the FELPS 2012 study, the Sub Region Employment Land Review 2010 and other published Council data clearly shows that:

a) despite increasing employment, the Borough requirement for employment land has been reducing and continues to reduce. Less will be required in 2030 than is now in use;

b) employment land has been subject to a general migration across the Borough towards the M55 over the years; this is consistent with a) because the new sites are more efficient users of space and the older sites have been released for housing or other non-employment use; clearly for planning purposes it is crucial to understand and recognise this process;

c) **Blackpool's need for business and employment land has been addressed by sites in Fylde Borough (principally close to the Borough's northern boundary)** for the last 20 years (there is no recognisable distinction between Blackpool businesses and Fylde businesses) and is already fully factored into the historic record and any extrapolation from that record; there is no need to address it separately; it is also worth considering that the estimate of the Blackpool business land requirement will almost certainly be subject to the same errors as those of Fylde;

d) There is a large amount of employment land currently tied up (somewhat inefficiently) at BAe Systems and Toshiba/Westinghouse, in industries that all the studies expect to decline over time. In particular it is not sensible or sound to divorce the BAe Enterprise Zone from consideration of employment land use in the Borough.

e) In considering the significance of the historic employment land take-up figures it is critical to understand the significance of land lost to employment use. The new employment land take-up is not, generally, extra employment land; it is alternative employment land, reflecting changing requirements and the attraction of alternative locations. Paragraph 9.12 and Table 3 reflect a complete failure to understand this. Land taken out of use does not have to be added to the requirement (because the methodology being used already allows for it).

The Council has failed to critically examine the evidence provided to it in respect of employment land use over a long period of time. In particular it has not interrogated with due and necessary diligence the studies it has paid consultants to provide. As a result it does not understand either the evidence or the meaning of the evidence

The Council's failure to adequately understand the evidence has led to erroneous conclusions and policies that do not respect the evidence. This does not just compromise the planning needed to meet the employment land requirement but it also compromises the ability to plan for housing development on land released from employment use.

1. Anthony Guest

(Continue on a separate sheet /expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any noncompliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

1 Paragraphs 9.8 to 9.10 need to be revised to reflect the substantially lower employment land requirement reflected in my 2014 report (i.e. no further land required than that already recognised in the planning system in 2012).

2 Delete paragraph 9.11 (see 5c) above

3 The reference to 15.3ha land lost to business and industrial use should be deleted in Para 9.12 and Table 3. See 5e) above.

4 Policy EC1 needs to be revised to reflect the true employment land requirement (that is to say no requirement above what was already in the planning system in 2012 and a recognition that further brownfield sites becoming available may be considered for housing where appropriate.

5. Policy EC2 Delete in its entirety together with its justifying paragraphs. It is based on **the entirely false premise 'that the availability of land in the borough for employment opportunities is limited'**. **Nothing could** be further from the truth (We, who regard ourselves as a rural borough, have 498ha compared with 145ha in Wyre and 178ha in Blackpool).

6 Policy EC3 should be deleted together with its justification. The egregious failure of this EZ to meet its modest employment targets will require an urgent review early in the plan period (it is already overdue) and some flexibility will almost certainly be required in planning the effective use of land released from BAe Systems use.

(Continue on a separate sheet /expand box if necessary)

1. Anthony Guest

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After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

YES

Yes, I wish to participate the oral examination

Please tick as appropriate

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

The matters referred to above are relatively complicated and are inadequately covered in the Local Plan Publication Version; because they have a significant bearing on the way the Local Plan has been prepared and its soundness, it is important that they are properly discussed.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

9. Signature:

A. L. Guest

Date:

22 September
2016

1. Anthony Guest

Data Protection

Your personal contact details will not be released to any third parties and will only be used for the purposes of the Fylde Local Plan. Please note that your name, comments, and your town/city will be made publicly available. In order to comply with data protection legislation, address details and email addresses will not be released.

If you want this information in large print, audio, Braille or another language please call 01253 658658

1. Anthony Guest



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Part A – Personal Details

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details*	2. Agent's Details (if applicable)
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** If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.*

Title	Mr	
First Name	Anthony	
Last Name	Guest	
Job Title (Where Relevant)		
Organisation (where relevant)		
Address Line 1	██████████	
Line 2	██████	
Line 3	██████	
Line 4	██████	
Post Code	██████	
Telephone Number	██████████	
Email Address (where relevant)	██████████████████	

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph	10.16 10.17	Policy	H1	Policies Map	
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4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/> NO
4.(3) Complies with the Duty to cooperate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

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The Housing Requirement number has not been objectively and soundly selected.

The evidence base (SHMA) produced a range of options ranging from -62 to 430 dwellings per year as the range of requirement. The selection of 370 on the basis of a need to support additional employment was arbitrary and unsound because:

The Council’s understanding of current and future employment needs is demonstrably poor. Its past and current evidence base (Grimley study of 2006, AECOM/BE study of 2012) have both been rejected in some degree by the Council itself. In the case of the 2012 study, evidence based on the study’s examination of employment growth trends has been summarily rejected. Employment growth in the EZ is running at about one per cent of the growth predicted and relied upon by the Council in its planning assumptions.

The Local Plan Publication Version quotes economic growth of 12.7% from 1999 to the present day in paragraph 9.3 but does not quote its source for this figure nor whether this figure is real post-inflation growth (if it includes inflation, it represents shrinkage). Looking at Fylde borough: the Grimley study reported a loss of employment from 1998 to 2005 (and poorer economic performance than the regional and national average); the SHMA records a 1.2% fall in employment between 2001 and 2011. Certainly the observable reality of recent years has been a reduction in employment at major employers in the Borough, most notably at BAe Systems.

Insufficient consideration has been accorded to the extensive evidence that there will not be substantial growth of employment in the Fylde and to plan properly for such a circumstance. There have been major changes in working practices and service and product delivery locally, nationally and internationally. These changes have become readily apparent in the Borough over the past ten years.

A more soundly reasoned and evidentially based number of 195 dwellings per year was produced in a letter to the local MP, Mark Menzies from Councillor Fiddler

1. Anthony Guest

and David Eaves on 13 August 2013 (ref AO/RLSA01).

A historic shortfall in dwelling completions compared to Plan requirements may result from either a failure to build adequate homes or, alternatively, from a series of unrealistic Plan requirements. The latter alternative needs to be properly considered as part of the evidence base.

(Continue on a separate sheet /expand box if necessary)

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Revise paragraphs 10.16 and 10.17 to reflect an annual housing build requirement of 195 homes over the plan period.

Revise Policy H1 a. and Policy H1d to reflect a change in the housing requirement from 370 to 195 per annum.

(Continue on a separate sheet /expand box if necessary)

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1. Anthony Guest

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

YES

Yes, I wish to participate the oral examination

Please tick as appropriate

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

The matter is relatively complicated and not well addressed in the Local Plan Publication Version

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

9. Signature:

A. L. Guest

Date:

22 September
2016

Data Protection

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Part A

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First Name	Anthony	
Last Name	Guest	
Job Title (Where Relevant)		
Organisation (where relevant)		
Address Line 1	██████████	
Line 2	██████	
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Line 4	██████	
Post Code	██████████	
Telephone Number	██████████	
Email Address (where relevant)	████████████████████	

1. Anthony Guest

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph	6.19	Policy	DLF1 M1 SL3	Policies Map	
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4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input type="checkbox"/> NO?
4.(3) Complies with the Duty to cooperate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/> NO

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

The selection of Warton as an SLD is unsound and possibly illegal.

The process of consultation prior to the issue of the Local Plan Preferred Options document that first proposed selection of Warton as an SLD was unsound because the Preferred Options draft bore little relation to previous options presented and failed to reflect responses from the consultation process. No alternative SLD locations were proposed for consideration and the selection of Warton appears unjustified.

Local Groups issued a Joint Statement of Declaration of Unsound Planning Consultation in August 2013 and a group of 20 Borough councillors issued a Minority Report refusing to endorse the Preferred Options draft.

The process of producing Masterplans that was planned as a precursor to moving forward with the Warton (and other) SLDs failed to be progressed by the Council. Reference in Policy SL3 to Masterplans....'where they do not have planning permission' is frankly deceitful given the absence of masterplans and the Council's recent failure to contest the granting of planning permission. The impact of the development being undertaken in Warton set against the paucity of infrastructure planning and investment represents a disgraceful abnegation of the planning process.

It is notable that while justification is provided for development at the SLDs at Lytham and St Annes, Fylde-Blackpool periphery, and Kirkham and Wesham, no justification is put forward for strategic development at Warton. The only reference, in paragraph 6.19, says that Warton will become a more sustainable location for development over the lifetime of the Plan. This clearly acknowledges the current unsuitability of Warton as a sustainable location for the

1. Anthony Guest

extensive development envisaged for an SLD.

In identifying Warton as an SLD without the means or will to protect it from accelerated and unsustainable development the Council has done a great disservice to the residents of Warton and it is difficult to see how the process can have been legally compliant.

(Continue on a separate sheet /expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any noncompliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Delete Policy M1 since it is meaningless and incapable of meeting the need it was set up to meet. Leaving ineffective and irrelevant policies in place often leads to unforeseen consequences.

Delete Policy SL3 since the situation on the ground has far outstripped the capacity or will of the borough to apply the masterplan disciplines it envisages and the policy serves no other purpose.

Institute an Inquiry into the processes that have led to the current uncontrolled development at Warton.

(Continue on a separate sheet /expand box if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

1. Anthony Guest

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7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

YES

Yes, I wish to participate the oral examination

Please tick as appropriate

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

The matter is relatively complicated and not well addressed in the Local Plan Publication Version

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9. Signature:

A. L. Guest

Date:

22 September
2016

Data Protection

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First Name	Anthony	
Last Name	Guest	
Job Title (Where Relevant)		
Organisation (where relevant)		
Address Line 1	████████████████████	
Line 2	██████	
Line 3	██████	
Line 4	██████	
Post Code	██████	
Telephone Number	██████████	
Email Address (where relevant)	████████████████████	

1. Anthony Guest

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph
 Policy
 Policies Map

4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input type="checkbox" value="NO"/>
4.(3) Complies with the Duty to cooperate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

The failure of the Council to review Green Belt policy is unsound since the continued development of the borough and, in particular the introduction of SLDs, require that Green Belt policy needs to be tested for soundness.

A particular case is the green belt allocation in Freckleton. This green belt designation has prevented Freckleton, a substantial settlement in its own right with excellent transport connections to the rest of the Borough, from material expansion. Situated next to the BAe Systems site with substantial local services and retail offerings, it would have made a worthy candidate for SLD status but has been prevented by the green belt restrictions.

The green belt allocation in Freckleton appears to serve little purpose since the boundary between Freckleton and Kirkham is already well delineated by a major A road and the green belt itself has little intrinsic environmental or visual value.

The Areas of Separation appear to be a way of introducing new green belt without the discipline of opening up the whole green belt policy for review. It is notable that the planned Areas of Separation have been justified by policy criteria developed after the fact and that no objective assessment has been offered for selecting these areas as candidates for the status and not the many others proposed during consultation.

1. Anthony Guest

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Policies GD2 and GD3 need to be subject to an urgent review as part of a process of reviewing housing development distribution following the revision of housing requirement numbers that I have recommended elsewhere.

(Continue on a separate sheet /expand box if necessary)

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No, I do not wish to participate at the oral examination

 YES

Yes, I wish to participate the oral examination

Please tick as appropriate

1. Anthony Guest

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9. Signature:

A. L. Guest

Date:

22 September
2016

Data Protection

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2. BAE Systems - Cass Associates



Publication Version Local Plan Representation Form

Ref:
Date Received:
Date acknowledged:
(For official use only)

Name of the Local Plan to which this representation relates:

Publication Version Fylde Local Plan to 2032

Please return to Fylde Borough Council by **5pm on Thursday 22 September 2016**

This form has two parts:

Part A – Personal Details

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details*

2. Agent's Details (if applicable)

*If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.

Title	Mr	Mr
First Name	Alistair	Peter
Last Name	Anderson	Hamilton
Job Title (where relevant)	Real Estate Manager	Partner
Organisation (where relevant)	BAE Systems Properties Ltd	Cass Associates LLP
Address Line 1	Building 330	Studio 204
Line 2	Westcott Venture Park	The Tea Factory
Line 3	Aylesbury	82 Wood Street
Line 4		Liverpool
Post Code	HP18 0NP	L1 4DQ
Telephone Number	077930425316	0151 707 0110
E-mail Address (where relevant)	alistair.anderson@baesystems.com	all@cassassociates.co.uk

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph	6.19	Policy	DLF1	Policies Map	
-----------	------	--------	------	--------------	--

4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	x	No	
4.(2) Sound	Yes		No	x
4.(3) Complies with the Duty to cooperate	Yes	x	No	

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

The paragraph refers to the provision of a local retail centre being developed within Warton on previously developed land owned by BAE Systems on Lytham Road. There is land on the BAE Systems Warton Aerodrome site that has been unused for some years and that is currently surplus to operational requirements which is located adjacent to Lytham Road. This land, along with the whole Aerodrome site, is designated within the Lancashire Enterprise Zone where land is to be used primarily to promote advanced manufacturing and engineering (AEM). BAE Systems acknowledge that the provision of a retail centre within this location could also support and enable the aspirations of the Enterprise Zone by providing key facilities and services to those employed within the Enterprise Zone. Any aspiration for such uses on land within the Enterprise Zone will need to be considered and agreed by the LEP, Lancashire County Council and other stakeholders.

(Continue on a separate sheet /expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any noncompliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

"Warton will have a recognised Local Service Centre over the lifetime of the Local Plan with a local retail centre which will be developed around the existing facilities at Lytham Road and Church Road in consultation with landowners, Lancashire County Council, Lancashire Enterprise Partnership and Bryning with Warton Parish Council. With the..."

(Continue on a separate sheet /expand box if necessary)

2. BAE Systems - Cass Associates

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7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate the oral examination

Please tick as appropriate

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

There are a series of complex and interconnected issues involving the submissions that would best be discussed orally at the examination.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

9. Signature:



Date:

22/09/2016

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Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph	8.1-8.3	Policy	GD1	Policies Map	Warton Settlement
-----------	---------	--------	-----	--------------	-------------------

4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(3) Complies with the Duty to cooperate	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

We believe that the north side of the Warton Aerodrome, which is an intensively developed area with significant infrastructure and built development and is within the Enterprise Zone, should be included within the settlement boundary of Warton. Policy GD1 "Settlement Boundaries" supports development of previously developed land within settlements subject to other relevant local plan policies being satisfied. Including the north side of the Aerodrome within the settlement boundary would ensure that any future development opportunities have this in principle policy support.

(Continue on a separate sheet /expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any noncompliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Amend the Policies Map to show the north side of Warton Aerodrome within the settlement boundaries of Warton.

(Continue on a separate sheet /expand box if necessary)

2. BAE Systems - Cass Associates

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No, I do not wish to participate at the oral examination

Yes, I wish to participate the oral examination

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Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph Policy Policies Map

4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(3) Complies with the Duty to cooperate	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

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One of the Government's priorities for planning is to proactively drive and support economic development which is development, including those within the B Use Classes, public and community use and main town centre uses (but excluding housing development). Economic development provides employment opportunities. However, the policy does not refer to wider uses beyond agriculture.

(Continue on a separate sheet /expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any noncompliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The policy should be reworded to
 The availability of land in the borough for employment opportunities is limited. Therefore, the Council seeks to retain continued employment use of existing employment sites. This could include any type of employment use, including agriculture, and where appropriate, other uses that contribute to economic development, and may not be restricted to B1, B2 and B8 uses.

(Continue on a separate sheet /expand box if necessary)

2. BAE Systems - Cass Associates

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No, I do not wish to participate at the oral examination

Yes, I wish to participate the oral examination

Please tick as appropriate

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Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph	<input type="text" value="9.28"/>	Policy	<input type="text"/>	Policies Map	<input type="text"/>
-----------	-----------------------------------	--------	----------------------	--------------	----------------------

4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(3) Complies with the Duty to cooperate	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

BAE Systems consider that part of this paragraph is potentially misleading. The rationale for the Enterprise Zone is to build on the existing advanced engineering and manufacturing capacity and capabilities in the region including those of BAE Systems Warton Aerodrome by clustering related and similar businesses and developing on the existing skills base. There is surplus land and building footprint at Warton Aerodrome, created by efficiencies, old building stock and transfer of jobs to Salmesbury which provides the opportunity for new development and employment growth in the Enterprise Zone. Although, there have historically been limited redundancies on the site, BAE Systems object to the implication that there will be further potential job losses. It is BAE Systems objective to maintain and grow the business on the back of a sustainable and viable business plan and through relationships that may be formed with businesses locating on the Enterprise Zone.

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any noncompliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Delete "help mitigate the impact of potential job losses at the Warton base and the wider impact that this will have on the Lancashire economy"

2. BAE Systems - Cass Associates

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No, I do not wish to participate at the oral examination

Yes, I wish to participate the oral examination

Please tick as appropriate

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph	9.67	Policy	EC6 i	Policies Map	
-----------	------	--------	-------	--------------	--

4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(3) Complies with the Duty to cooperate	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Zone Six of the Coastal Masterplan within the Coastal Strategy relates to land on and adjacent to Warton Aerodrome. BAE Systems would object to any infrastructure provision or development within this Zone that would have a detrimental impact on its operational requirements and communication systems at the Aerodrome. BAE Systems consider that the policy and supporting statement must reference the need for suitable safeguards to the operational requirements and communications systems at the Aerodrome from any development associated with the Coastal Strategy. This would be in line with Policy CL3 which relates to renewable and low carbon energy generation affecting facilities such as Warton Aerodrome.

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any noncompliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Amend policy EC6 i to
Implementing the infrastructure projects identified in the Coastal Strategy, including the delivery of tourism and recreation, taking account of any potential impact it may have on the operation requirements and communication systems of adjacent land uses such as Warton Aerodrome.

(Continue on a separate sheet /expand box if necessary)

2. BAE Systems - Cass Associates

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No, I do not wish to participate at the oral examination

Yes, I wish to participate the oral examination

Please tick as appropriate

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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9. Signature:



Date:

22/09/2016

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Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph	<input type="text"/>	Policy	<input type="text" value="T2"/>	Policies Map	<input type="text"/>
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4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input type="text" value="x"/>	No	<input type="text"/>
4.(2) Sound	Yes	<input type="text" value="x"/>	No	<input type="text"/>
4.(3) Complies with the Duty to cooperate	Yes	<input type="text" value="x"/>	No	<input type="text"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

BAE Systems support this policy which seeks to safeguard land to the north of Warton Aerodrome runway from development proposals (except limited extensions to existing properties).

(Continue on a separate sheet /expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any noncompliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

N/A

(Continue on a separate sheet /expand box if necessary)

2. BAE Systems - Cass Associates

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N/A

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Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph	<input type="text"/>	Policy	<input type="text" value="CL3"/>	Policies Map	<input type="text"/>
-----------	----------------------	--------	----------------------------------	--------------	----------------------

4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input type="text" value="x"/>	No	<input type="text"/>
4.(2) Sound	Yes	<input type="text" value="x"/>	No	<input type="text"/>
4.(3) Complies with the Duty to cooperate	Yes	<input type="text" value="x"/>	No	<input type="text"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

BAE Systems support this policy and in particular the criteria that states proposals for renewable and low carbon energy generation must avoid impacts on aviation and defence navigation systems and communications should be given significant weight in decision making.

(Continue on a separate sheet /expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any noncompliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

N/A

(Continue on a separate sheet /expand box if necessary)

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Please tick as appropriate

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Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph	<input type="text"/>	Policy	<input type="text" value="EC3"/>	Policies Map	<input type="text"/>
-----------	----------------------	--------	----------------------------------	--------------	----------------------

4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
4.(3) Complies with the Duty to cooperate	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

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BAE Systems support the inclusion of a policy promoting the Lancashire Advanced Engineering and Manufacturing Enterprise Zone at Warton Aerodrome.

(Continue on a separate sheet /expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any noncompliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

N/A

(Continue on a separate sheet /expand box if necessary)

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Yes, I wish to participate the oral examination

Please tick as appropriate

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3. Balfour Beatty - Nathaniel Lichfield & Partners

Eddie Graves

From: Robert Dibden <rdibden@nlppanning.com>
Sent: 22 September 2016 09:48
To: PlanningPolicy
Cc: Anthony Grealley
Subject: Representations to the Fylde Local Plan: Publication Version [NLP-DMS.FID182701]
Attachments: 40991_02 Publication Version of the Fylde Local Plan to 2032 21-09-16.PDF; 40991-02 Representations to Fylde Local Plan 24-03-2016.pdf; 40991_02 Response to LP Pre-Publication 28-06-16.PDF; 40991_02 Publication Draft Reprs Policy EC1 21-09-16.PDF; 40991_02 Publication Draft Reprs Policy EC4 21-09-16.PDF; 40991_02 Publication Draft Reprs Policy SL2 21-09-16.PDF; 40991_02 Publication Draft Reprs Policy T3 21-09-16.PDF

Categories: Sally

Dear Sir/Madam,

Please find attached representations to the Publication Version of the Fylde Local Plan, submitted on behalf of our client Balfour Beatty (owners of Blackpool Airport).

We would be grateful if you could please confirm receipt of our representations, and please don't hesitate to contact us if you have any queries.

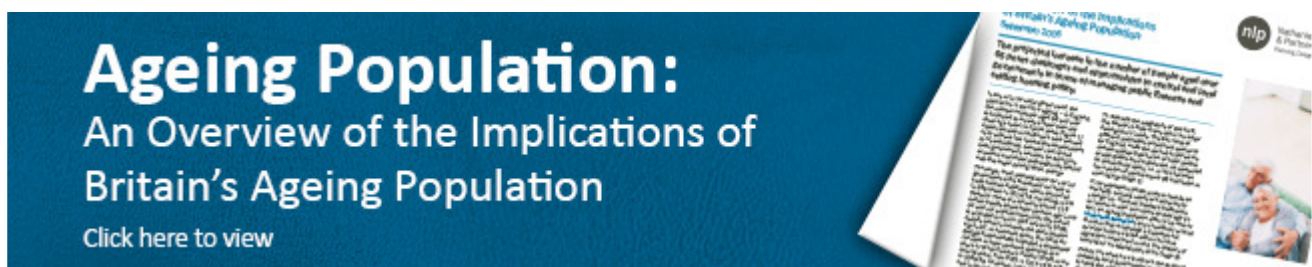
Kind regards,

Robert

Robert Dibden
Senior Planner

Nathaniel Lichfield & Partners, Generator Studios, Trafalgar Street, Newcastle Upon Tyne NE1 2LA
T 0191 261 5685 / M 07471 037 036 / E rdibden@nlppanning.com

nlppanning.com  



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3. Balfour Beatty - Nathaniel Lichfield & Partners

Planning
Consultancy
of the Year



Nathaniel Lichfield
& Partners

Planning. Design. Economics.

Mark Evans
Head of Planning and Regeneration
Fylde Borough Council
Town Hall
Lytham St Anne's
FY8 LW

Generator Studios
Trafalgar Street
Newcastle upon Tyne NE1 2LA

0191 261 5685
newcastle@nlplanning.com

nlplanning.com

Date 28 June 2016
Our ref 40991/02/MW/RDi/11649842v1

Dear Mark

Blackpool Airport Corridor Enterprise Zone and the Publication Version of the Fylde Local Plan to 2032

We write further to our recent discussions with Mike Eastham in respect of the representations submitted by NLP on behalf of Balfour Beatty to the emerging Local Plan. We outlined our concerns with the wording of a number of policies and the accompanying reasoned justification relating to Blackpool Airport's landholdings and the Blackpool Airport Enterprise Zone. Mr Eastham invited us to write to explain these concerns in further detail. Appended to this letter is a copy of our previous representations and the two should be read together.

In summary, amendments have been made to the draft Publication version, as reported to Development Management Committee on 15 June 2016, which incorporate some of the wording put forward in our representations. The resulting draft of the Local Plan, however, still fails to reflect the objectives of the Enterprise Zone and the anticipated future changes at the Airport and, in addition, the amendments that have been made have resulted in ambiguous policies and inconsistency across the Local Plan when certain policies are read together.

We urge the Council to reconsider our previous representations and incorporate the amendments that we sought into a revised Publication version. Failure to do so, we feel, leaves the Local Plan at risk of being found unsound.

Policy EC4 Blackpool Airport Enterprise Zone

We welcome the introduction of Policy EC4 relating specifically to the Blackpool Enterprise Zone and the acknowledgement therein that the Council supports the sustainable development of Blackpool Airport. Our concerns with Policy EC4 primarily relate to:

- 1 Clarification as to how Local Plan policy is providing a positive policy context for the relocation of aviation functions from land fronting Squires Gate Lane (outwith the Green Belt) to land closer to the main runway (within the Green Belt), in order to achieve consistency with the objectives of the Enterprise Zone; and

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- 2 The apparent requirement to demonstrate an “enabling case” for non-aviation uses proposed on the Squires Gate land and the acceptability of such an approach.

In respect of point 1, whilst it is appreciated that the potential to relocate the airport’s operational buildings and facilities closer to the main runway is now referred to in the draft policy, the insertion of additional text which states *‘unless there are overriding operational requirements that constitute very special circumstances and which justify development in the Green Belt’* is both unnecessary and contradictory in its meaning. The additional wording referring to very special circumstances introduces a double negative, effectively rendering this part of the policy as incoherent and unworkable in practice.

In respect of point 2, we urge the Council to reconsider including references to enabling development in Policy EC4. In its truest meaning, “enabling development” is where a proposal would ordinarily be unacceptable in planning terms because of conflict with planning policy, though is ultimately approved because it would bring public benefits that outweigh the policy conflict and justify it being carried out. It is not common-place for a development plan document to set out the circumstances in which an enabling case would be expected to be made, rather it is the role of the development plan to identify policies to which proposals are to be assessed against and, should proposals ultimately conflict with those policies, then it is open to the applicant to seek to demonstrate an enabling case where circumstances allow.

The current wording of Policy EC4 blurs the distinction between what is a policy requirement which development proposals should seek to satisfy and the principle of “enabling” which would ordinarily only be pursued on occasions where proposals are in conflict with policy.

Ultimately, the Enterprise Zone status, and the business case that accompanies it, anticipates that land will become available along the Squires Gate frontage for a mix of commercial uses. Furthermore, part A of Policy EC4 appears to provide support for relocating airport-related buildings / activity closer to runway. As a result, therefore, previously developed land would become available in an out-of-centre (though accessible) location and an appropriate positive policy framework should be established to guide its redevelopment.

The wording sought by NLP would, therefore, ensure that if commercial development (such as retail and / or commercial leisure) is pursued on the land fronting Squires Gate Lane, then the necessary policy considerations would be put in place (ie in respect of testing impact and applying the sequential approach). Such policy considerations would ordinarily be applied to proposals for certain commercial development (ie retail and leisure) proposed in an (unallocated) out-of-centre location. However, to then seek to impose an additional policy hurdle upon any such development proposals at the Squires Gate site (whereby it is also necessary to demonstrate that the scale of the development is limited to that which is necessary to “fund essential infrastructure”), places the site at a disadvantage to other out-of-centre locations where commercial (ie. retail / leisure) development may be proposed and where such limitations on scale would not be imposed. This additional layer of policy control on the Squires Gate Lane site (compared to out-of-centre sites elsewhere) runs counter to the overall objectives of Enterprise Zones to encourage business growth and create simplified and positive planning policy for the area.



Policy T3 Blackpool Airport (formerly Policy T2)

The revised Policy T3 twice includes the same double negative regarding '*overriding operational requirements that constitute very special circumstances*' as that set out for Policy EC4 above, and this wording should be removed from the Publication Draft in order to ensure that the policy is not ambiguous.

The wording put forward by NLP makes clear that the Green Belt will be safeguarded from non-airport related development and Policy T3 would operate alongside national planning policy (NPPF para 88 and 89) which establish the requirement for very special circumstances to be demonstrated for most forms of development in the Green Belt.

The revised paragraph 12.41 of the reasoned justification is also misleading in implying that land has been omitted from the Green Belt to facilitate further airport operational development, when no Green Belt review has been undertaken. It states that "*sufficient land within the airport complex has been omitted from the Green Belt to facilitate further airport operational development*". This statement implies that there will be resistance to aviation-related buildings / facilities being located in the Green Belt. Such intentions would be inconsistent with Policy EC4, which now offers support for the relocation of buildings closer to the runway (and, therefore, likely to be in Green Belt land) and also the Enterprise Zone objectives of re-siting aviation functions / buildings onto Green Belt land adjacent to the main runway.

Policy SL2 The Fylde-Blackpool Periphery Strategic Location for Development and Policy EC1 (Site ES5)

We note the '*site area for non-residential development*' of the Blackpool Airport EZ site has been increased from 5.0 ha to 14.5 ha within the Publication Version of the Local Plan. However, the acceptable uses for the site are identified as being restricted solely to those within the B Class uses. Moreover, Policy EC1 goes on to state that '*Development proposals for alternative uses in these locations will be resisted...*' This statement contradicts both the intentions of Policy EC4 within the Publication Draft, and also the Enterprise Zone objectives of facilitating mixed-use development on the land fronting Squires Gate (Site ES5).

The wording now introduced into Policy EC1 does state that uses are "*to be determined through a masterplan for the Enterprise Zone*" though the fact that the area of Site ES5 has been increased from 5.0ha to 14.5ha together with the wording beneath the schedule of sites which reads "*development proposals for alternative uses in these locations will be resisted...*" does undermine the EZ masterplanning process and does not reflect the reality on the ground, namely that the site contains non-B Class uses including the Energy College under construction.

Way Forward

In summary, we consider that the inconsistencies and ambiguities highlighted above could lead to the Local Plan being found unsound in that the policies would not operate in an effective way and contribute towards a positively prepared plan overall.

We, therefore, urge the Council to reconsider incorporating the changes sought in our enclosed representations ahead of the consultation on the Publication version in August. We do welcome the efforts to accommodate some of the changes put forward in our representations and we wish to work with the Council to ensure that the final, adopted, version of the plan is successful in

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delivering the Enterprise Zone objectives and giving a clear and certain policy framework that supports the airport's evolution over time.

We would be please to meet with you to discuss these points further.

Yours sincerely


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Date 24 March 2016
Our ref 40991/02/JW/AGr/11008542v2

Dear Mark

Blackpool Airport Corridor Enterprise Zone and the emerging Fylde Local Plan

I refer to our recent meeting concerning the above matter.

At the meeting we discussed Balfour Beatty's objectives for Blackpool Airport and the alignment of those objectives with the emerging Local Plan and the Enterprise Zone [EZ] status now afforded to landholdings of the airport as part of the wider Airport Corridor EZ area.

We also discussed the progress the Council is making towards a Publication version of the Local Plan and you explained that a Responses Report, including a set of proposed changes to the emerging plan was now available. We have now been able to review those proposed changes, including those to polices relating to Blackpool Airport and the introduction of a new policy relating to the Blackpool Airport EZ. We consider it important that we raise a number of issues with the emerging Local Plan and how, as currently drafted, it fails to align with the objectives of Balfour Beatty and the Enterprise Zone status.

In setting out our concerns, it is helpful to first summarise the Enterprise Zone status and the Business Case on which it was awarded.

Blackpool Airport Corridor Enterprise Zone

The Full Business Case for the Blackpool Airport Corridor Enterprise Zone was submitted to Government [DCLG] in January 2015 having been prepared on behalf of the Lancashire Enterprise Partnership, Blackpool Council, Fylde Council, Lancashire County Council and the Blackpool, Fylde and Wyre Economic Development Company [EDC]. Balfour Beatty has been working closely with the LEP, as well as the local and county councils to identify the interventions necessary to ensure the long term sustainable operation of Blackpool Airport and how the EZ status can assist in facilitating those interventions.



The EZ area extends across five development zones and the Business Case explains how it offers the potential for:

- 1 the development of c.175,000sqm of new and refurbished commercial and industrial floorspace;
- 2 the opportunity for nearly 140 new businesses to locate into the EZ area by 2030, leading to the creation of potentially more than 3,000 (gross) new jobs by 2030;
- 3 private sector investment of c.£300million; and,
- 4 significant net additional business rates income for reinvestment in the site.

The Business Case summarises the position of Blackpool Airport as context to the EZ's opportunities and objectives. Prior to its temporary closure in October 2014, Blackpool Airport had seen a steady decline in passenger numbers, as it faced increased competition from larger regional airports resulting in the airport being run with unsustainable operational losses year on year and with little immediate prospect of increasing passenger flights or securing investment necessary to renew essential infrastructure.

The cessation of large scale passenger air services has presented the opportunity to plan for restructuring the airport's operations, in conjunction with realising the EZ's identified opportunities for the wider area. Such restructuring is central to the aim of securing the long-term viability of the airport and to retain the main runway, which is critical if it is to return to serving broader markets in the future.

Whilst much of the airport's land is within the Green Belt, permitted development rights would enable the relocation of operational and aviation-related buildings and facilities, including a new terminal building, closer to the runway. Such relocation of buildings and facilities from the Squires Gate frontage will release a substantial area of land (c.20ha) and the redevelopment of this land for non-operational uses presents an opportunity to generate capital to fund the development of modern, fit-for-purpose and efficient operational buildings and facilities closer to the runway.

The plan attached shows the five Zones (A-E) within the EZ area. The Business Case document explains that, in respect of Zone A, the objective is to remove the majority of aviation functions and create an opportunity for office development, varied workshop space and some retail space. The re-sited aviation functions (including service buildings, hangars, a helicopter operational base and apron and taxiways) would be provided in Zone B. Zones C and D are identified for the development of manufacturing, workshop and office facilities, including office space and laboratories. Zone E is to be retained as green space.

The economic benefits that will be created from delivering development in the EZ area has been estimated based on the delivery of over 176,000sqm of commercial floorspace and 120,000sqm of yard space to be occupied by logistics operations associated with the energy sector. The business case breaks this floorspace down and identifies that the largest component of the built space (44% / 77,076sqm) would be providing accommodation for manufacturing businesses, warehousing would account for around 16% / 28,223sqm, offices / laboratories around 14% / 24,426sqm, workshops around 8% / 13,450sqm and retailing around 7% / 12,500sqm. The remainder would broadly comprise aviation-related uses.

Applying employment densities to these floorspace estimates, the Business Case highlights the potential for such a development quantum and mix in the EZ to deliver between 1,885 and 2,092



net additional jobs by 2025 and 2030. An important component in the successful delivery of the EZ outputs is the award of Enhanced Capital Allowances [ECA] and an ECA designated zone has been identified as Zone D, where new manufacturing, logistics, offices, laboratories and other businesses are to be concentrated.

Work is soon to be commissioned by Lancashire County Council and the Fylde and Blackpool Borough Councils to produce a land use masterplan for the Airport Corridor EZ, with Balfour Beatty's involvement.

Local Plan Policy Approach

Fylde Local Plan (2005)

The current local policy framework for the airport provided by the Fylde Local Plan recognises the importance of the airport as a regional facility and expresses support for its ongoing operation and viability, whilst restricting airport-related development to land outwith the Green Belt (Policy TR14). Specific policy support is also afforded to the development of airport and associated ancillary leisure uses on land fronting Squires Gate (Policy TREC 19).

The adopted Local Plan, however, was prepared when passenger numbers at the Airport were forecast to reach some 4 million passengers per annum in the period to 2030 and these passenger numbers were reflected in the airport's 2006 Master Plan. As summarised above, clearly much has changed in respect of the airport's operations, viability and space requirements since that time. The planning policy in the extant Local Plan is therefore outdated.

Emerging Fylde Local Plan

The future planning policy for Blackpool Airport is set out in the emerging Local Plan primarily within Policies T2, EC1 and SL2 and the reasoned justification that accompanies these policies. In the changes now proposed (and set out in the report to the 9th March Committee) a new policy has been drafted to specifically guide development in the EZ area.

Policy EC4 states:

a) The Blackpool Airport Enterprise Zone

The boundary of the Enterprise Zone is identified on the Policies Map. The designation of the Blackpool Airport Enterprise Zone will help create more businesses, jobs, and attract international investment, with positive benefits across the wider economic area. Fylde Council supports the sustainable development of Blackpool Airport, including working to explore the potential to develop commercial aeronautical activity. The Enterprise Zone will help improve the local economy and also increase the contribution to national growth.

b) Enabling Development

Alternative uses, such as retail, employment and leisure may be appropriate where it can be demonstrated that they are essential to help the delivery of aviation uses on the site. The scale of any alternative enabling development will be limited to that which is clearly demonstrated to be necessary to fund essential infrastructure and which will not prejudice the maintenance of the primary aviation function of the site. Any proposed main town centre uses must satisfy the sequential and impact tests set out in the National Planning Policy Framework and the relevant policies in this Local Plan.



c) *Local Development Order*

The Council supports the delivery of the Blackpool Airport Enterprise Zone and will produce a Local Development Order to aid the delivery process. A Masterplan will also be produced and be adopted, which will form a key part of the overall delivery of the Enterprise Zone, together with an agreed programme of implementation in accordance with the Masterplan. The key purpose of the Masterplan will be to establish the development and design framework for the site and ensure it is in accordance with the relevant parameters within the Local Development Order."

The proposed reasoned justification to Policy EC4 states:

"Blackpool Airport was proposed as an Enterprise Zone in March 2015 and following the submission of a business case it was designated in April 2016. The Enterprise Zone fronts Squires Gate Lane and currently comprises a mix of airport hangars, long stay surface car parking and sports pitches.

Development of an Enterprise Zone at Blackpool Airport has the potential to provide opportunities for retail, employment and leisure uses at the airport and would also provide jobs close to where people live.

Blackpool Airport is previously developed land, which is within walking distance of Squires Gate Railway Station and there is good access by bus into Blackpool and Lytham and St Annes. New or improved signalised junction and public transport facilities, including associated highway infrastructure such as cycling and pedestrian facilities, will be required if the site is to meet its full potential. In terms of cycling, Lancashire County Council seeks a cycle path on Squires Gate Lane, along with toucan crossings."

Policy T2 states:

"The open lands of the airport, which will be identified on the Policies Map will be safeguarded from non-airport related development and the continuing operation and viability of the airport as a sub-regional facility will be supported.

Further development required in relation to the operation of Blackpool Airport including Centrica's heliport, or development of ancillary leisure uses, will be located in the areas outside the Green Belt, which will be identified on the Policies Map, unless there are overriding operational requirements that constitute very special circumstances and which justify development in the Green Belt.

The Council will support improvements to surface access (public transport) to Blackpool Airport from surrounding areas and other transport nodes.

Blackpool Airport, including Centrica's heliport will be consulted on all developments within the Airport Safeguarding Zone which will be shown on the Policies Map."

Policy SL2 identifies 5.0ha of land at Blackpool Airport¹ as a strategic site which is to be supported for employment use development over the plan period and is one of a number of sites which together form the Fylde-Blackpool Periphery Strategic Location for Development. The policy (as proposed to be amended) explains that masterplans and design codes for each site within the Strategic Location are to be prepared so as to make provision for a range of land uses to include homes, employment and commercial uses, as well as Green Infrastructure network and community facilities. However, Policy EC1 identifies 56ha of land to be developed throughout the plan period for predominantly B Class business / industrial uses, stating that site ES5 at Blackpool Airport is to

¹ Site ref. ES5: an area of land at the eastern-most part of the airport fronting Squires Gate



be retained for B1, B2 and B8 uses with development proposals for alternative uses in the locations being resisted. From reading the recent Responses Report, there are no changes proposed to be made to this policy. However, it does not accord with the objectives of Policy EC4.

Issues Arising

The Responses Report explains that Lancashire County Council has commented that the Blackpool Airport Corridor Enterprise Zone needs to be referenced and considered throughout the Local Plan, as appropriate, including a new policy for the site and the implications for infrastructure requirements. Balfour Beatty agrees with this comment.

Whilst the Responses Report sets out a new draft policy for the Enterprise Zone [Policy EC4], Balfour Beatty has serious concerns that the introduction of this policy alone (together with the limited changes summarised above to other policies) does not align with Blackpool Airport's objectives. However, crucially it does not provide a sound and supportive policy framework for realising the economic potential of the Enterprise Zone as set out in the Business Case and summarised above.

In addition, the other relevant policies do not provide a sound framework for the future delivery of the EZ or enhancements to the airport, notably:

- 1 Policy T2 does not recognise, and plan positively for, the intended relocation of the operational buildings and facilities closer to the runway within the Green Belt (much of which could be achieved using Permitted Development Rights afforded to airports).
- 2 Policies SL2 and EC1 do not recognise the approach adopted in the EZ Business Case to free up land for non-aviation related uses, including some retail space, on the Squires Gate frontage in the area that is subject to the proposed restriction to B Class uses in Policy EC1 (Site ES5).

The Local Plan policies as drafted (including the recently proposed changes and introduction of draft Policy EC4) would significantly undermine the consolidation of the airport onto land closer to the main runway, assisting in the safeguarding of its long term operation, and thereby undermining the delivery of the EZ masterplan.

Amendments Sought

In order to ensure alignment between the Local Plan, the EZ objectives and its masterplan, and Balfour Beatty's objectives for the long-term operation of the airport, we request the following changes (shown underlined and strikethrough) to the emerging Local Plan policies and reasoned justification.

Policy EC4 should be amended as follows:

- a) *The Blackpool Airport Enterprise Zone*

The boundary of the Enterprise Zone is identified on the Policies Map. The designation of the Blackpool Airport Enterprise Zone will help create more businesses, jobs, and attract international investment, with positive benefits across the wider economic area. Fylde Council supports the sustainable development of Blackpool Airport, including working to explore the potential to develop commercial aeronautical activity and to relocate operational buildings and facilities closer to the main runway. The Enterprise Zone will help improve the local economy and also increase the contribution to national



growth.

b) *Enabling Assessing Development*

Fylde Council, working with Blackpool Council, Lancashire County Council and stakeholders including key landowners is to produce a land use masterplan for the Enterprise Zone area. The masterplan will determine the appropriate mix, quantum and location of development in the area, reflecting the delivery objectives of the Enterprise Zone and that of maintaining a viable long-term operation of Blackpool Airport. A range of uses including business, industrial, education, retail and aviation-related facilities, have been identified as outputs in the Enterprise Zone area. Aviation-related uses will be supported where they will contribute towards the long-term operation of the Airport. Non-employment uses, Alternative uses, such as retail, employment and leisure will may be appropriate where it can be demonstrated that they conform with the masterplan for the Enterprise Zone and where it can be demonstrated that a) there are no sequentially preferable locations within or on the edge of designated centres that are available and suitable to accommodate them and b) there would be no significant adverse impacts on investment and the vitality and viability of designated centres, as well as satisfying are essential to help the delivery of aviation uses on the site. The scale of any alternative enabling development will be limited to that which is clearly demonstrated to be necessary to fund essential infrastructure and which will not prejudice the maintenance of the primary aviation function of the site. Any proposed main town centre uses must satisfy the sequential and impact tests set out in the National Planning Policy Framework and the relevant policies in this Local Plan.

c) *Local Development Order*

The Council supports the delivery of the Blackpool Airport Enterprise Zone and will produce a Local Development Order to aid the delivery process. A Masterplan will also be produced and be adopted, which will form a key part of the overall delivery of the Enterprise Zone, together with an agreed programme of implementation in accordance with the Masterplan. The key purpose of the Masterplan will be to establish the development and design framework for the site and ensure it is in accordance with the relevant parameters within the Local Development Order.

Policy T2 should be amended as follows:

The land designated as Green Belt within open lands of the airport, which will be identified on the Policies Map will be safeguarded from non-airport related development and the continuing operation and viability of the airport as a sub-regional facility will be supported.

Further development required in relation to the operation of Blackpool Airport including Centrica's heliport, or development of ancillary leisure uses, will be located in accordance with the masterplan prepared to guide development that delivers the objectives of the Blackpool Airport Corridor Enterprise Zone. the areas outside the Green Belt, which will be identified on the Policies Map, unless there are overriding operational requirements that constitute very special circumstances and which justify development in the Green Belt.

The Council will support improvements to surface access (public transport) to Blackpool Airport from surrounding areas and other transport nodes.

Blackpool Airport, including Centrica's heliport will be consulted on all developments within the Airport Safeguarding Zone which will be shown on the Policies Map.



We request that the reasoned justification to Policy T2 be amended as follows:

§12.39 *“...The majority of the residual airport land is designated as Green Belt and this will be safeguarded from non-aviation related uses. However, there is sufficient land within the airport complex outside the Green Belt to facilitate further airport operational development.”*

§12.41 *“...Sufficient land within the Airport complex has been omitted from the Green Belt to facilitate further airport operational development.”*

Policy SL2 reasoned justification explains that masterplans are to be prepared for the strategic locations and to make provision for a range of land uses to include homes, employment and commercial uses. In order to remove any ambiguity, therefore, the heading of the third column in the schedule should be amended from “*Employment over Plan Period*” to “*Site Area*”.

The reference to “5.0ha” in respect of site ES5 (Blackpool Airport, Squires Gate Lane, Blackpool Airport Corridor) should be amended to “20.0ha” to be consistent with the Zone A identified in the EZ Business Case document, which identifies the area as providing for a mix of office, workspace and retail uses, and the preparation of the EZ masterplan for the area.

Policy EC1 (Site ES5) should be amended to allocate the whole of the EZ Zone A area for development. The reference to “5.0” in the second column should be amended to “20.0ha” and the following should be added “(to be delivered for a mix of uses to be determined through a masterplan for the Enterprise Zone).”

It is then necessary to amend the Site Allocations – Blackpool Periphery (map 2 of 2) so as to remove the identification of the identified 5.0ha area of land as the “Employment Location” and to identify the wider 20ha site with the legend amended to read “*Employment Allocation: 20ha mixed use site*”.

We trust that the changes sought to the emerging Local Plan, as set out above, will be given full consideration and incorporated into the Publication Draft of the Local Plan. In view of the fact that Policy EC4 is a new policy being added into the Local Plan at this stage, we may wish to make further comments on this policy and its implications and relationship to other policies in the Local Plan. In this regard, we wish to work positively with you ahead of the finalisation of the Publication draft Local Plan to ensure that it is aligned with the Airport Corridor Enterprise Zone and the masterplan being prepared for it.

Yours sincerely

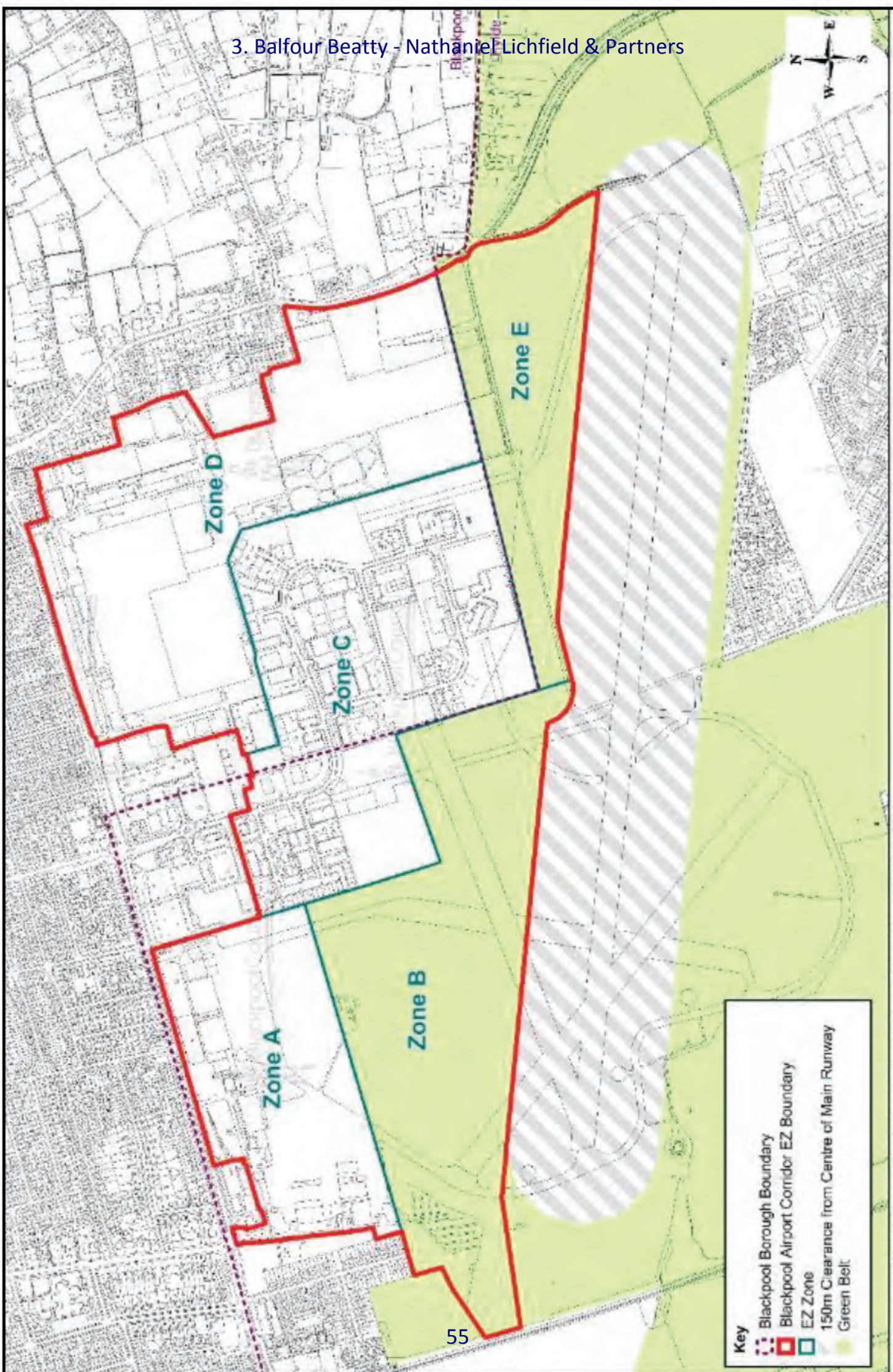
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Michael Watts
Senior Director

Copy

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Date 21 September 2016
Our ref 40991/02/MW/AGr/12263733v1

Dear Sir / Madam

Publication Version of the Fylde Local Plan to 2032

We write to object to the Publication Version of the Fylde Local Plan on behalf of Balfour Beatty; the owners of Blackpool Airport. It is disappointing that this is necessary given that this objection essentially comprises matters raised in previous correspondence to Fylde Council, dated 24 March 2016 and 28 June 2016, which are appended.

As well as re-providing our previous representations in letter format, we have also submitted the comments in this, and our previous, letters using the standard representation form on the Council's on-line consultation system.

We appreciate that our previous submissions to the Council were made outside of any formal consultation period (the last being in relation to the Revised Preferred Option version in December 2015). However, our comments were submitted following a meeting between Balfour Beatty, NLP and Officers of Fylde Council in March 2016 when the Council indicated that the concerns would be considered prior to making any amendments to the draft Plan. The second set of comments followed subsequent discussions with Mike Eastham (Planning Policy) in late June, after the publication of amendments to a draft Publication version of the Plan where reported to the Council's Development Management Committee on 15 June 2016. Again these comments were submitted at the request of the Council, but unfortunately they have not been addressed in the Publication Version of the Fylde Local Plan.

Our two previous responses were therefore submitted as part of the continuous dialogue that Government encourages for the preparation of Local Plans. As a consequence, we would have expected the comments to be given due consideration in the finalisation of a Publication version of the Local Plan. The Publication draft of a Local Plan should be a version that the Council considers should be adopted without further modification. Instead, the Council responded in July 2016 to explain that our submissions would be treated as a response to the Publication version and we were invited to resubmit our comments at this consultation stage. We are concerned, however, that our previous comments raise significant and substantial matters affecting a number

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of policies in the publication draft of the Plan, which would constitute main modifications and could render the Plan unsound if not properly dealt with.

We have been liaising with the Blackpool, Fylde and Wyre Economic Development Company [BFWEDC] who are leading on the preparation of the Blackpool Airport Corridor Enterprise Zone masterplan. The BFWEDC shares a number of our concerns and, in turn, we understand that Blackpool Council and Lancashire County Council also share those concerns in respect of the (lack of) alignment between the publication draft Local Plan and the objectives of the Enterprise Zone. Whilst the Council has produced a Consultations Response document, it only comments on representations submitted up to and including the Revised Preferred Option stage and, therefore, no formal response has been issued by the Council to the issues raised in our submissions of March and June 2016.

We are concerned with having these matters considered at this final draft stage, given the substantial issues raised and the need to amend policies in order to address them. We consider it most likely that, in giving full consideration to the issues we raise, the production of an addendum to the Plan will prove necessary, which should then be accompanied by a further round of consultation before the Plan's submission for examination.

We, together with the BFWEDC, are keen to agree amendments to the Plan before it is submitted for examination and ask that further consideration is given at this stage to the issues raised in the accompanying letters.

Without such an addendum and further consultation, we are concerned that the Plan will not meet the tests of soundness.

Soundness

In summary, we consider that the issues raised in our previous submissions render the draft Local Plan unsound for a range of reasons including:

- It is not justified in its approach taken to the development of land at Blackpool Airport, within the Enterprise Zone area, as it is not the most appropriate strategy for fulfilling the objectives of the Enterprise Zone, as set down in the Full Business Case for the Enterprise Zone and being brought forward through the preparation of the EZ masterplan;
- It is not positively prepared as it places unnecessary and unjustified policy burdens upon redevelopment of land on which Blackpool Airport currently has operational buildings, particularly in respect of having to demonstrate an “enabling case” for non-aviation alternative uses proposed thereon. Without justification, the Local Plan policy goes beyond the policy requirements set down in the NPPF for assessing such development in out-of-centre locations;

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- It is not positively prepared as it appears¹ to limit development of airport-related buildings and facilities within the Green Belt and, without reason it negates the permitted development rights afforded to an airport operator as set down at Part 8, Class F of the Town and Country Planning (General Permitted Development) (England) Order 2015; and
- It is not positively prepared as it seeks to limit land (14.5ha) fronting Squires Gate for development of solely B Class uses (Policy EC1, site ref. ES5), running counter to the objectives of the Enterprise Zone to facilitate mixed-use development there.

In respect of the final bullet point above, we note that an amendment has been made to the second schedule (titled "Existing Employment Sites") contained in draft Policy EC1 to introduce a reference to "Classes A1, A2, A3, A4 and A5" alongside the site referred to as "Blackpool Airport, Squires Gate, Blackpool Airport Corridor". It is unclear, however, whether these uses are determined by the policy to be acceptable in new development within the ES5 site or whether the first part of the policy continues to restrict future development there to B Class uses. Clarification of this policy is required in this respect.

We urge the Council to revisit the matters raised in our previous submissions and amend the publication draft Local Plan accordingly, by way of an addendum and further consultation prior to it being finalised and submitted for examination. At this time, and given these unresolved issues, we request that representatives of Blackpool Airport / NLP are given the opportunity to appear at any examination sessions of relevance to the policies and matters on which we have made comments.

We would be pleased to meet with you to discuss these points further.

Yours Faithfully



Anthony Greally
Planning Director
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	R Green	Blackpool, Fylde, Wyre Economic Development Company

¹ The current wording of Policy EC4 is unclear as to whether aviation-related development proposed in the Green Belt is required to demonstrate 'very special circumstances' due to the use of the word "unless" in the third sentence of part a) of the policy.

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Mark Evans
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Date 28 June 2016
Our ref 40991/02/MW/RDi/11649842v1

Dear Mark

Blackpool Airport Corridor Enterprise Zone and the Publication Version of the Fylde Local Plan to 2032

We write further to our recent discussions with Mike Eastham in respect of the representations submitted by NLP on behalf of Balfour Beatty to the emerging Local Plan. We outlined our concerns with the wording of a number of policies and the accompanying reasoned justification relating to Blackpool Airport's landholdings and the Blackpool Airport Enterprise Zone. Mr Eastham invited us to write to explain these concerns in further detail. Appended to this letter is a copy of our previous representations and the two should be read together.

In summary, amendments have been made to the draft Publication version, as reported to Development Management Committee on 15 June 2016, which incorporate some of the wording put forward in our representations. The resulting draft of the Local Plan, however, still fails to reflect the objectives of the Enterprise Zone and the anticipated future changes at the Airport and, in addition, the amendments that have been made have resulted in ambiguous policies and inconsistency across the Local Plan when certain policies are read together.

We urge the Council to reconsider our previous representations and incorporate the amendments that we sought into a revised Publication version. Failure to do so, we feel, leaves the Local Plan at risk of being found unsound.

Policy EC4 Blackpool Airport Enterprise Zone

We welcome the introduction of Policy EC4 relating specifically to the Blackpool Enterprise Zone and the acknowledgement therein that the Council supports the sustainable development of Blackpool Airport. Our concerns with Policy EC4 primarily relate to:

- 1 Clarification as to how Local Plan policy is providing a positive policy context for the relocation of aviation functions from land fronting Squires Gate Lane (outwith the Green Belt) to land closer to the main runway (within the Green Belt), in order to achieve consistency with the objectives of the Enterprise Zone; and

Nathaniel Lichfield & Partners Limited
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All Saints Street
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Bristol
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London
Manchester
Thames Valley



- 2 The apparent requirement to demonstrate an “enabling case” for non-aviation uses proposed on the Squires Gate land and the acceptability of such an approach.

In respect of point 1, whilst it is appreciated that the potential to relocate the airport’s operational buildings and facilities closer to the main runway is now referred to in the draft policy, the insertion of additional text which states *‘unless there are overriding operational requirements that constitute very special circumstances and which justify development in the Green Belt’* is both unnecessary and contradictory in its meaning. The additional wording referring to very special circumstances introduces a double negative, effectively rendering this part of the policy as incoherent and unworkable in practice.

In respect of point 2, we urge the Council to reconsider including references to enabling development in Policy EC4. In its truest meaning, “enabling development” is where a proposal would ordinarily be unacceptable in planning terms because of conflict with planning policy, though is ultimately approved because it would bring public benefits that outweigh the policy conflict and justify it being carried out. It is not common-place for a development plan document to set out the circumstances in which an enabling case would be expected to be made, rather it is the role of the development plan to identify policies to which proposals are to be assessed against and, should proposals ultimately conflict with those policies, then it is open to the applicant to seek to demonstrate an enabling case where circumstances allow.

The current wording of Policy EC4 blurs the distinction between what is a policy requirement which development proposals should seek to satisfy and the principle of “enabling” which would ordinarily only be pursued on occasions where proposals are in conflict with policy.

Ultimately, the Enterprise Zone status, and the business case that accompanies it, anticipates that land will become available along the Squires Gate frontage for a mix of commercial uses. Furthermore, part A of Policy EC4 appears to provide support for relocating airport-related buildings / activity closer to runway. As a result, therefore, previously developed land would become available in an out-of-centre (though accessible) location and an appropriate positive policy framework should be established to guide its redevelopment.

The wording sought by NLP would, therefore, ensure that if commercial development (such as retail and / or commercial leisure) is pursued on the land fronting Squires Gate Lane, then the necessary policy considerations would be put in place (ie in respect of testing impact and applying the sequential approach). Such policy considerations would ordinarily be applied to proposals for certain commercial development (ie retail and leisure) proposed in an (unallocated) out-of-centre location. However, to then seek to impose an additional policy hurdle upon any such development proposals at the Squires Gate site (whereby it is also necessary to demonstrate that the scale of the development is limited to that which is necessary to “fund essential infrastructure”), places the site at a disadvantage to other out-of-centre locations where commercial (ie. retail / leisure) development may be proposed and where such limitations on scale would not be imposed. This additional layer of policy control on the Squires Gate Lane site (compared to out-of-centre sites elsewhere) runs counter to the overall objectives of Enterprise Zones to encourage business growth and create simplified and positive planning policy for the area.



Policy T3 Blackpool Airport (formerly Policy T2)

The revised Policy T3 twice includes the same double negative regarding '*overriding operational requirements that constitute very special circumstances*' as that set out for Policy EC4 above, and this wording should be removed from the Publication Draft in order to ensure that the policy is not ambiguous.

The wording put forward by NLP makes clear that the Green Belt will be safeguarded from non-airport related development and Policy T3 would operate alongside national planning policy (NPPF para 88 and 89) which establish the requirement for very special circumstances to be demonstrated for most forms of development in the Green Belt.

The revised paragraph 12.41 of the reasoned justification is also misleading in implying that land has been omitted from the Green Belt to facilitate further airport operational development, when no Green Belt review has been undertaken. It states that "*sufficient land within the airport complex has been omitted from the Green Belt to facilitate further airport operational development*". This statement implies that there will be resistance to aviation-related buildings / facilities being located in the Green Belt. Such intentions would be inconsistent with Policy EC4, which now offers support for the relocation of buildings closer to the runway (and, therefore, likely to be in Green Belt land) and also the Enterprise Zone objectives of re-siting aviation functions / buildings onto Green Belt land adjacent to the main runway.

Policy SL2 The Fylde-Blackpool Periphery Strategic Location for Development and Policy EC1 (Site ES5)

We note the '*site area for non-residential development*' of the Blackpool Airport EZ site has been increased from 5.0 ha to 14.5 ha within the Publication Version of the Local Plan. However, the acceptable uses for the site are identified as being restricted solely to those within the B Class uses. Moreover, Policy EC1 goes on to state that '*Development proposals for alternative uses in these locations will be resisted...*' This statement contradicts both the intentions of Policy EC4 within the Publication Draft, and also the Enterprise Zone objectives of facilitating mixed-use development on the land fronting Squires Gate (Site ES5).

The wording now introduced into Policy EC1 does state that uses are "*to be determined through a masterplan for the Enterprise Zone*" though the fact that the area of Site ES5 has been increased from 5.0ha to 14.5ha together with the wording beneath the schedule of sites which reads "*development proposals for alternative uses in these locations will be resisted...*" does undermine the EZ masterplanning process and does not reflect the reality on the ground, namely that the site contains non-B Class uses including the Energy College under construction.

Way Forward

In summary, we consider that the inconsistencies and ambiguities highlighted above could lead to the Local Plan being found unsound in that the policies would not operate in an effective way and contribute towards a positively prepared plan overall.

We, therefore, urge the Council to reconsider incorporating the changes sought in our enclosed representations ahead of the consultation on the Publication version in August. We do welcome the efforts to accommodate some of the changes put forward in our representations and we wish to work with the Council to ensure that the final, adopted, version of the plan is successful in

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delivering the Enterprise Zone objectives and giving a clear and certain policy framework that supports the airport's evolution over time.

We would be please to meet with you to discuss these points further.

Yours sincerely



Anthony Greally
Planning Director
agreally@nlppanning.com

Copy

B Taylor

Balfour Beatty

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Publication Version Local Plan Representation Form

Ref:
Date Received:
Date acknowledged:
(For official use only)

Name of the Local Plan to which this representation relates:

Publication Version Fylde Local Plan to 2032

Please return to Fylde Borough Council by **5pm on Thursday 22 September 2016**

This form has two parts:

Part A – Personal Details

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal
Details*

2. Agent's Details (if applicable)

**If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.*

Title	Mr	Mr
First Name	Bryan	Anthony
Last Name	Taylor	Greally
Job Title (Where Relevant)		Planning Director
Organisation (where relevant)	Balfour Beatty (owners of Blackpool Airport)	Nathaniel Lichfield & Partners
Address Line 1		Generator Studios
Line 2		Trafalgar Street
Line 3		Newcastle upon Tyne
Line 4		
Post Code		NE1 2LA
Telephone Number		0191 2615685
Email Address (where relevant)		agreally@nlplanning.com

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph

Policy

EC4

Policies Map

4. Do you consider the Local Plan is:

4.(1) Legally compliant

Yes

No

4.(2) Sound

Yes

No

4.(3) Complies with the Duty to cooperate

Yes

No

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Our previous representations to the Council were submitted following a meeting between Balfour Beatty, NLP and Officers of Fylde Council in March 2016 when the Council indicated that the concerns would be considered prior to making any amendments to the draft Plan. The second set of representations followed subsequent discussions with Mike Eastham (Planning Policy) in late June, after the publication of amendments to a draft Publication version of the Plan where reported to the Council's Development Management Committee on 15 June 2016. Again these comments were submitted at the request of the Council, but unfortunately they have not been addressed in the Publication Version of the Fylde Local Plan.

Our two previous responses were, therefore, submitted as part of the continuous dialogue that Government encourages for the preparation of Local Plans. As a consequence, we would have expected the comments to be given due consideration in the finalisation of a Publication version of the Local Plan. The Publication draft of a Local Plan should be a version that the Council considers should be adopted without further modification. Instead, the Council responded in July 2016 to explain that our submissions would be treated as a response to the Publication version and we were invited to resubmit our comments at this consultation stage. We are concerned, however, that our previous comments raise significant and substantial matters affecting a number of policies in the publication draft of the Plan, which would constitute main modifications and could render the Plan unsound if not properly dealt with.

We have been liaising with the Blackpool, Fylde and Wyre Economic Development Company [BFWEDC] who are leading on the preparation of the Blackpool Airport Corridor Enterprise Zone masterplan. The BFWEDC shares a number of our concerns and, in turn, we understand that Blackpool Council and Lancashire County Council also share those concerns in respect of the (lack of) alignment between the publication draft Local Plan and the objectives of the Enterprise Zone. Whilst the Council has produced a Consultations Response document, it only comments on representations submitted up to and including the Revised Preferred Option stage and,

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therefore, no formal response has been issued by the Council to the issues raised in our submissions of March and June 2016.

In summary, we consider that the issues raised in our previous submissions (and set out again below) render the draft Local Plan unsound for a range of reasons including:

It is not justified in its approach taken to the development of land at Blackpool Airport, within the Enterprise Zone area, as it is not the most appropriate strategy for fulfilling the objectives of the Enterprise Zone, as set down in the Full Business Case for the Enterprise Zone and being brought forward through the preparation of the EZ masterplan.

1) Blackpool Airport Corridor Enterprise Zone

The Full Business Case for the Blackpool Airport Corridor Enterprise Zone was submitted to Government [DCLG] in January 2015 having been prepared on behalf of the Lancashire Enterprise Partnership, Blackpool Council, Fylde Council, Lancashire County Council and the Blackpool, Fylde and Wyre Economic Development Company [EDC]. Balfour Beatty has been working closely with the LEP, as well as the local and county councils to identify the interventions necessary to ensure the long term sustainable operation of Blackpool Airport and how the EZ status can assist in facilitating those interventions.

The EZ area extends across five development zones and the Business Case explains how it offers the potential for:

- the development of c.175,000sqm of new and refurbished commercial and industrial floorspace;
- the opportunity for nearly 140 new businesses to locate into the EZ area by 2030, leading to the creation of potentially more than 3,000 (gross) new jobs by 2030;
- private sector investment of c.£300million; and,
- significant net additional business rates income for reinvestment in the site.

The Business Case summarises the position of Blackpool Airport as context to the EZ's opportunities and objectives. Prior to its temporary closure in October 2014, Blackpool Airport had seen a steady decline in passenger numbers, as it faced increased competition from larger regional airports resulting in the airport being run with unsustainable operational losses year on year and with little immediate prospect of increasing passenger flights or securing investment necessary to renew essential infrastructure.

The cessation of large scale passenger air services has presented the opportunity to plan for restructuring the airport's operations, in conjunction with realising the EZ's identified opportunities for the wider area. Such restructuring is central to the aim of securing the long-term viability of the airport and to retain the main runway, which is critical if it is to return to serving broader markets in the future.

Whilst much of the airport's land is within the Green Belt, permitted development rights would enable the relocation of operational and aviation-related buildings and facilities, including a new terminal building, closer to the runway. Such relocation of buildings and facilities from the Squires Gate frontage will release a substantial area of land (c.20ha) and the redevelopment of this land for non-operational uses presents an opportunity to generate capital to fund the development of modern, fit-for-purpose and efficient operational buildings and facilities closer to the runway.

The plan attached shows the five Zones (A-E) within the EZ area. The Business Case document explains that, in respect of Zone A, the objective is to remove the majority of aviation functions and create an opportunity for office development, varied workshop space and some retail space. The re-sited aviation functions (including service buildings, hangars, a helicopter operational base and apron and taxiways) would be provided in Zone B. Zones C and D are identified for the development of manufacturing, workshop and office facilities, including office space and

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laboratories. Zone E is to be retained as green space.

The economic benefits that will be created from delivering development in the EZ area has been estimated based on the delivery of over 176,000sqm of commercial floorspace and 120,000sqm of yard space to be occupied by logistics operations associated with the energy sector. The business case breaks this floorspace down and identifies that the largest component of the built space (44% / 77,076sqm) would be providing accommodation for manufacturing businesses, warehousing would account for around 16% / 28,223sqm, offices / laboratories around 14% / 24,426sqm, workshops around 8% / 13,450sqm and retailing around 7% / 12,500sqm. The remainder would broadly comprise aviation-related uses.

Applying employment densities to these floorspace estimates, the Business Case highlights the potential for such a development quantum and mix in the EZ to deliver between 1,885 and 2,092 net additional jobs by 2025 and 2030. An important component in the successful delivery of the EZ outputs is the award of Enhanced Capital Allowances [ECA] and an ECA designated zone has been identified as Zone D, where new manufacturing, logistics, offices, laboratories and other businesses are to be concentrated.

We welcome the introduction of Policy EC4 relating specifically to the Blackpool Enterprise Zone and the acknowledgement therein that the Council supports the sustainable development of Blackpool Airport. Our concerns with Policy EC4 primarily relate to:

- Clarification as to how Local Plan policy is providing a positive policy context for the relocation of aviation functions from land fronting Squires Gate Lane (outwith the Green Belt) to land closer to the main runway (within the Green Belt), in order to achieve consistency with the objectives of the Enterprise Zone; and
- The apparent requirement to demonstrate an "enabling case" for non-aviation uses proposed on the Squires Gate land and the acceptability of such an approach.

In respect of point 1, whilst it is appreciated that the potential to relocate the airport's operational buildings and facilities closer to the main runway is now referred to in the draft policy, the insertion of additional text which states '*unless there are overriding operational requirements that constitute very special circumstances and which justify development in the Green Belt*' is both unnecessary and contradictory in its meaning. The additional wording referring to very special circumstances introduces a double negative, effectively rendering this part of the policy as incoherent and unworkable in practice.

In respect of point 2, we urge the Council to reconsider including references to enabling development in Policy EC4. In its truest meaning, "enabling development" is where a proposal would ordinarily be unacceptable in planning terms because of conflict with planning policy, though is ultimately approved because it would bring public benefits that outweigh the policy conflict and justify it being carried out. It is not common-place for a development plan document to set out the circumstances in which an enabling case would be expected to be made, rather it is the role of the development plan to identify policies to which proposals are to be assessed against and, should proposals ultimately conflict with those policies, then it is open to the applicant to seek to demonstrate an enabling case where circumstances allow.

The current wording of Policy EC4 blurs the distinction between what is a policy requirement which development proposals should seek to satisfy and the principle of "enabling" which would ordinarily only be pursued on occasions where proposals are in conflict with policy.

Ultimately, the Enterprise Zone status, and the business case that accompanies it, anticipates that land will become available along the Squires Gate frontage for a mix of commercial uses. Furthermore, part A of Policy EC4 appears to provide support for relocating airport-related buildings / activity closer to runway. As a result, therefore, previously developed land would become available in an out-of-centre (though accessible) location and an appropriate positive policy framework should be established to guide its redevelopment.

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The wording sought by NLP would, therefore, ensure that if commercial development (such as retail and / or commercial leisure) is pursued on the land fronting Squires Gate Lane, then the necessary policy considerations would be put in place (ie in respect of testing impact and applying the sequential approach). Such policy considerations would ordinarily be applied to proposals for certain commercial development (ie retail and leisure) proposed in an (unallocated) out-of-centre location. However, to then seek to impose an additional policy hurdle upon any such development proposals at the Squires Gate site (whereby it is also necessary to demonstrate that the scale of the development is limited to that which is necessary to "fund essential infrastructure"), places the site at a disadvantage to other out-of-centre locations where commercial (ie. retail / leisure) development may be proposed and where such limitations on scale would not be imposed. This additional layer of policy control on the Squires Gate Lane site (compared to out-of-centre sites elsewhere) runs counter to the overall objectives of Enterprise Zones to encourage business growth and create simplified and positive planning policy for the area.

(Continue on a separate sheet /expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any noncompliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

In order to ensure alignment between the Local Plan, the EZ objectives and its masterplan, and Balfour Beatty's objectives for the long-term operation of the airport, we request the following changes (shown underlined and strikethrough) to the emerging Local Plan policies and reasoned justification.

Policy EC4 should be amended as follows:

- a) *The Blackpool Airport Enterprise Zone*

The boundary of the Enterprise Zone is identified on the Policies Map. The designation of the Blackpool Airport Enterprise Zone will help create more businesses, jobs, and attract international investment, with positive benefits across the wider economic area. Fylde Council supports the sustainable development of Blackpool Airport, including working to explore the potential to develop commercial aeronautical activity and to relocate operational buildings and facilities closer to the main runway. The Enterprise Zone will help improve the local economy and also increase the contribution to national growth.

- b) *Enabling Assessing Development*

Fylde Council, working with Blackpool Council, Lancashire County Council and stakeholders including key landowners is to produce a land use masterplan for the Enterprise Zone area. The masterplan will determine the appropriate mix, quantum and location of development in the area, reflecting the delivery objectives of the Enterprise Zone and that of maintaining a viable long-term operation of Blackpool Airport. A range of uses including business, industrial, education, retail and aviation-related facilities, have been identified as outputs in the Enterprise Zone area. Aviation-related uses will be supported where they will contribute towards the long-term operation of the Airport. Non-employment uses, ~~Alternative uses~~, such as retail, ~~employment~~ and leisure ~~will may~~ be appropriate where it can be demonstrated that they conform with the masterplan for the Enterprise Zone and where it can be demonstrated that a) there are no sequentially preferable locations within or on the edge of designated centres that are available and suitable to accommodate them and b) there would be no significant adverse impacts on investment and the vitality and viability of designated centres, as well as satisfying are essential to help the delivery

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~~of aviation uses on the site. The scale of any alternative enabling development will be limited to that which is clearly demonstrated to be necessary to fund essential infrastructure and which will not prejudice the maintenance of the primary aviation function of the site. Any proposed main town centre uses must satisfy the sequential and impact tests set out in the National Planning Policy Framework and the relevant policies in this Local Plan.~~

c) **Local Development Order**

The Council supports the delivery of the Blackpool Airport Enterprise Zone and will produce a Local Development Order to aid the delivery process. A Masterplan will also be produced and be adopted, which will form a key part of the overall delivery of the Enterprise Zone, together with an agreed programme of implementation in accordance with the Masterplan. The key purpose of the Masterplan will be to establish the development and design framework for the site and ensure it is in accordance with the relevant parameters within the Local Development Order.

(Continue on a separate sheet /expand box if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate the oral examination

Please tick as appropriate

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

In order to provide further explanation, where necessary, on the matters we consider render the draft Plan unsound and to answer questions from the Inspector in order to provide any clarification as necessary.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

9. Signature:



Date:

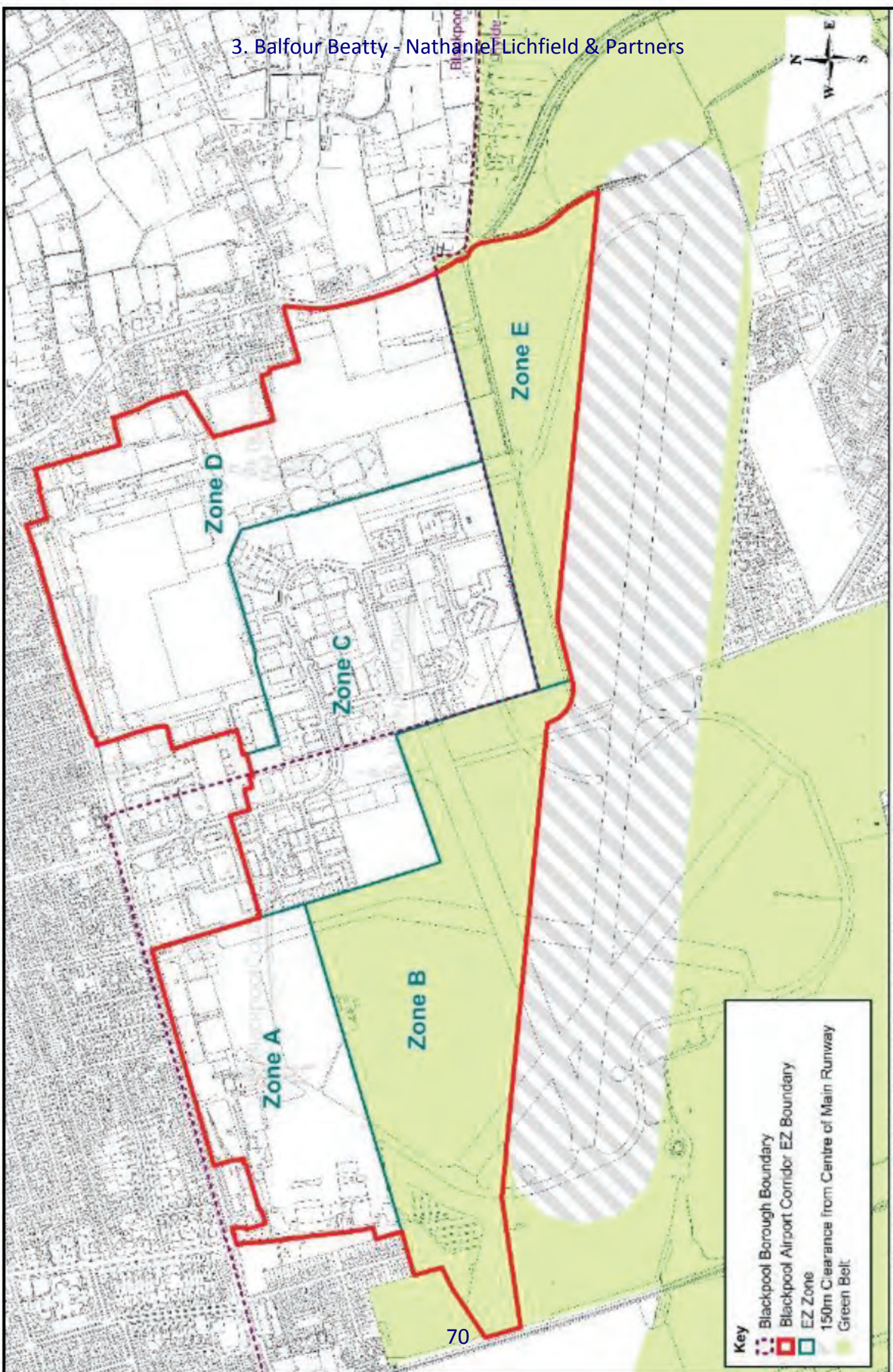
21/09/16

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Data Protection

Your personal contact details will not be released to any third parties and will only be used for the purposes of the Fylde Local Plan. Please note that your name, comments, and your town/city will be made publicly available. In order to comply with data protection legislation, address details and email addresses will not be released.

If you want this information in large print, audio, Braille or another language please call 01253 658658



Key

- Blackpool Borough Boundary
- Blackpool Airport Corridor EZ Boundary
- EZ Zone
- 150m Clearance from Centre of Main Runway
- Green Belt

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Publication Version Local Plan Representation Form

Ref:
Date Received:
Date acknowledged:
(For official use only)

Name of the Local Plan to which this representation relates:

Publication Version Fylde Local Plan to 2032

Please return to Fylde Borough Council by **5pm** on **Thursday 22 September 2016**

This form has two parts:

Part A – Personal Details

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal
Details*

2. Agent's Details (if applicable)

**If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.*

Title	Mr	Mr
First Name	Bryan	Anthony
Last Name	Taylor	Greally
Job Title (Where Relevant)		Planning Director
Organisation (where relevant)	Balfour Beatty (owners of Blackpool Airport)	Nathaniel Lichfield & Partners
Address Line 1		Generator Studios
Line 2		Trafalgar Street
Line 3		Newcastle upon Tyne
Line 4		
Post Code		NE1 2LA
Telephone Number		0191 2615685
Email Address (where relevant)		agreally@nlppanning.com

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph Policy Policies Map

4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(3) Complies with the Duty to cooperate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Our previous representations to the Council were submitted following a meeting between Balfour Beatty, NLP and Officers of Fylde Council in March 2016 when the Council indicated that the concerns would be considered prior to making any amendments to the draft Plan. The second set of representations followed subsequent discussions with Mike Eastham (Planning Policy) in late June, after the publication of amendments to a draft Publication version of the Plan where reported to the Council's Development Management Committee on 15 June 2016. Again these comments were submitted at the request of the Council, but unfortunately they have not been addressed in the Publication Version of the Fylde Local Plan.

Our two previous responses were therefore submitted as part of the continuous dialogue that Government encourages for the preparation of Local Plans. As a consequence, we would have expected the comments to be given due consideration in the finalisation of a Publication version of the Local Plan. The Publication draft of a Local Plan should be a version that the Council considers should be adopted without further modification. Instead, the Council responded in July 2016 to explain that our submissions would be treated as a response to the Publication version and we were invited to resubmit our comments at this consultation stage. We are concerned, however, that our previous comments raise significant and substantial matters affecting a number of policies in the publication draft of the Plan, which would constitute main modifications and could render the Plan unsound if not properly dealt with.

We have been liaising with the Blackpool, Fylde and Wyre Economic Development Company [BFWEDC] who are leading on the preparation of the Blackpool Airport Corridor Enterprise Zone masterplan. The BFWEDC shares a number of our concerns and, in turn, we understand that Blackpool Council and Lancashire County Council also share those concerns in respect of the (lack of) alignment between the publication draft Local Plan and the objectives of the Enterprise Zone. Whilst the Council has produced a Consultations Response document, it only comments

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on representations submitted up to and including the Revised Preferred Option stage and, therefore, no formal response has been issued by the Council to the issues raised in our submissions of March and June 2016.

In summary, we consider that the issues raised in our previous submissions (and set out again below) render the draft Local Plan unsound for a range of reasons including:

It is not positively prepared as it appears¹ to limit development of airport-related buildings and facilities within the Green Belt and, without reason it negates the permitted development rights afforded to an airport operator as set down at Part 8, Class F of the Town and Country Planning (General Permitted Development) (England) Order 2015.

The revised Policy T3 twice includes the same double negative regarding '*overriding operational requirements that constitute very special circumstances*' as that set out for Policy EC4, and this wording should be removed in order to ensure that the policy is not ambiguous.

The wording put forward by NLP makes clear that the Green Belt will be safeguarded from non-airport related development and Policy T3 would operate alongside national planning policy (NPPF para 88 and 89) which establish the requirement for very special circumstances to be demonstrated for most forms of development in the Green Belt.

The revised paragraph 12.41 of the reasoned justification is also misleading in implying that land has been omitted from the Green Belt to facilitate further airport operational development, when no Green Belt review has been undertaken. It states that "*sufficient land within the airport complex has been omitted from the Green Belt to facilitate further airport operational development*". This statement implies that there will be resistance to aviation-related buildings / facilities being located in the Green Belt. Such intentions would be inconsistent with Policy EC4, which now offers support for the relocation of buildings closer to the runway (and, therefore, likely to be in Green Belt land) and also the Enterprise Zone objectives of re-siting aviation functions / buildings onto Green Belt land adjacent to the main runway.

¹ The current wording of Policy EC4 is unclear as to whether aviation-related development proposed in the Green Belt is required to demonstrate 'very special circumstances' due to the use of the word "unless" in the third sentence of part a) of the policy.

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any noncompliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy T3 should be amended as follows:

The land designated as Green Belt within open lands of the airport, ~~which will be identified on the Policies Map~~ will be safeguarded from non-airport related development and the continuing operation and viability of the airport as a sub-regional facility will be supported.

Further development required in relation to the operation of Blackpool Airport including Centrica's heliport, or development of ancillary leisure uses, will be located in accordance with the masterplan prepared to guide development that delivers the objectives of the Blackpool Airport Corridor Enterprise Zone. ~~the areas outside the Green Belt, which will be identified on the Policies Map, unless there are overriding operational requirements that~~

3. Balfour Beatty - Nathaniel Lichfield & Partners

~~constitute very special circumstances and which justify development in the Green Belt.~~

The Council will support improvements to surface access (public transport) to Blackpool Airport from surrounding areas and other transport nodes.

Blackpool Airport, including Centrica's heliport will be consulted on all developments within the Airport Safeguarding Zone which will be shown on the Policies Map.

We request that the reasoned justification to Policy T3 be amended as follows:

§12.39 "...The majority of the residual airport land is designated as Green Belt and this will be safeguarded from non-aviation related uses. However, ~~there is sufficient land within the airport complex outside the Green Belt to facilitate further airport operational development.~~"

§12.41 "...Sufficient land within the Airport complex has been omitted from the Green Belt to facilitate further airport operational development."

(Continue on a separate sheet /expand box if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate the oral examination

Please tick as appropriate

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

In order to provide further explanation, where necessary, on the matters we consider render the draft Plan unsound and to answer questions from the Inspector in order to provide any clarification as necessary.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

9. Signature:

[Redacted Signature]

Date:

21/09/16

3. Balfour Beatty - Nathaniel Lichfield & Partners

Data Protection

Your personal contact details will not be released to any third parties and will only be used for the purposes of the Fylde Local Plan. Please note that your name, comments, and your town/city will be made publicly available. In order to comply with data protection legislation, address details and email addresses will not be released.

If you want this information in large print, audio, Braille or another language please call 01253 658658

3. Balfour Beatty - Nathaniel Lichfield & Partners

Mr M Evans
Planning Policy
Fylde Borough Council
Town Hall
Lytham St Anne's
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0161 837 6130
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Date 24 March 2016
Our ref 40991/02/JW/AGr/11008542v2

Dear Mark

Blackpool Airport Corridor Enterprise Zone and the emerging Fylde Local Plan

I refer to our recent meeting concerning the above matter.

At the meeting we discussed Balfour Beatty's objectives for Blackpool Airport and the alignment of those objectives with the emerging Local Plan and the Enterprise Zone [EZ] status now afforded to landholdings of the airport as part of the wider Airport Corridor EZ area.

We also discussed the progress the Council is making towards a Publication version of the Local Plan and you explained that a Responses Report, including a set of proposed changes to the emerging plan was now available. We have now been able to review those proposed changes, including those to polices relating to Blackpool Airport and the introduction of a new policy relating to the Blackpool Airport EZ. We consider it important that we raise a number of issues with the emerging Local Plan and how, as currently drafted, it fails to align with the objectives of Balfour Beatty and the Enterprise Zone status.

In setting out our concerns, it is helpful to first summarise the Enterprise Zone status and the Business Case on which it was awarded.

Blackpool Airport Corridor Enterprise Zone

The Full Business Case for the Blackpool Airport Corridor Enterprise Zone was submitted to Government [DCLG] in January 2015 having been prepared on behalf of the Lancashire Enterprise Partnership, Blackpool Council, Fylde Council, Lancashire County Council and the Blackpool, Fylde and Wyre Economic Development Company [EDC]. Balfour Beatty has been working closely with the LEP, as well as the local and county councils to identify the interventions necessary to ensure the long term sustainable operation of Blackpool Airport and how the EZ status can assist in facilitating those interventions.



The EZ area extends across five development zones and the Business Case explains how it offers the potential for:

- 1 the development of c.175,000sqm of new and refurbished commercial and industrial floorspace;
- 2 the opportunity for nearly 140 new businesses to locate into the EZ area by 2030, leading to the creation of potentially more than 3,000 (gross) new jobs by 2030;
- 3 private sector investment of c.£300million; and,
- 4 significant net additional business rates income for reinvestment in the site.

The Business Case summarises the position of Blackpool Airport as context to the EZ's opportunities and objectives. Prior to its temporary closure in October 2014, Blackpool Airport had seen a steady decline in passenger numbers, as it faced increased competition from larger regional airports resulting in the airport being run with unsustainable operational losses year on year and with little immediate prospect of increasing passenger flights or securing investment necessary to renew essential infrastructure.

The cessation of large scale passenger air services has presented the opportunity to plan for restructuring the airport's operations, in conjunction with realising the EZ's identified opportunities for the wider area. Such restructuring is central to the aim of securing the long-term viability of the airport and to retain the main runway, which is critical if it is to return to serving broader markets in the future.

Whilst much of the airport's land is within the Green Belt, permitted development rights would enable the relocation of operational and aviation-related buildings and facilities, including a new terminal building, closer to the runway. Such relocation of buildings and facilities from the Squires Gate frontage will release a substantial area of land (c.20ha) and the redevelopment of this land for non-operational uses presents an opportunity to generate capital to fund the development of modern, fit-for-purpose and efficient operational buildings and facilities closer to the runway.

The plan attached shows the five Zones (A-E) within the EZ area. The Business Case document explains that, in respect of Zone A, the objective is to remove the majority of aviation functions and create an opportunity for office development, varied workshop space and some retail space. The re-sited aviation functions (including service buildings, hangars, a helicopter operational base and apron and taxiways) would be provided in Zone B. Zones C and D are identified for the development of manufacturing, workshop and office facilities, including office space and laboratories. Zone E is to be retained as green space.

The economic benefits that will be created from delivering development in the EZ area has been estimated based on the delivery of over 176,000sqm of commercial floorspace and 120,000sqm of yard space to be occupied by logistics operations associated with the energy sector. The business case breaks this floorspace down and identifies that the largest component of the built space (44% / 77,076sqm) would be providing accommodation for manufacturing businesses, warehousing would account for around 16% / 28,223sqm, offices / laboratories around 14% / 24,426sqm, workshops around 8% / 13,450sqm and retailing around 7% / 12,500sqm. The remainder would broadly comprise aviation-related uses.

Applying employment densities to these floorspace estimates, the Business Case highlights the potential for such a development quantum and mix in the EZ to deliver between 1,885 and 2,092



net additional jobs by 2025 and 2030. An important component in the successful delivery of the EZ outputs is the award of Enhanced Capital Allowances [ECA] and an ECA designated zone has been identified as Zone D, where new manufacturing, logistics, offices, laboratories and other businesses are to be concentrated.

Work is soon to be commissioned by Lancashire County Council and the Fylde and Blackpool Borough Councils to produce a land use masterplan for the Airport Corridor EZ, with Balfour Beatty's involvement.

Local Plan Policy Approach

Fylde Local Plan (2005)

The current local policy framework for the airport provided by the Fylde Local Plan recognises the importance of the airport as a regional facility and expresses support for its ongoing operation and viability, whilst restricting airport-related development to land outwith the Green Belt (Policy TR14). Specific policy support is also afforded to the development of airport and associated ancillary leisure uses on land fronting Squires Gate (Policy TREC 19).

The adopted Local Plan, however, was prepared when passenger numbers at the Airport were forecast to reach some 4 million passengers per annum in the period to 2030 and these passenger numbers were reflected in the airport's 2006 Master Plan. As summarised above, clearly much has changed in respect of the airport's operations, viability and space requirements since that time. The planning policy in the extant Local Plan is therefore outdated.

Emerging Fylde Local Plan

The future planning policy for Blackpool Airport is set out in the emerging Local Plan primarily within Policies T2, EC1 and SL2 and the reasoned justification that accompanies these policies. In the changes now proposed (and set out in the report to the 9th March Committee) a new policy has been drafted to specifically guide development in the EZ area.

Policy EC4 states:

"a) The Blackpool Airport Enterprise Zone

The boundary of the Enterprise Zone is identified on the Policies Map. The designation of the Blackpool Airport Enterprise Zone will help create more businesses, jobs, and attract international investment, with positive benefits across the wider economic area. Fylde Council supports the sustainable development of Blackpool Airport, including working to explore the potential to develop commercial aeronautical activity. The Enterprise Zone will help improve the local economy and also increase the contribution to national growth.

b) Enabling Development

Alternative uses, such as retail, employment and leisure may be appropriate where it can be demonstrated that they are essential to help the delivery of aviation uses on the site. The scale of any alternative enabling development will be limited to that which is clearly demonstrated to be necessary to fund essential infrastructure and which will not prejudice the maintenance of the primary aviation function of the site. Any proposed main town centre uses must satisfy the sequential and impact tests set out in the National Planning Policy Framework and the relevant policies in this Local Plan.



c) *Local Development Order*

The Council supports the delivery of the Blackpool Airport Enterprise Zone and will produce a Local Development Order to aid the delivery process. A Masterplan will also be produced and be adopted, which will form a key part of the overall delivery of the Enterprise Zone, together with an agreed programme of implementation in accordance with the Masterplan. The key purpose of the Masterplan will be to establish the development and design framework for the site and ensure it is in accordance with the relevant parameters within the Local Development Order."

The proposed reasoned justification to Policy EC4 states:

"Blackpool Airport was proposed as an Enterprise Zone in March 2015 and following the submission of a business case it was designated in April 2016. The Enterprise Zone fronts Squires Gate Lane and currently comprises a mix of airport hangars, long stay surface car parking and sports pitches.

Development of an Enterprise Zone at Blackpool Airport has the potential to provide opportunities for retail, employment and leisure uses at the airport and would also provide jobs close to where people live.

Blackpool Airport is previously developed land, which is within walking distance of Squires Gate Railway Station and there is good access by bus into Blackpool and Lytham and St Annes. New or improved signalised junction and public transport facilities, including associated highway infrastructure such as cycling and pedestrian facilities, will be required if the site is to meet its full potential. In terms of cycling, Lancashire County Council seeks a cycle path on Squires Gate Lane, along with toucan crossings."

Policy T2 states:

"The open lands of the airport, which will be identified on the Policies Map will be safeguarded from non-airport related development and the continuing operation and viability of the airport as a sub-regional facility will be supported.

Further development required in relation to the operation of Blackpool Airport including Centrica's heliport, or development of ancillary leisure uses, will be located in the areas outside the Green Belt, which will be identified on the Policies Map, unless there are overriding operational requirements that constitute very special circumstances and which justify development in the Green Belt.

The Council will support improvements to surface access (public transport) to Blackpool Airport from surrounding areas and other transport nodes.

Blackpool Airport, including Centrica's heliport will be consulted on all developments within the Airport Safeguarding Zone which will be shown on the Policies Map."

Policy SL2 identifies 5.0ha of land at Blackpool Airport¹ as a strategic site which is to be supported for employment use development over the plan period and is one of a number of sites which together form the Fylde-Blackpool Periphery Strategic Location for Development. The policy (as proposed to be amended) explains that masterplans and design codes for each site within the Strategic Location are to be prepared so as to make provision for a range of land uses to include homes, employment and commercial uses, as well as Green Infrastructure network and community facilities. However, Policy EC1 identifies 56ha of land to be developed throughout the plan period for predominantly B Class business / industrial uses, stating that site ES5 at Blackpool Airport is to

¹ Site ref. ES5: an area of land at the eastern-most part of the airport fronting Squires Gate



be retained for B1, B2 and B8 uses with development proposals for alternative uses in the locations being resisted. From reading the recent Responses Report, there are no changes proposed to be made to this policy. However, it does not accord with the objectives of Policy EC4.

Issues Arising

The Responses Report explains that Lancashire County Council has commented that the Blackpool Airport Corridor Enterprise Zone needs to be referenced and considered throughout the Local Plan, as appropriate, including a new policy for the site and the implications for infrastructure requirements. Balfour Beatty agrees with this comment.

Whilst the Responses Report sets out a new draft policy for the Enterprise Zone [Policy EC4], Balfour Beatty has serious concerns that the introduction of this policy alone (together with the limited changes summarised above to other policies) does not align with Blackpool Airport's objectives. However, crucially it does not provide a sound and supportive policy framework for realising the economic potential of the Enterprise Zone as set out in the Business Case and summarised above.

In addition, the other relevant policies do not provide a sound framework for the future delivery of the EZ or enhancements to the airport, notably:

- 1 Policy T2 does not recognise, and plan positively for, the intended relocation of the operational buildings and facilities closer to the runway within the Green Belt (much of which could be achieved using Permitted Development Rights afforded to airports).
- 2 Policies SL2 and EC1 do not recognise the approach adopted in the EZ Business Case to free up land for non-aviation related uses, including some retail space, on the Squires Gate frontage in the area that is subject to the proposed restriction to B Class uses in Policy EC1 (Site ES5).

The Local Plan policies as drafted (including the recently proposed changes and introduction of draft Policy EC4) would significantly undermine the consolidation of the airport onto land closer to the main runway, assisting in the safeguarding of its long term operation, and thereby undermining the delivery of the EZ masterplan.

Amendments Sought

In order to ensure alignment between the Local Plan, the EZ objectives and its masterplan, and Balfour Beatty's objectives for the long-term operation of the airport, we request the following changes (shown underlined and strikethrough) to the emerging Local Plan policies and reasoned justification.

Policy EC4 should be amended as follows:

- a) *The Blackpool Airport Enterprise Zone*

The boundary of the Enterprise Zone is identified on the Policies Map. The designation of the Blackpool Airport Enterprise Zone will help create more businesses, jobs, and attract international investment, with positive benefits across the wider economic area. Fylde Council supports the sustainable development of Blackpool Airport, including working to explore the potential to develop commercial aeronautical activity and to relocate operational buildings and facilities closer to the main runway. The Enterprise Zone will help improve the local economy and also increase the contribution to national



growth.

b) *Enabling Assessing Development*

Fylde Council, working with Blackpool Council, Lancashire County Council and stakeholders including key landowners is to produce a land use masterplan for the Enterprise Zone area. The masterplan will determine the appropriate mix, quantum and location of development in the area, reflecting the delivery objectives of the Enterprise Zone and that of maintaining a viable long-term operation of Blackpool Airport. A range of uses including business, industrial, education, retail and aviation-related facilities, have been identified as outputs in the Enterprise Zone area. Aviation-related uses will be supported where they will contribute towards the long-term operation of the Airport. Non-employment uses, Alternative uses, such as retail, employment and leisure will may be appropriate where it can be demonstrated that they conform with the masterplan for the Enterprise Zone and where it can be demonstrated that a) there are no sequentially preferable locations within or on the edge of designated centres that are available and suitable to accommodate them and b) there would be no significant adverse impacts on investment and the vitality and viability of designated centres, as well as satisfying are essential to help the delivery of aviation uses on the site. The scale of any alternative enabling development will be limited to that which is clearly demonstrated to be necessary to fund essential infrastructure and which will not prejudice the maintenance of the primary aviation function of the site. Any proposed main town centre uses must satisfy the sequential and impact tests set out in the National Planning Policy Framework and the relevant policies in this Local Plan.

c) *Local Development Order*

The Council supports the delivery of the Blackpool Airport Enterprise Zone and will produce a Local Development Order to aid the delivery process. A Masterplan will also be produced and be adopted, which will form a key part of the overall delivery of the Enterprise Zone, together with an agreed programme of implementation in accordance with the Masterplan. The key purpose of the Masterplan will be to establish the development and design framework for the site and ensure it is in accordance with the relevant parameters within the Local Development Order.

Policy T2 should be amended as follows:

The land designated as Green Belt within open lands of the airport, which will be identified on the Policies Map will be safeguarded from non-airport related development and the continuing operation and viability of the airport as a sub-regional facility will be supported.

Further development required in relation to the operation of Blackpool Airport including Centrica's heliport, or development of ancillary leisure uses, will be located in accordance with the masterplan prepared to guide development that delivers the objectives of the Blackpool Airport Corridor Enterprise Zone. the areas outside the Green Belt, which will be identified on the Policies Map, unless there are overriding operational requirements that constitute very special circumstances and which justify development in the Green Belt.

The Council will support improvements to surface access (public transport) to Blackpool Airport from surrounding areas and other transport nodes.

Blackpool Airport, including Centrica's heliport will be consulted on all developments within the Airport Safeguarding Zone which will be shown on the Policies Map.



We request that the reasoned justification to Policy T2 be amended as follows:

§12.39 *“...The majority of the residual airport land is designated as Green Belt and this will be safeguarded from non-aviation related uses. However, there is sufficient land within the airport complex outside the Green Belt to facilitate further airport operational development.”*

§12.41 *“...Sufficient land within the Airport complex has been omitted from the Green Belt to facilitate further airport operational development.”*

Policy SL2 reasoned justification explains that masterplans are to be prepared for the strategic locations and to make provision for a range of land uses to include homes, employment and commercial uses. In order to remove any ambiguity, therefore, the heading of the third column in the schedule should be amended from “*Employment over Plan Period*” to “*Site Area*”.

The reference to “5.0ha” in respect of site ES5 (Blackpool Airport, Squires Gate Lane, Blackpool Airport Corridor) should be amended to “20.0ha” to be consistent with the Zone A identified in the EZ Business Case document, which identifies the area as providing for a mix of office, workspace and retail uses, and the preparation of the EZ masterplan for the area.

Policy EC1 (Site ES5) should be amended to allocate the whole of the EZ Zone A area for development. The reference to “5.0” in the second column should be amended to “20.0ha” and the following should be added “(to be delivered for a mix of uses to be determined through a masterplan for the Enterprise Zone).”

It is then necessary to amend the Site Allocations – Blackpool Periphery (map 2 of 2) so as to remove the identification of the identified 5.0ha area of land as the “Employment Location” and to identify the wider 20ha site with the legend amended to read “*Employment Allocation: 20ha mixed use site*”.

We trust that the changes sought to the emerging Local Plan, as set out above, will be given full consideration and incorporated into the Publication Draft of the Local Plan. In view of the fact that Policy EC4 is a new policy being added into the Local Plan at this stage, we may wish to make further comments on this policy and its implications and relationship to other policies in the Local Plan. In this regard, we wish to work positively with you ahead of the finalisation of the Publication draft Local Plan to ensure that it is aligned with the Airport Corridor Enterprise Zone and the masterplan being prepared for it.

Yours sincerely

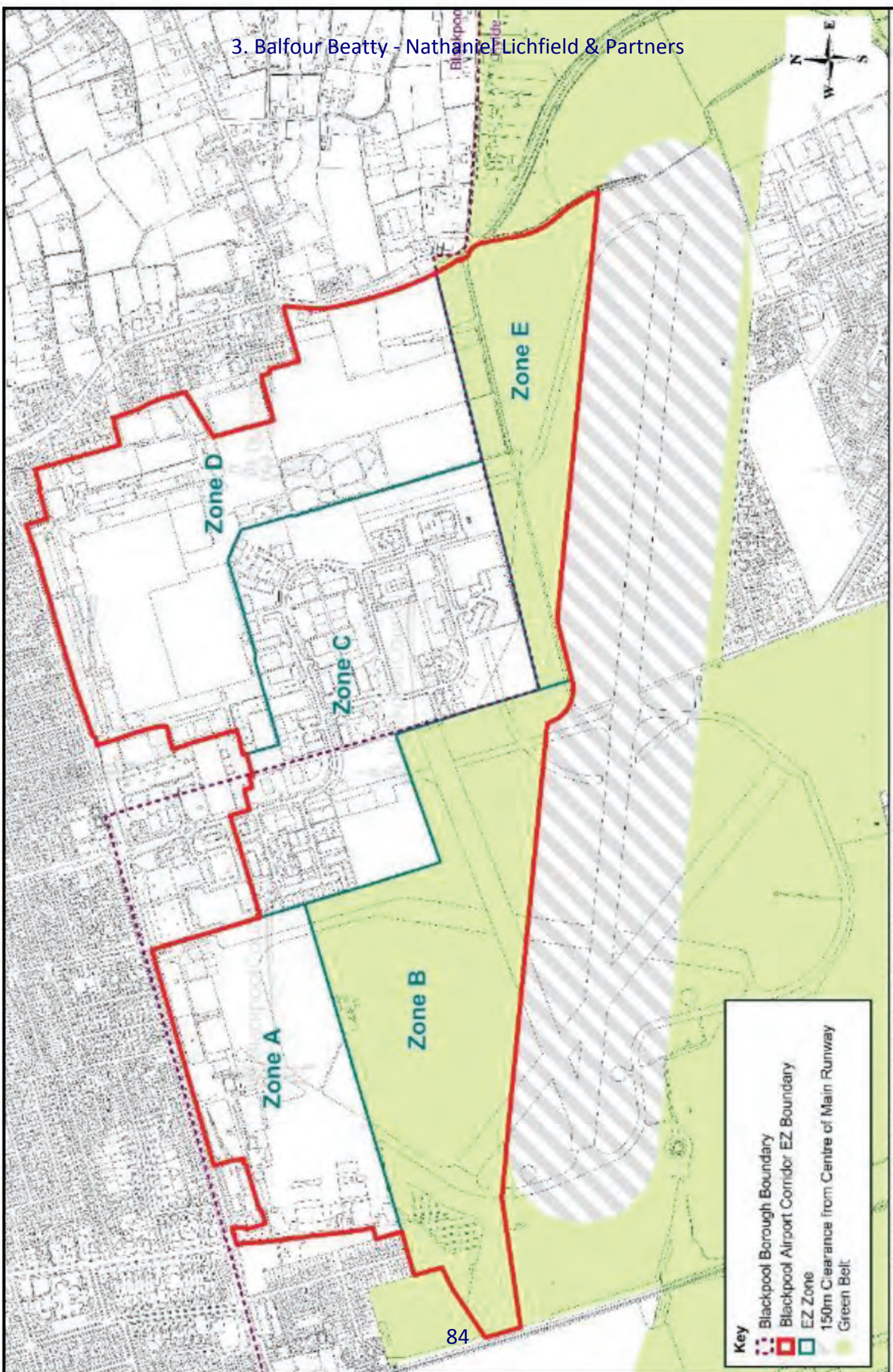


Michael Watts
Senior Director

Copy

B Taylor

Balfour Beatty



3. Balfour Beatty - Nathaniel Lichfield & Partners



Publication Version Local Plan Representation Form

Ref:
Date Received:
Date acknowledged:
(For official use only)

Name of the Local Plan to which this representation relates:

Publication Version Fylde Local Plan to 2032

Please return to Fylde Borough Council by **5pm on Thursday 22 September 2016**

This form has two parts:

Part A – Personal Details

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal
Details*

2. Agent's Details (if applicable)

**If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.*

Title	Mr	Mr
First Name	Bryan	Anthony
Last Name	Taylor	Greally
Job Title (Where Relevant)		Planning Director
Organisation (where relevant)	Balfour Beatty (owners of Blackpool Airport)	Nathaniel Lichfield & Partners
Address Line 1		Generator Studios
Line 2		Trafalgar Street
Line 3		Newcastle upon Tyne
Line 4		
Post Code		NE1 2LA
Telephone Number		0191 2615685
Email Address (where relevant)		agreally@nlppanning.com

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph	<input type="text"/>	Policy	EC1	Policies Map	Site ES5
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4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(3) Complies with the Duty to cooperate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Our previous representations to the Council were submitted following a meeting between Balfour Beatty, NLP and Officers of Fylde Council in March 2016 when the Council indicated that the concerns would be considered prior to making any amendments to the draft Plan. The second set of representations followed subsequent discussions with Mike Eastham (Planning Policy) in late June, after the publication of amendments to a draft Publication version of the Plan where reported to the Council's Development Management Committee on 15 June 2016. Again these comments were submitted at the request of the Council, but unfortunately they have not been addressed in the Publication Version of the Fylde Local Plan.

Our two previous responses were therefore submitted as part of the continuous dialogue that Government encourages for the preparation of Local Plans. As a consequence, we would have expected the comments to be given due consideration in the finalisation of a Publication version of the Local Plan. The Publication draft of a Local Plan should be a version that the Council considers should be adopted without further modification. Instead, the Council responded in July 2016 to explain that our submissions would be treated as a response to the Publication version and we were invited to resubmit our comments at this consultation stage. We are concerned, however, that our previous comments raise significant and substantial matters affecting a number of policies in the publication draft of the Plan, which would constitute main modifications and could render the Plan unsound if not properly dealt with.

We have been liaising with the Blackpool, Fylde and Wyre Economic Development Company [BFWEDC] who are leading on the preparation of the Blackpool Airport Corridor Enterprise Zone masterplan. The BFWEDC shares a number of our concerns and, in turn, we understand that Blackpool Council and Lancashire County Council also share those concerns in respect of the (lack of) alignment between the publication draft Local Plan and the objectives of the Enterprise

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Zone. Whilst the Council has produced a Consultations Response document, it only comments on representations submitted up to and including the Revised Preferred Option stage and, therefore, no formal response has been issued by the Council to the issues raised in our submissions of March and June 2016.

In summary, we consider that the issues raised in our previous submissions (and set out again below) render the draft Local Plan unsound for a range of reasons including:

It is not positively prepared as it seeks to limit land (14.5ha) fronting Squires Gate for development of solely B Class uses (Policy EC1, site ref. ES5), running counter to the objectives of the Enterprise Zone to facilitate mixed-use development there.

We note the 'site area' of the Blackpool Airport EZ site 'Zone A' has been increased from 5.0 ha to 14.5 ha within the Publication Version of the Local Plan. However, the acceptable uses for the site are identified as being restricted solely to those within the B Class uses. Moreover, Policy EC1 goes on to state that '*Development proposals for alternative uses in these locations will be resisted...*' This statement contradicts both the intentions of Policy EC4 within the Publication Draft, and also the Enterprise Zone objectives of facilitating mixed-use development on the land fronting Squires Gate (Site ES5).

The wording now introduced into Policy EC1 does state that uses are "*to be determined through a masterplan for the Enterprise Zone*" though the fact that the area of Site ES5 has been increased from 5.0ha to 14.5ha together with the wording beneath the schedule of sites which reads "*development proposals for alternative uses in these locations will be resisted...*" does undermine the EZ masterplanning process and does not reflect the reality on the ground, namely that the site contains non-B Class uses including the Energy College under construction.

(Continue on a separate sheet /expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any noncompliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy EC1 (Site ES5) should be amended to allocate the whole of the EZ Zone A area for development. The reference to "14.5" in the third column should be amended to "20.0ha" and the following should be added "*(to be delivered for a mix of uses to be determined through a masterplan for the Enterprise Zone).*"

It is then necessary to amend the Site Allocations – Blackpool Periphery (map 2 of 2) so as to remove the identification of the identified 5.0ha area of land as the "Employment Location" and to identify the wider 20ha site with the legend amended to read "*Employment Allocation: 20ha mixed use site*".

(Continue on a separate sheet /expand box if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

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7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate the oral examination

Please tick as appropriate

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

In order to provide further explanation, where necessary, on the matters we consider render the draft Plan unsound and to answer questions from the Inspector in order to provide any clarification as necessary.

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.*

9. Signature:



Date:

21/09/16

Data Protection

Your personal contact details will not be released to any third parties and will only be used for the purposes of the Fylde Local Plan. Please note that your name, comments, and your town/city will be made publicly available. In order to comply with data protection legislation, address details and email addresses will not be released.

If you want this information in large print, audio, Braille or another language please call 01253 658658

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2. Agent's Details (if applicable)

**If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.*

Title	Mr	Mr
First Name	Bryan	Anthony
Last Name	Taylor	Greally
Job Title (Where Relevant)		Planning Director
Organisation (where relevant)	Balfour Beatty (owners of Blackpool Airport)	Nathaniel Lichfield & Partners
Address Line 1		Generator Studios
Line 2		Trafalgar Street
Line 3		Newcastle upon Tyne
Line 4		
Post Code		NE1 2LA
Telephone Number		0191 2615685
Email Address (where relevant)		agreally@nlppanning.com

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph

Policy

SL2

Policies Map

Site ES5

4. Do you consider the Local Plan is:

4.(1) Legally compliant

Yes

No

4.(2) Sound

Yes

No

4.(3) Complies with the Duty to cooperate

Yes

No

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Our previous representations to the Council were submitted following a meeting between Balfour Beatty, NLP and Officers of Fylde Council in March 2016 when the Council indicated that the concerns would be considered prior to making any amendments to the draft Plan. The second set of representations followed subsequent discussions with Mike Eastham (Planning Policy) in late June, after the publication of amendments to a draft Publication version of the Plan where reported to the Council's Development Management Committee on 15 June 2016. Again these comments were submitted at the request of the Council, but unfortunately they have not been addressed in the Publication Version of the Fylde Local Plan.

Our two previous responses were therefore submitted as part of the continuous dialogue that Government encourages for the preparation of Local Plans. As a consequence, we would have expected the comments to be given due consideration in the finalisation of a Publication version of the Local Plan. The Publication draft of a Local Plan should be a version that the Council considers should be adopted without further modification. Instead, the Council responded in July 2016 to explain that our submissions would be treated as a response to the Publication version and we were invited to resubmit our comments at this consultation stage. We are concerned, however, that our previous comments raise significant and substantial matters affecting a number of policies in the publication draft of the Plan, which would constitute main modifications and could render the Plan unsound if not properly dealt with.

We have been liaising with the Blackpool, Fylde and Wyre Economic Development Company [BFWEDC] who are leading on the preparation of the Blackpool Airport Corridor Enterprise Zone masterplan. The BFWEDC shares a number of our concerns and, in turn, we understand that Blackpool Council and Lancashire County Council also share those concerns in respect of the (lack of) alignment between the publication draft Local Plan and the objectives of the Enterprise Zone. Whilst the Council has produced a Consultations Response document, it only comments on representations submitted up to and including the Revised Preferred Option stage and,

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therefore, no formal response has been issued by the Council to the issues raised in our submissions of March and June 2016.

In summary, we consider that the issues raised in our previous submissions (and set out again below) render the draft Local Plan unsound for a range of reasons including:

It is not justified in its approach taken to the development of land at Blackpool Airport, within the Enterprise Zone area, as it is not the most appropriate strategy for fulfilling the objectives of the Enterprise Zone, as set down in the Full Business Case for the Enterprise Zone and being brought forward through the preparation of the EZ masterplan;

It is not positively prepared as it seeks to limit land (14.5ha) fronting Squires Gate for development of solely B Class uses (Policy EC1, site ref. ES5), running counter to the objectives of the Enterprise Zone to facilitate mixed-use development there.

We note the 'site area for non-residential development' of the Blackpool Airport EZ site has been increased from 5.0 ha to 14.5 ha within Policy SL2 of the Publication Version of the Local Plan. However, the acceptable uses for the site are identified (in Policy EC1) as being restricted solely to those within the B Class uses. Moreover, Policy EC1 goes on to state that '*Development proposals for alternative uses in these locations will be resisted...*' This statement contradicts both the intentions of Policy EC4 within the Publication Draft, and also the Enterprise Zone objectives of facilitating mixed-use development on the land fronting Squires Gate (Site ES5).

The wording now introduced into Policy EC1 does state that uses are "*to be determined through a masterplan for the Enterprise Zone*" though the fact that the area of Site ES5 has been increased from 5.0ha to 14.5ha together with the wording beneath the schedule of sites which reads "*development proposals for alternative uses in these locations will be resisted...*" does undermine the EZ masterplanning process and does not reflect the reality on the ground, namely that the site contains non-B Class uses including the Energy College under construction.

(Continue on a separate sheet /expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any noncompliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy SL2 reasoned justification explains that masterplans are to be prepared for the strategic locations and to make provision for a range of land uses to include homes, employment and commercial uses.

The reference to "14.5ha" in respect of site ES5 (Blackpool Airport, Squires Gate Lane, Blackpool Airport Corridor) should be amended to "20.0ha" to be consistent with the Zone A identified in the EZ Business Case document, which identifies the area as providing for a mix of office, workspace and retail uses, and the preparation of the EZ masterplan for the area.

(Continue on a separate sheet /expand box if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested

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modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate the oral examination

Please tick as appropriate

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

In order to provide further explanation, where necessary, on the matters we consider render the draft Plan unsound and to answer questions from the Inspector in order to provide any clarification as necessary.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

9. Signature:

[Redacted Signature]

Date:

21/09/16

Data Protection

Your personal contact details will not be released to any third parties and will only be used for the purposes of the Fylde Local Plan. Please note that your name, comments, and your town/city will be made publicly available. In order to comply with data protection legislation, address details and email addresses will not be released.

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3. Balfour Beatty - Nathaniel Lichfield & Partners

Eddie Graves

From: Anthony Greally <Agreally@nlppanning.com>
Sent: 28 June 2016 16:29
To: Sara Jones
Cc: [REDACTED]
Subject: Emerging Local Plan: response on behalf of Balfour Beatty [NLP-DMS.FID182701]
Attachments: 40991_02 Response to LP Pre-Publication 28-06-16.PDF; 40991-02 Representations to Fylde Local Plan 24-03-2016.pdf

Sara

Please find attached a letter on behalf of Balfour Beatty to the draft Publication version of the Local Plan recently presented to the Development Management Committee. I also attach a copy of our previous representations for ease of reference.

I spoke with Mike Eastham when the draft version became available and expressed significant concerns with the revised wording. Mike asked that we write in to explain our concerns, which are set out in the letter.

I will be in touch to discuss.

Regards

Anthony Greally
Planning Director

Nathaniel Lichfield & Partners, Generator Studios, Trafalgar Street, Newcastle Upon Tyne NE1 2LA
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Nathaniel Lichfield & Partners Limited is registered in England, no. 2778116. Our registered office is at 14 Regent's Wharf, All Saints Street, London N1 9RL.

 **Think of the environment. Please avoid printing this email unnecessarily.**

4. Blackpool Council

Eddie Graves

From: Stephen Lamb <Stephen.Lamb@blackpool.gov.uk>
Sent: 22 September 2016 16:54
To: PlanningPolicy
Cc: Jane Saleh
Subject: Blackpool Representations to the Publication Version of the Fylde Local Plan
Attachments: Fylde Publication Local Plan Representation Form Policy H4.pdf; Fylde Publication Local Plan Representation Form Policy EC4.pdf; Fylde Publication Local Plan Blackpool Letter September 2016.pdf

Dear Sir/Madam,

Please find attached two completed representation forms and an accompanying letter from Blackpool Council in relation to the consultation on the Publication Version of the Fylde Local Plan. Can you please acknowledge receipt of these representations.

Yours faithfully,

Stephen Lamb

Stephen Lamb

Senior Planner

Development Plan Unit

Planning Department | Places Directorate | Blackpool Council | PO Box 17 | Corporation Street | Blackpool | FY1 1LZ
T: 01253 476267

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Date: 22nd September 2016

Ms J Glaister,
Planning Policy Manager,
Planning Policy Team,
Fylde Council,
Town Hall,
St. Annes,
FY8 1LW.

Our Ref: FPLP

Direct Line: 01253 476237
Email: jane.saleh@blackpool.gov.uk

Dear Ms Glaister,

FYLDE LOCAL PLAN PUBLICATION VERSION: PUBLIC CONSULTATION TOWN AND COUNTRY PLANNING (LOCAL PLANNING) (ENGLAND) REGULATIONS 2012 REGULATION 19

Thank you for consulting Blackpool Council on the Publication Version of the Fylde Local Plan. The opportunity to comment upon the Local Plan is welcomed.

The following representations are made regarding the Publication Version of the Fylde Local Plan.

Duty to Cooperate

Fylde Council has engaged with Blackpool Council on an ongoing basis during the preparation of the Local Plan, as part of the Duty to Cooperate process. Blackpool Council has also made representations at all of the formal Fylde Local Plan consultation stages.

The Fylde Coast Authorities (Blackpool, Fylde and Wyre) and Lancashire County Council hold regular Duty to Cooperate meetings to discuss strategic issues and a formal Memorandum of Understanding between the authorities has been agreed. The Fylde Coast Authorities have worked together on a number of evidence base documents to support the Local Plan process in each of the districts. In addition Blackpool and Fylde Councils have cooperated on strategic employment matters and the accommodation of unmet Blackpool employment need.

Blackpool raise no objection to the level of cooperation undertaken by Fylde Council, which is set out in the Statement of Compliance with the Duty to Cooperate.

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Policy EC1 Overall Provision of Employment Land and Existing Employment Sites

The adopted Blackpool Core Strategy highlights that Blackpool is intensely developed and has a tightly constrained boundary, which means that there is a demonstrable lack of future development land for employment purposes. Policy EC1 of the Publication Version of the Fylde Local Plan and its supporting text confirm that 14 hectares of employment land will be provided in Fylde to help meet Blackpool's employment land requirement. This requirement has been added to the Fylde employment land requirement figure. This provision is very welcome and strongly supported.

Affordable Housing Contributions: Policy H4 Affordable Housing

At the Revised Preferred Option stage Blackpool Council submitted a representation suggesting the inclusion of a policy in the Fylde Local Plan to enable off-site payments for affordable housing for expenditure in Blackpool. This request has been noted in the Fylde Local Plan Revised Preferred Option Consultation Report (Appendix 8 in the Statement of Consultation that accompanied the Publication Version of the Plan) under Policy SL2 and reference is made to the Housing Chapter, but no policy wording has been included by Fylde in the Publication Version of the Plan.

The context for Blackpool's initial request relates to Blackpool Council's representations to Fylde Council as part of the planning application process for the Whyndyke Farm development site on the Fylde-Blackpool periphery. Outline permission was sought for a major mixed use development including 1,310 homes in Fylde and 90 homes in Blackpool. Blackpool Council's representations to the application suggested that, rather than providing affordable housing on site, contributions could be made to enable the delivery of high quality affordable housing off-site within inner Blackpool, to assist sustainable housing regeneration in these areas.

The representations were considered as part of the planning application process, but the Fylde planning application committee report concluded that the proposal was not appropriate for that part of the development that is located in Fylde. One of the key concerns set out in legal advice in the committee report was that there was a lack of policy support within the Fylde planning framework to support Blackpool's proposal.

In light of Fylde Council's response to our Local Plan representation, Blackpool Council requests that further consideration is given to this matter. Justification for our request is set out below.

Blackpool has a unique and extreme set of housing challenges rooted in the town's changing fortunes as the UK's largest seaside holiday resort. The decline in overnight visitors to the resort has resulted in a significant number of guest houses seeking alternative income through converting and sub-dividing their properties to permanent residential use.

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Whilst new dwellings resulting from conversion and subdivision are an important source of additional housing, in the inner areas of Blackpool the result of this is an extremely dysfunctional and unbalanced housing supply. There is a significant oversupply of small, poor quality bedsits and flats or houses in multiple occupation and the building stock is poor quality and in need of investment and renewal.

Therefore, the adopted Blackpool Core Strategy pursues a dual strategy focus of regeneration and supporting growth. It is important that planning policies relating to development in Blackpool and adjoining areas support both of these aims and contribute towards achieving the Core Strategy goals.

Goal 3 of the Blackpool Core Strategy aims to regenerate the town centre, resort core and inner areas to address economic, social and physical decline. One of the key objectives is to establish balanced and stable communities in the inner areas with sustainable housing regeneration and new landmark residential development which improves housing quality and choice.

Goal 4 of the Blackpool Core Strategy seeks to support growth and enhancement in South Blackpool to meet future housing and employment needs for Blackpool and the Fylde Coast. Key objectives of particular relevance include:

- Linking the delivery of new housing development in South Blackpool with resort regeneration, for example through New Homes Bonus and commuted sum payments, to create more sustainable housing markets
- Providing a complementary housing offer between new homes in South Blackpool and those delivered through regeneration in the inner areas to avoid competition within Blackpool's housing market.

Therefore, the approach taken to new housing development within South Blackpool is to seek to ensure that it does not compete with inner area regeneration schemes, but provides a complementary offer that helps to aid resort regeneration through New Homes Bonus and the collection of commuted sums for the provision of high quality affordable housing in the inner areas. This approach was found sound by the Blackpool Core Strategy Planning Inspector.

As acknowledged in the Publication Version of the Fylde Local Plan (and previous iterations) whilst the Fylde-Blackpool Periphery Strategic Location is located in Fylde Borough, it is adjacent to the boundary with Blackpool and has greater connections with Blackpool in terms of character and geographical location, functioning as an extension to the Blackpool built up area and detached from the main settlements in Fylde. It is also acknowledged in the Fylde Plan that it is likely that existing residents and businesses within this area will continue to rely on Blackpool's infrastructure, services and facilities.

It is therefore accepted that any housing on the Fylde-Blackpool Periphery functions as an extension of the Blackpool built up area, regardless of borough boundaries. With this in mind

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Blackpool considers that it is not unreasonable to request that the approach to affordable housing commuted sums in this area could be adopted which reflects Objectives 18 and 19 of the Blackpool Core Strategy.

The principle of using off-site affordable housing commuted sums to deliver affordable housing to support Blackpool's regeneration objectives was first established in the Blackpool Local Plan 2001/2016 (adopted in 2006). This approach was carried forward in Policy CS14 in the Blackpool Core Strategy (adopted January 2016) and was found sound by the Core Strategy Planning Inspector.

The approach is actively used on sites in Blackpool. Recent examples of this policy approach being implemented in Blackpool include for housing applications at Moss House Road (up to 584 dwellings) and at Runnell Farm, Midgeland Road (up to 83 dwellings). Both permissions were subject to legal agreements requiring the payments of sums of money towards affordable housing in the inner area and both sites are on the southern edge of Blackpool and not far from the Fylde-Blackpool Periphery.

In the case of Runnell Farm outline permission was granted at appeal and the Inspector raised no issue about the approach being taken in respect of affordable housing. He stated that all of the S106 contributions, including those for affordable housing, were on the evidence, necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development in the terms of the Framework.

It is important to note that both applications were the subject of appeals and the Inspectors dealing with the appeals raised no issue with the principle of a contribution to off-site provision of affordable housing on either site. These decisions were made post publication of the National Planning Policy Framework (NPPF).

With respect to the NPPF, we consider that the approach that we are proposing for Fylde is supported by paragraph 50, which permits off-site affordable housing provision or a financial contribution of a broadly equivalent value if it can be robustly justified (for example to improve or make use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities.

It is proposed that the commuted sums sought will be used to deliver affordable housing in a variety of ways, including new-build and the refurbishment and redevelopment of existing properties in inner Blackpool. The collection of these sums will enable improvements to be made and better use to be made of existing building stock in Blackpool. One of the key aims of the proposed approach is to help to establish balanced and stable communities in Blackpool.

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In proposing cross-boundary affordable commuted sums this would also include linking the payments to making an appropriate level of affordable housing in Blackpool available to Fylde residents.

It is important to state that the Fylde Coast Strategic Housing Market Assessment indicates that there is very low affordable housing need in the rural south west of Fylde (Wrea Green and Westby), which includes the Fylde-Blackpool Periphery. However, Just under 30% of Fylde's total housing requirement is proposed in this location. This means that potentially affordable housing could be delivered here in significant numbers. However, residents of new affordable properties would have no local connection with the Fylde-Blackpool Periphery; therefore, properties delivered in Blackpool via commuted sums may be equally suitable for their needs.

In addition Blackpool Council is pursuing some innovative approaches to inner area regeneration and has established the Blackpool Housing Company as a vehicle to help tackle the decline in these areas, providing the ability and experience which can be used to bring forward our affordable housing offer in the inner areas. The company aims to create quality rental homes in inner Blackpool to challenge the dominance of existing poor standard small rented flats.

Turning to specific policy in the Publication Version of the Local Plan regarding affordable housing (H4) we suggest the following policy wording (underlined) could be included to accommodate cross-boundary commuted sums.

Policy H4 Affordable Housing

Off-site Provision of Affordable Housing

In circumstances where the Council considers that affordable housing would be most appropriately provided off-site, for instance in relation to applications for residential park homes, the Council will require contributions for off-site provision of affordable housing equivalent in value to the provision of 43% of the number of market homes to be built on site, this being the equivalent of providing 30% affordable housing on-site.

For residential developments at the Fylde-Blackpool Periphery, cross-boundary financial contributions to provide affordable housing provision in Blackpool will be sought where appropriate, to accord with Blackpool's housing strategy and to support inner area regeneration in Blackpool.

We are also suggesting the insertion of an additional paragraph (underlined) to the justification of Policy H4:

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The Fylde-Blackpool Periphery Strategic Location is adjacent to the boundary with Blackpool and has greater connections with Blackpool in terms of character and geographical location. As a result of changes in the demand for holiday accommodation in Blackpool, there is a significant oversupply of small, poor quality bedsits and flats or houses in multiple occupation and the building stock is poor quality and in need of investment and renewal. The Blackpool Core Strategy pursues a dual strategy focus of regeneration and supporting growth. It is important that planning policies relating to development on the Fylde-Blackpool Periphery support this dual focus and contribute towards achieving the Blackpool Core Strategy goals. Therefore, where appropriate, cross-boundary financial contributions to provide affordable housing in Blackpool will be sought.

The presumption in Policy H4 of the Fylde Local Plan is for affordable housing to be provided on site to contribute towards creating a mix of housing, but for off-site contributions to be allowed in some circumstances. We acknowledge that in seeking cross boundary affordable housing commuted sums that a balance needs to be struck with onsite and offsite provision. We are advocating a flexible approach which would be decided on a site-by-site basis.

We note that the majority of housing allocations at the Fylde-Blackpool Periphery already have planning permission (or an application/section 106 agreement is under consideration) so would not be subject to an amended affordable housing policy. However, 442 units do not have planning permission on the Cropper Road West site (HSS5) that could be subject to the amended policy provisions. The NPPF highlights that it is important that flexibility is built into Local Plans to adapt to change. The proposed approach would future proof the Plan and the policy provisions could be used if additional applications came forward at the Fylde-Blackpool Periphery in the future – for example in a situation where a five-year supply could not be demonstrated.

Policy EC4 Blackpool Airport Enterprise Zone

This is a new policy that has been included in the Publication Version of the Fylde Local Plan following the designation of the Blackpool Airport Enterprise Zone in April 2016. Therefore, this is the first opportunity consultees have had to make comments on the policy.

Blackpool is supportive of the Airport Enterprise Zone and the commercial opportunities it will provide for new and existing businesses on the Fylde Coast. The Enterprise Zone will be a vital source of job opportunities for residents in Blackpool, Fylde and further afield. Therefore, the inclusion of a policy setting out the planning framework for this area is supported.

However, we have concerns that the policy, as written, appears unduly restrictive. It does not support the development sectors that are targeted by the Enterprise Zone. The Department for Communities and Local Government website

<http://enterprisezones.communities.gov.uk/enterprise-zone-finder/blackpool-airport-enterprise-zone/> and the Blackpool Airport Enterprise Zone website set out the target business

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sectors for the site. These include the energy industry, advanced manufacturing and engineering, food and drink manufacture and the digital and creative sector, with companies outside of these sectors also welcomed.

Policy EC4 supports the sustainable development of Blackpool Airport, including working to develop the potential of commercial aeronautical activity on the site. Blackpool is supportive of this and would not want development at the Enterprise Zone to compromise the future use of the airport and runway. However, whilst criterion a of the policy identifies the Enterprise Zone and is supportive of the benefits it may provide, it does not provide a sufficiently positive policy framework for development of the Enterprise Zone target sectors, or other sectors that would encourage job creation and industry diversification. The policy should provide support for these sectors and other employment uses, providing that such development does not compromise commercial aeronautical activity at the site.

Criterion b of the policy, where employment uses appear to be linked to delivering aviation uses on site, is too restrictive. This could discourage target sector employment uses from locating on the site. It is suggested that employment uses are not listed as enabling development in the policy.

In addition, we are concerned about the identification of retail and leisure as potential enabling development on the site.

There may be a case for limited retail in the form of bulky goods, or other uses that are less well suited to a town centre location (for example garden centres) but the provision of units for unrestricted retail uses would not be acceptable and this needs to be made explicit in the policy and supporting text.

We also consider it is inappropriate to include leisure uses within the policy, which could negatively impact upon Blackpool's planning policy framework for Blackpool town centre, the resort core and resort regeneration.

Whilst Blackpool at this stage has submitted objections to Policies H4 and EC4, Blackpool will continue to approach Fylde to agree, if possible, appropriate modifications so as to be able to withdraw its objections.

Additional Text/Factual Comments

Blackpool has a few additional comments on the Plan text and these are set out below.

Paragraph 9.7: The Enterprise Zone will continue until 2040, not 2037.

Paragraph 12.35: We are not aware that the North Fylde Connectivity Study has been progressed.

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Paragraph 12.54: The Fylde Coast Highways and Transport Masterplan doesn't actually refer to a North Fylde Line Stations Viability Study.

Fylde Council Infrastructure Delivery Plan (August 2016)

Blackpool also has comments on the accompanying Infrastructure Delivery Plan and these are set out below.

Paragraph 2.4: This suggests that the M55 to Heyhouses Link Road will be funded [solely] through Highways England's Growth and Housing Fund. However, Appendix 2 lists a number of funding sources, which we consider is more realistic.

Paragraph 2.19: This does not reflect the latest position regarding Lancashire County Council's subsidised bus network.

Yours sincerely,

A large black rectangular redaction box covering the signature of Jane Saleh.

Jane Saleh
Head of Development Plans and Projects Team



4. Blackpool Council



Publication Version Local Plan Representation Form

Ref:
Date Received:
Date acknowledged:
(For official use only)

Name of the Local Plan to which this representation relates:

Publication Version Fylde Local Plan to 2032

Please return to Fylde Borough Council by 5pm on Thursday 22 September 2016

This form has two parts:

Part A – Personal Details

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details*	2. Agent's Details (if applicable)
-----------------------------	---

**If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.*

Title	Ms	
First Name	Jane	
Last Name	Saleh	
Job Title (Where Relevant)	Head of Development Plans and Projects	
Organisation (where relevant)	Blackpool Council	
Address Line 1	PO Box 17	
Line 2	Corporation Street	
Line 3	Blackpool	
Line 4		
Post Code	FY1 1LZ	
Telephone Number	01253 476237	
Email Address (where relevant)	jane.saleh@blackpool.gov.uk	

Part B – Please use a separate sheet for each representation

Name or Organisation: Blackpool Council

3. To which part of the Local Plan does this representation relate?

Paragraph	<input type="text"/>	Policy	EC4 Blackpool Airport Enterprise Zone	Policies Map	<input type="text"/>
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4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(3) Complies with the Duty to cooperate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Please see separate representation letter

(Continue on a separate sheet /expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any noncompliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please see separate representation letter

4. Blackpool Council

(Continue on a separate sheet /expand box if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate the oral examination


Please tick as appropriate

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please see separate representation letter

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

9. Signature:



Date:

22.09.2016

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4. Blackpool Council



Publication Version Local Plan Representation Form

Ref:
Date Received:
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(For official use only)

Name of the Local Plan to which this representation relates:

Publication Version Fylde Local Plan to 2032

Please return to Fylde Borough Council by **5pm on Thursday 22 September 2016**

This form has two parts:

Part A – Personal Details

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details*	2. Agent's Details (if applicable)
-----------------------------	---

**If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.*

Title	Ms	
First Name	Jane	
Last Name	Saleh	
Job Title (Where Relevant)	Head of Development Plans and Projects	
Organisation (where relevant)	Blackpool Council	
Address Line 1	PO Box 17	
Line 2	Corporation Street	
Line 3	Blackpool	
Line 4		
Post Code	FY1 1LZ	
Telephone Number	01253 476237	
Email Address (where relevant)	jane.saleh@blackpool.gov.uk	

Part B – Please use a separate sheet for each representation

Name or Organisation: Blackpool Council

3. To which part of the Local Plan does this representation relate?

Paragraph	<input type="text"/>	Policy	H4 Affordable Housing	Policies Map	<input type="text"/>
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4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(3) Complies with the Duty to cooperate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Please see separate representation letter

(Continue on a separate sheet /expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any noncompliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please see separate representation letter

4. Blackpool Council

(Continue on a separate sheet /expand box if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

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No, I do not wish to participate at the oral examination

Yes, I wish to participate the oral examination

Please tick as appropriate

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please see separate representation letter

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

9. Signature:



Date:

22.09.2016

Data Protection

4. Blackpool Council

Your personal contact details will not be released to any third parties and will only be used for the purposes of the Fylde Local Plan. Please note that your name, comments, and your town/city will be made publicly available. In order to comply with data protection legislation, address details and email addresses will not be released.

If you want this information in large print, audio, Braille or another language please call 01253 658658

5. Britmax Developments - Indigo Planning

Eddie Graves

From: Amy James <amy.james@indigoplanning.com>
Sent: 22 September 2016 16:23
To: PlanningPolicy
Subject: Fylde Local Plan Publication Version Representations
Attachments: let.011.AJ.AS Fylde Local Plan Publication Version Representations.pdf; Fylde Publication Version Local Plan Representation Form.pdf; Great Birchwood Site Location Plan.pdf

Dear Sir/Madam

On behalf of Britmax Developments Ltd, please find attached a copy of representations towards the Local Plan Publication Version alongside a completed comments form and site location plan.

Please can you confirm safe receipt.

If you have any queries, please do not hesitate to contact me.

Kind Regards

Amy

Amy James | Senior Planner

T 0161 836 6910
M 07469 156 847
amy.james@indigoplanning.com

RTPI Planning Consultancy of the Year 2015



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Indigo Planning Limited
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T 0161 836 6910 | F 0161 836 6911 | W indigoplanning.com

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Planning Policy
Fylde Borough Council
Town Hall
St Annes
Lancashire
FY8 1LW

By email and post
planningpolicy@fylde.gov.uk
tel.011.AJ.AS.23670002

22 September 2016

Dear Sir/Madam

FYLDE LOCAL PLAN PUBLICATION VERSION CONSULTATION (SEPTEMBER 2016)

We write in relation to the above consultation on behalf of Britmax Developments Ltd with regards to land at Great Birchwood, Warton.

The site is brownfield land that was formally an RAF camp but is currently in use as a leisure facility. It is situated within the open countryside and washed over by green belt, but is in close proximity to the settlements of Warton and Lytham.

We request to be placed on the mailing list to receive updates on the various consultation stages of the Plan.

Enclosed with these representations is a completed comments form.

Chapter 6 - Policy DLF1 Development Locations for Fylde

We object to emerging policy DLF1 which sets the development locations for Fylde on the basis that the Council will need to deliver more than a minimum of 7,768 new homes over the plan period.

The draft housing requirement being promoted by the Council of 7,768 dwellings equates to 370 dwellings per annum. Against this requirement the Council is unable to demonstrate a five year supply of housing. This is evidenced in a number of recent appeal decisions and the Council's Five Year Supply document (base date 31 March 2106) which records a 4.8 year supply of housing.

Whilst a detailed interrogation of the Council's land supply has not been undertaken at this stage, from a review of the Council's reported supply and the persistent under-delivery of housing over the past number of years, we consider the housing land supply position to be lower than the Council's current estimates.

In terms of the proposed locations to accommodate future development, there



should be flexibility for windfall sites to come forward outside of Strategic Locations. The test should be as to whether or not the windfall sites are suitable and sustainable not solely whether they are within Strategic Locations. Imposing a restriction on windfall sites not being able to come forward outside of Strategic Locations is no a justified approach as there will be suitable sites, such as Great Birchwood, which can make a contribution to meeting future development needs.

The final part of the draft policy seeks to ensure that new development would not prevent/undermine the operations of existing land. Clarification is required to make it clear that the purpose of this part of the policy relates to ensuring neighbouring uses are compatible and can co-exist without any detriment to amenity or existing operations/activities.

This policy should not seek to prohibit the redevelopment of sites that are in active use as this would not be a positively prepared or justified approach to the location of future development.

Sites in active use can still be in need of redevelopment whether this is through refurbishment/renovation or total redevelopment which might be linked to the viability of the existing use/operation. The existing use of a site might not always remain as being the most suitable or preferable continued use and future policies on location and distribution of growth need to be sufficiently flexible to reflect this.

Chapter 7 – Policy SL5 Development Sites outside the Strategic Locations for Development

Emerging policy SL5 is unsound as it has not been positively prepared and does not represent a justified strategy for the location of new development.

The list of sites to accommodate development outside of Strategic Locations has overlooked the Great Birchwood site. The site is previously developed land and there is already a number of residential dwellings at the site, which is sustainably located offering easy access to both Warton and Lytham.

The site has the potential to contribute to the future development needs of the Borough and, therefore, should be identified as a development location.

Chapter 8 – Policy GD4 Development in the Countryside

Reference should be made in this policy to allowing the redevelopment of brownfield sites in countryside and green belt locations. As set out in the response to policy GD5 below, these sites can make a contribution to meeting future development needs.

Chapter 8 - Policy GD5 Large Developed Sites in the Countryside

There is support for the identification of large developed sites in the countryside, however, this designation should also be applied to suitable sites within green



belt locations.

The reasoning for identifying these sites is that over the lifetime of the plan the complete or partial redevelopment of these identified sites may provide opportunities for environmental improvements and local employment in rural areas (paragraph 8.14). These opportunities may equally apply to sites in the green belt.

By excluding green belt sites the plan is not positively prepared as it is ignoring sites in accessible locations that have the potential to meet future development needs. Also, to be consistent with national policy, paragraph 89 of the NPPF does allow for the redevelopment of brownfield sites in the green belt, so this should be reflected in policy GD5.

The inclusion of such sites is alluded to in paragraph 8.15 which sets out the importance of redevelopment of existing or redundant large developed sites should respect the character of land in the countryside or green belt. However, this inclusion of green belt sites should be made explicit in the policy.

In addition, there is no definition or criteria as to what constitute a 'large site'. However, we consider that this designation should not be reserved solely for 'large sites'.

Land at Great Birchwood is a previously developed site occupied by a range of uses including:

- San Antone entertainment centre comprising a bar, shops, 11 bedroom motel, clubhouse and restaurant;
- A number of residential dwellings;
- Stables;
- Equestrian training centre;
- Craft units;
- Workshops;
- Holiday lodges;
- Static and touring caravan pitches; and
- Large areas of hardstanding extending to over 25,000 sqm.

The Great Birchwood site was previously an RAF camp in the 1940s with development covering the entire site with the exception of the Great Birchwood woodland. Whilst the buildings associated with the military camp have now been removed and replaced, the concrete bases and large areas of hardstanding are still present across the site. Two are located at the front of the site facing Lytham Road with others forming the bases for the caravan pitches.

The site is currently in need of significant investment and is in a deteriorating state. It is an unattractive feature and does not contribute to the surrounding environment or green belt.

Redeveloping the site represents an opportunity to deliver a high quality scheme making the best and most efficient use of a brownfield site as per one



of the core planning principles of the NPPF, to significantly improve the appearance and overall character of the environment and surroundings.

The site meets the criteria set out in emerging policy GD5 to be considered as a large developed site in the countryside. A summary of how the site meets the policy is set out below. Therefore, this site should be referenced in policy GD5 as being a large developed site in the countryside.

The proposal would not have a greater impact on its surroundings

The site is already occupied by a number of built structures and areas of hardstanding, with a number of these being large and prominent. For example, the main entertainment centre (San Antone) is a large dominant 2 storey building that has a strong presence in the centre of the site. Also, the equestrian training centre is constructed from a steel frame with steel lattice trusses which support a large curved roof structure.

This quantum and scale/massing of development has already been deemed acceptable by the Council through the various planning permissions that have been granted at the site for the continued growth of the facilities on site.

The site is also well screened by existing landscaping and is not highly visible from the surrounding environment.

Furthermore, identifying this site as a large development site would still enable the surrounding green belt to meet the five purposes set out at paragraph 80 of the NPPF for the following reasons:

- The site forms part of a large area of green belt which stretches between Warton and Lytham, preventing the unrestricted sprawl of built-up areas and preventing the two settlements merging together. The redevelopment of the Great Birchwood site would not prevent this area of green belt from achieving these first two purposes;
- Providing any redevelopment is contained within the existing site boundary it would not result in further encroachment into the countryside. The purpose of preserving the setting and special character of historic towns is not of relevance in this instance.
- The final purpose of the green belt is to assist in urban regeneration and encourage the recycling of derelict and other urban land. Redeveloping the Great Birchwood site would constitute the recycling of brownfield land, albeit not in urban area.

The existing buildings/structures and areas of hardstanding provide a baseline against which future schemes can be compared. However, we do not support the requirement that new development needs to precisely mimic the footprint, massing and height of the existing buildings. This requirement is not consistent with national policy.

The tests set out in paragraph 89 of the NPPF in terms of delivering new buildings on green belt sites are:



- Replacement of a building...not **materially larger** (emphasis added) than the one it replaces; and
- Limited infilling or the partial or completed redevelopment of previously developed sites...which would **not have a greater impact on the openness** (emphasis added) of the green belt.

The NPPF does not require the exact floorspace of existing buildings to be mirrored by the new replacement buildings; the test is just to ensure it is not materially larger.

Furthermore, when redeveloping brownfield sites the test is to ensure there is no greater impact on openness. Therefore, there should be flexibility within this policy for the layout of sites to be reconfigured as long as it can be demonstrated the new layout does not have a greater impact upon the openness of the green belt than the existing buildings on site. Without this flexibility the policy is not consistent with national policy and is, therefore, unsound.

The proposal will not require additional expenditure by public authorities and can be served by existing/proposed means of access

Given there are existing uses on site, it is already served by infrastructure. There are mechanisms through the use of a S106 agreement for contributions to be made towards additional infrastructure provision if required. Therefore, redevelopment at Great Birchwood would not result in expenditure by public authorities.

The site has an existing access on to Lytham Road which can suitably accommodate a range of future uses.

Proposals for partial redevelopment are put forward in the context of a comprehensive long term plan

Redevelopment of the site can be provided comprehensively and development would not come forward in a piecemeal manner.

Proposed redevelopment can be done safely and adequately served by means of access

The site is served by a major junction off Lytham Road, which is suitable to provide access arrangements for a number of uses. Therefore, the site has a safe and suitable access.

Opportunities to improve public transport connections and pedestrian/cycling links

There is already a bus stop located immediately adjacent to the site entrance (Stagecoach bus service 68 and 78) offering a regular service, every 15 minutes during the day, and only taking circa 5 minutes to get to the centre of Warton (8 minutes to the Tesco Express) and the same into Lytham. These



services also offer journeys to destinations including Preston and Blackpool which contain a wider range of services and facilities.

Lytham Road leads directly into Warton and Lytham and has a continual footpath, separated from the road by a grass verge, providing safe pedestrian access to these two centres. It takes around 20 minutes to walk into either Warton or Lytham.

Therefore, whilst the site already has good linkages there are opportunities to improve public transport connections and pedestrian and cycle links.

Mixed use development is promoted on these sites

The site already contains a number of uses and there is the potential for a mix of uses to be satisfactorily accommodated on the site.

The final part of this policy sets out that the policy is not intended to be applied to holiday caravan sites or parks. It is important to note that whilst the Great Birchwood site does include a number of static and touring caravan pitches that it is a leisure facility as oppose to holiday caravan site or a park, given the range of other uses and facilities at the site.

The bar and restaurant at the site are open to the public, not just the visitors staying at the site overnight. There are shops, crafts units and an equestrian training centre also present on the site which can be used by the public. In addition, there is a regular car boot sale at the site that takes place at the weekends.

The site, therefore, meets the criteria to be a Large Developed Site and be listed in policy GD5.

Chapter 8 – Policy GD6 Promoting Mixed Use Development

We object to the encouragement of mixed use schemes on strategic sites only. There are a number of alternative sites that lend themselves well to accommodating a mixed use scheme. For example the Great Birchwood site is of a sufficient size and sustainably located in order to accommodate either a single use or a mixed use scheme, therefore, the policy should be flexible to allow consideration of mixed use schemes in other locations.

Chapter 8 – Policy GD8 Demonstrating Viability

There is support for the acknowledgment in emerging policy GD8 that there is scope for the redevelopment of existing leisure and tourism uses for alternative uses; where it can be demonstrated these uses are no longer viable.

Onerously protecting such uses is not a positively prepared or justified approach to considering the future of sites.

Where it can be demonstrated that an existing use of a site is no longer viable,



consideration should be given to redevelopment for suitable alternative uses.

Chapter 9 – Policy EC6 Leisure, Culture and Tourism Development

We object to the blanket approach suggested in policy EC6 that tourism, cultural, heritage and leisure assets will be protected; in particular tourism and leisure uses.

Firstly, there is no definition of what is considered to be an 'asset'; therefore, it is difficult to know exactly what the policy is seeking to protect.

The redevelopment of a site that is an existing tourism or leisure use should be assessed and considered on its own individual merits. The continuation of an existing use at a site will not always be the most suitable, appropriate or viable use for that site. Rather than see sites and existing operations deteriorating there should be flexibility incorporated into this policy that does allow the redevelopment of existing tourism/leisure uses for alternative forms of development where appropriate.

With regards to the promotion and enhancement of rural tourism, this should not be solely focused on small scale visitor attractions. As currently drafted the policy is not positively prepared or justified as it does not represent the most effective strategy for meeting future development needs.

Some sites outside settlement boundaries will be suitable and able to accommodate more large scale rural tourism facilities and, subject to such uses being able to be suitably accommodated on site with no adverse impacts to the surrounding environment should be encouraged and supported.

The rural tourism part of this policy should be amended to also support large scale rural tourism at appropriate sites.

Chapter 9 – Policy EC7 Tourism Accommodation

We object to the long term protection and retention of all holiday caravan pitches purely for holiday purposes. As per the points raised in relation to policy EC6, requiring a site to be retained for its existing use does not represent a positively prepared or justified approach to meeting future development needs.

Holiday caravan sites can become unviable, and preventing the redevelopment of such sites for alternative forms of development runs the risk the caravan park operations at the site will need to cease and the site become vacant and potentially fall into a state of disrepair.

Having the flexibility to assess such sites and consider redevelopment opportunities means that sites can remain in active use and continue to meet the various needs of the community and Borough.

Chapter 10 - Policy H2 Density and mix of new residential development

Whilst it is important that specialist accommodation for the elderly is provided in sustainable and accessible locations, consideration should also be given to the need for this type of accommodation to be located in an attractive and tranquil setting. This is particularly important for residential care homes, where the residents are less mobile and require a more intensive level of care.

On this basis, sites outside settlement boundaries should not automatically be ruled out. Sites, such as the Great Birchwood site, are located outside of the settlement boundary but yet are sustainably located being on a regular bus route offering easy and quick access to Warton and Lytham.

As set out in chapter 2, Fylde already has a high proportion of older residents with 28% of these aged over 65+ which is the highest in Lancashire and well in excess of the national average (paragraph 2.10). The ageing population within the Borough is expected to continue increasing and by 2020 it is expected there will be more than 5,000 people aged 85 and over in the Borough (paragraph 2.10).

As a result, there is a significant need for accommodation to cater for the increasing population across the Borough. In order for the plan to be positively prepared and meet all development needs, suitable sites, such as land at Great Birchwood, should be identified as having the potential to assist in meeting the demand for elderly person's accommodation.

The Great Birchwood site is located within an attractive setting set back from Lytham Road, adjacent to the Great Birchwood woodland and includes a number of ponds. It offers a tranquil location for future elderly persons accommodation. The site is also situated in an accessible location, with the bus services along Lytham Road offering easy access into Warton and Lytham. This bus service could also be utilised by staff and visitors to any care facilities located on the site.

Whilst it is important that elderly residential accommodation does meet the needs of this sector of the population, there should be flexibility within policies as to the final layout and design of such accommodation. This will enable proposals to reflect the site and its surroundings and effectively manage any site constraints. The list of criteria in emerging policy H2 should, therefore, be a recommendation rather than an exact requirement.

The site is, therefore, ideal to accommodate elderly person accommodation.

Chapter 10 - Policy H4 Affordable Housing

There is support for the recognition in emerging policy H4 that it is not always viable for new housing schemes to provide or make a contribution towards affordable housing. The final percentage/contribution of affordable housing should be determined by economic viability and individual site and market conditions.



It is important that any affordable housing policy does allow for the affordable housing contribution to be provided as an off-site financial contribution towards affordable housing provision in a more appropriate location within the Borough, as allowed for under paragraph 50 of the NPPF. This is required in order for the policy to meet the test of soundness by being consistent with national policy (NPPF paragraph 182).

Chapter 10 - Policy H7 Replacement of, and extension to, existing homes in the countryside

There is support for the acknowledgement that replacement and extension of existing homes, with an allowance for an increase by a maximum of 33%, is acceptable in the open countryside.

It should be made explicit in the policy that this also applies to existing homes in the green belt, which is allowed for under paragraph 89 of the NPPF. This is required to ensure the policy is consistent with national policy.

Chapter 12 - Policy INF2 Developer Contributions

We would reinforce the need to ensure that any planning obligations required as part of new developments are CIL compliant and meet the tests set out at paragraph 204 of the NPPF.

It is also important that viability of schemes is taken into account when determining the level of contributions to be required as part of new schemes. Paragraph 205 of the NPPF re-iterates that sufficient flexibility should be provided to ensure that developments are not stalled due to onerous obligations impacting upon the deliverability of the site.

For this policy to be sound, it needs to be consistent with national policy and should, therefore, be sufficiently flexible to take viability matters into account.

We trust these representations will be taken into account as the Local Plan progresses.

If you have any queries, please do not hesitate to contact me.

Yours faithfully

A large black rectangular redaction box covers the signature area of the letter.

Amy James

Enc: Completed comments form
Site Location Plan



Publication Version Local Plan Representation Form

Ref: _____
 Date Received: _____
 Date acknowledged: _____
 (For official use only)

Name of the Local Plan to which this representation relates:

Publication Version Fylde Local Plan to 2032

Please return to Fylde Borough Council by **5pm on Thursday 22 September 2016**

This form has two parts:

Part A – Personal Details

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details*

2. Agent's Details (if applicable)

**If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.*

Title		Mrs
First Name		Amy
Last Name		James
Job Title (Where Relevant)		Senior Planner
Organisation (where relevant)	Britmax Developments Ltd	Indigo Planning
Address Line 1	C/O Agent	Lowry House
Line 2		17 Marble Street
Line 3		Manchester
Line 4		
Post Code		M2 3AW
Telephone Number		0161 836 6910
Email Address (where relevant)		amy.james@indigoplanning.com

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph Policy Policies Map

4. Do you consider the Local Plan is:

4.(1) Legally compliant

Yes

<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

No

<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>

4.(2) Sound

Yes

No

4.(3) Complies with the Duty to cooperate

Yes

No

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Please refer to the covering letter

(Continue on a separate sheet /expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any noncompliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(3) Complies with the Duty to cooperate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

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4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(3) Complies with the Duty to cooperate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

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Paragraph

Policy

GD6

Policies Map

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Yes

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4.(2) Sound

Yes

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4.(3) Complies with the Duty to cooperate

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Paragraph

Policy

Policies Map

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<input type="checkbox"/>
<input type="checkbox"/>

No

<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>

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Paragraph Policy Policies Map

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4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(3) Complies with the Duty to cooperate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible.
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Please refer to the covering letter

(Continue on a separate sheet /expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any noncompliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please refer to the covering letter

(Continue on a separate sheet /expand box if necessary)

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph Policy Policies Map

4. Do you consider the Local Plan is:

4.(1) Legally compliant

Yes

<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

No

<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>

4.(2) Sound

Yes

No

4.(3) Complies with the Duty to cooperate

Yes

No

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

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Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph Policy Policies Map

4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(3) Complies with the Duty to cooperate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

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Please refer to the covering letter

(Continue on a separate sheet /expand box if necessary)

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph

Policy

H7

Policies Map

4. Do you consider the Local Plan is:

4.(1) Legally compliant

Yes

No

4.(2) Sound

Yes

No

4.(3) Complies with the Duty to cooperate

Yes

No

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

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Please refer to the covering letter

(Continue on a separate sheet /expand box if necessary)

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph Policy Policies Map

4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(3) Complies with the Duty to cooperate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible.
 If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Please refer to the covering letter

(Continue on a separate sheet /expand box if necessary)

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Please refer to the covering letter

(Continue on a separate sheet /expand box if necessary)

5. Britmax Developments - Indigo Planning

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate the oral examination

Please tick as appropriate

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

In order to be able to discuss the case for the Great Birchwood site in greater detail

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

9. Signature:



Date:

22/09/2016

Data Protection

Your personal contact details will not be released to any third parties and will only be used for the purposes of the Fylde Local Plan. Please note that your name, comments, and your town/city will be made publicly available. In order to comply with data protection legislation, address details and email addresses will not be released.

If you want this information in large print, audio, Braille or another language please call 01253 658658

Building Uses & Areas/ Volumes

(Not to Scale)



Key

- Site Boundary
- Existing Water Bodies
- Protected Woodlands - Blanket TPO
- Category U Trees to be removed if not under a TPO
- Category A & B Trees
- Category C Trees
- Root protection zones
- Existing Buildings (surrounding site)
- Hardstanding - concrete
- Hardstanding - mixture of concrete & gravel
- Packed earth
- Green Spaces
- Private Residences
- Stables & Horse Training Facilities
- Bar/ Restaurant/ Retail Units
- Apartments
- Lodges
- Utility Buildings for Campsite
- Shower & WC Block
- Workshop

5. Britmax Developments - Indigo Planning

Area	Building Volume (Approx.)	Unit
Area A		m ³
No built structures/ hardstanding only	0	
Area B		
5. Stables	381	
6. Stables	392	
7. Stables	448	
8. Horse Training Arena	2436	
9. Residential	300	
8. Residential	418	
Area C		
No built structures/ hardstanding only		
Area D		
Protected Woodland		
Area E		
1. Bar/ Retail/ Accommodation	6711	
2. Craft Units (10 units)	1520	
3. Workshop	110	
4. Store	40	
Area F		
11. Lodge 8	87	
12. Lodge 7	139	
13. Lodge 6	132	
14. Lodge 5	211	
15. Lodge 4	197	
16. Lodge 3	202	
17. Lodge 2	209	
18. Lodge 1	260	
19. Shower & WC Block	106	
20. Utility Building	11	
Total Volume of Built Structures	14,310 m³	
Total sqm of hardstandings	25,413 sqm	

6. Canal & River Trust

Eddie Graves

From: Tim Bettany-Simmons <Tim.Bettany-Simmons@canalrivertrust.org.uk>
Sent: 19 September 2016 11:43
To: PlanningPolicy
Subject: Publication Version of the Flyde Local Plan 2032

Categories: Sara

Dear Sir/Madam

Thank you for your consultation on the above

Only a small part of the Lancaster Canal passes through the Borough, in generally rural locations not subject to significant development proposals. We therefore have no comments to make on the soundness or legal compliance of the document.

Kind regards

Tim Bettany-Simmons BSc (HONS), MSc, MRTPI

Area Planner North West & North Wales / Cynlluniwr Ardal Gogledd Orllewin a Gogledd Cymru

M 07342 057926

E Tim.Bettany-Simmons@canalrivertrust.org.uk

Canal & River Trust / Glandwr Cymru,
Red Bull Wharf, Congleton Road South, Church Lawton, Stoke-on-Trent, Staffordshire, ST7 3AP

Follow @canalrivertrust from the Canal & River Trust on Twitter

Please visit our [website](#) to find out more about the Canal & River Trust and download our 'Shaping our Future document' on the **About Us** page / Ewch i <http://www.canalrivertrust.org.uk/cymraeg> i ddysgu mwy am Glandŵr Cymru ac i lawrlwytho ein dogfen 'Llunio ein Dyfodol' ar y dudalen **Amdanom ni**.

The Canal & River Trust is a new charity entrusted with the care of 2,000 miles of waterways in England and Wales. Get involved, join us - Visit / Donate / Volunteer at www.canalrivertrust.org.uk - Sign up for our newsletter at www.canalrivertrust.org.uk/newsletter

Canal & River Trust is a charitable company limited by guarantee registered in England & Wales with company number 7807276 and charity number 1146792. Registered office address First Floor North, Station House, 500 Elder Gate, Milton Keynes MK9 1BB.

Elusen newydd yw Glandŵr Cymru sy'n gofalu am 2,000 o filltiroedd o ddyfrffyrdd yng Nghymru a Lloegr. Cymerwch ran, ymunwch â ni - Ewch i Rhoddion a Gwirfoddoli yn www.glandwrcymru.org.uk

Mae Glandŵr Cymru yn gwmni cyfyngedig drwy warant a gofrestrwyd yng Nghymru a Lloegr gyda rhif cwmni 7807276 a rhif elusen gofrestrdig 1146792. Swyddfa gofrestrdig: First Floor North, Station House, 500 Elder Gate, Milton Keynes MK9 1BB.

Eddie Graves

From: Sally Thompson
Sent: 14 September 2016 10:58
To: PlanningPolicy
Subject: FW: Comments on Final Version of Local Plan to 2032
Attachments: Local Plan Form.docx; Comments on the Fylde Final Draft Local Plan.docx

From: John Rowson
Sent: 14 September 2016 10:15
To: Planning <planning@fylde.gov.uk>
Subject: Comments on Final Version of Local Plan to 2032

Please find attached one copy of the completed form relating to comments on the Final Version of the Local Plan. The comments with Chapter/Paragraph references is attached separately to prevent repetition of the form itself.

Should you require anything different/extra, please contact me via email and allow sufficient time to make the appropriate changes before 22 September (the closing date).

John Rowson

Chairman of the Association for the Protection of Wrea Green

7. CAPOW



Publication Version Local Plan Representation Form

Ref:
Date Received:
Date acknowledged:
(For official use only)

Name of the Local Plan to which this representation relates:

Publication Version Fylde Local Plan to 2032

Please return to Fylde Borough Council by **5pm on Thursday 22 September 2016**

This form has two parts:

Part A – Personal Details

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details*

2. Agent's Details (if applicable)

**If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.*

Title	Chairman of CAPOW	
First Name	John	
Last Name	ROWSON	
Job Title (where relevant)	Chairman of CAPOW	
Organisation (where relevant)	COMMUNITY ASSOCIATION FOR	THE PROTECTION OF WREAN GREEN
Address Line 1	[REDACTED]	
Line 2	[REDACTED]	
Line 3	[REDACTED]	
Line 4		
Post Code	[REDACTED]	
Telephone Number	[REDACTED]	
E-mail Address (where relevant)	[REDACTED]	

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph Policy Policies Map

4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(3) Complies with the Duty to cooperate	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

DON NOT COMPLY WITH NPPF, TOO MANY DWELLING REQUIRED WITHOUT CURRENT PROOF AND FAR TOO SFT, AND ONE WAY, ON DUTY TO CO-OPERATE.

(Continue on a separate sheet /expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any noncompliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

MUCH OF WHAT IS CONTAINED IN THE ATTACHED IS NOW TOO LATE. HOWEVER ATTENTION IS REQUIRED TO ENSURE THE CURRENT POSITION IS NOT EXACERBATED. WREA GREEN SHOULD BE TIER 2 AND AFFORDABLE HOUSING (SOCIALLY RENTED) SHOULD MATCH BOTH A PROVEN NEED AND DEMAND.

(Continue on a separate sheet /expand box if necessary)

7. CAPOW

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

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7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate the oral examination
possibly


Please tick as appropriate

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

TO SUPPORT THE CONTENTIONS IN SECTION 6, UNLESS OTHERS PROPOSE DOING THIS.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

9. Signature:



Date:

14/9/16.

Data Protection

Your personal contact details will not be released to any third parties and will only be used for the purposes of the Fylde Local Plan. Please note that your name, comments, and your town/city will be made publicly available. In order to comply with data protection legislation, address details and email addresses will not be released.

If you want this information in large print, audio, Braille or another language please call 01253 658658



Comments on the Fylde Final Draft Local Plan

Chapter 10 Overall

As stated previously, in our reply to the earlier draft, it is a GREAT pity that many of the proposals were not implemented from earlier drafts as they are clearly to be policy. This could have prevented extensive “large house” developments in Rural Villages, which are NOT in accord with these policies. This includes the “Liverpool method” as stated in para 10.19. Given the two large sites approved and coming on stream (Queensway and Whyndyke, it makes total sense to spread the housing backlog over the plan period, immediately.

The sub-regional ONS for 2014 shows an expected reduction in population or at minimum of flat population growth. FBC want to go for growth to service the aging population BUT why not await proven growth need and adjust the Local Plan accordingly? There is little or no evidence that such growth is occurring. Hence we COULD end up with far too many houses, having spoilt the now ex-rural villages and allowing too many greenfield sites to be concreted over, unnecessarily.

There is a current national outcry relating to Developers obtaining approval then not constructing, to maintain higher sales values. The suggestion is that all approved land should be fully developed within 5 years and we have made a similar suggestion previously, which has gone unheeded. There is evidence of this problem locally, plus the question over manpower needed to construct on an ever-increasing portfolio of approved land. This is evident from Developers’ responses to a survey undertaken on behalf of FBC (Keppie Massey report). All this does little or nothing to help with maintaining a “5 year supply of housing land”. More approvals do NOT mean greater numbers of properties being developed but a dilution in the workforce available to complete those sites already under construction and extends the misery/serious disruption to existing residents who are, after all, the existing payers of Council Tax. This requires a serious re-think!

Paragraph 6.9 and Policy S1

We note that Wrea Green is shown as a Tier 1 Rural Settlement. This is despite a reduced number of bus service routes to the Village (down to one) and acceptance by FBC’s own

7. CAPOW

Planning Policy Manager that there is no scope to increase the VERY limited services in the central (Conservation Area) location. Given these facts and the fully subscribed Village Primary School, we would like to see this status re-evaluated as services are NOT comparable with other Tier 1 Rural Villages such as Staining or Elswick (the latter has since been removed as a Tier 1 Village, despite it having far superior facilities including a Doctor's surgery). It is unclear what constitutes a Tier 1 Village, it cannot be size alone.

Recent housing approvals in Wrea Green – some 43% increase in 5 years – have made the Village, with its limited facilities and no room to grow these in the Central and Conservation Area, unsustainable. Further growth would exacerbate this even more.

Paragraph 10.16

We do not see any reason to raise issues with any other matter, save one, the housing requirement. This is 370pa of which 249pa are to be affordable, then why has it been necessary to approve SO many large market houses and therefore swamp the Rural Fylde in such housing, contrary to this Emerging Policy. It seems a proper transition was required at a MUCH earlier stage. No action has been taken to try and match the local requirements with applications being approved. In fact there are areas where it has been difficult to “fill” affordable housing, in evidence that the need CANNOT be as great as has been indicated. If there is a “need” this cannot happen. This is contrary to the NPPF. Some Rural Villages have had a Housing Needs Survey conducted by FBC but this has not been used when agreeing the housing content of Reserved Matters Applications. This includes during this current period of Consultation of the Local Plan. The absence of a 5 year housing supply should not preclude this evaluation. In many instances NO infrastructure, traffic calming measures or services improvement has been a requirement for a development to be approved.

Paragraphs 1.9 and 1.10

It has not been possible to use Neighbourhood Plans to overcome this issue since all drafts of the Local Plan require such Neighbourhood Plans to FOLLOW the Local Plan and therefore cannot pre-empt it by taking such plans forward in isolation and FAR more quickly. All submitted draft Neighbourhood Plans have been ignored from an application approval basis. This makes those who have gone through this routine feel that democracy has been ignored and that their time has been totally wasted!!!! Approvals in the interim have caused the need for Neighbourhood Plans to be significantly amended and to be out of date, but NOT through Policy amendments! (Paragraph

John Rowson

Chairman of the Community Association for the Protection of Wrea Green

8. Caravan Club - Savills

Eddie Graves

From: Graham Wilson <GrWilson@savills.com>
Sent: 22 September 2016 17:31
To: PlanningPolicy
Subject: Representation to the Fylde Local Plan Publication version
Attachments: Representation letter final.pdf; Representation-Form-all-fillable-fields (final).pdf

Dear Sirs

On behalf of the Caravan Club, please find attached the Representation form and accompanying letter in relation to the Fylde Local Plan Publication Version Consultation that is currently being undertaken

Kind Regards

Graham Wilson

Graham Wilson MSc
Graduate Planner
Planning

Savills, 74 High Street, Sevenoaks TN13 1JR
Tel :+44 (0) 1732 789 755
Mobile :+44 (0) 7966 633 133
Email :GrWilson@savills.com
Website :www.savills.co.uk

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8. Caravan Club - Savills

21 September 2016



Planning Policy Team
Flyde Council
Town Hall
Lytham St Annes
Lancashire
FY8 1LW

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savills.com

Dear Sirs

Representation to the Publication Version of the Fylde Local Plan to 2032 with regard to the Blackpool South Caravan Club site, Cropper Road, Marton, Blackpool, FY4 5LD

This letter accompanies our representation to the Fylde Local Plan to 2032 – Publication Version on behalf of The Caravan Club. Blackpool South Caravan Club site, which is located to the east of Cropper Road, currently serves as a touring caravan site. This representation relates to Fylde's Strategic Locations for Development and Policy EC7: Tourism Accommodation.

Blackpool South Caravan Club Site

The Caravan Club's Blackpool South site is located in the north-west of the Fylde District, to the south east of Blackpool, and to the east of Cropper Road, adjacent to the Cropper Road junction with the A5230 (Progress Way). The site has an area of approximately 2.15ha, all of which is potentially developable. The site has a total of 95 pitches, of which all 95 are hardstanding, and also includes a number of existing buildings accommodating a reception area, information room, warden's accommodation, assistant warden's accommodation, and a toilet/shower block. There are a number of existing internal tarmac roads located within the site. Given the amount of hardstanding on the site, this site should be considered previously developed (Brownfield) land.

The site is bounded on all sides by hedgerows of approximately 2 metres in height, with mature trees providing additional screening to the north of the site along Jenny Lane and between the site and the Cropper Road/A 5230 junction. The site is adjacent to an open field to the east, residential units to the south, and falls with the Flood Zone 1.

The site has good public transport links to the wider region, with a bus stop located approximately 200 metres to the north east of the site which provides services to central Blackpool, Blackpool North railway station, and Fleetwood. From the railway station, services are available to Blackpool Pleasure Beach, Lytham, Poulton-le-Fylde and Preston, with mainline connections available from Preston to Blackburn, Wigan and Manchester. The site is also adjacent to the A5230, and approximately 1.75 km away from the M55.

There are a number of services within close proximity of the site, including supermarkets, restaurants, pubs, national retailers, and a Post Office. The site is located within 2km of two separate primary schools, and within 2km of a Secondary School.

National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published by the government in 2012 and sets out the overarching national planning policies for the country. The NPPF sets out the "*presumption in favour of*

Offices and associates throughout the Americas, Europe, Asia Pacific, Africa and the Middle East.

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sustainable development" which should be seen as a "**golden thread**" running through both plan making and decision taking. For plan making specifically this means:

- *Local planning authorities should positively seek opportunities to meet the development needs of the area;*
- *Local plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change.*

The NPPF sets out 12 core planning principles which should underpin both plan making and decision taking, of which relevant to this representation are:

- *Proactively drive and support sustainable economic development to deliver homes...that the country needs...every effort should be made objectively to identify and then meet the housing needs of an area;*
- *Encourage the effective use of land by reusing land that has been previously development (Brownfield land) provided that it is not of high environmental value;*
- *Contribute to conserving and enhancing the natural environment;*
- *Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and focus significant development in locations which are or can be made sustainable.*

The NPPF also outlines a clear requirement to deliver sustainable development and to widen the choice of high quality homes. The presumption in favour of sustainable development affects both plan making and decision taking.

For plan-making this means that:

- *Local planning authorities should positively seek opportunities to meet the development need of their area; and*
- *Local plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:*
- *Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the framework taken as a whole; or specific policies in the framework indicate development should be restricted*

Paragraph 35 states that "*plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people*", developments should be designed where practical to:

- *Give priority to pedestrian and cycle movements and have access to high quality public transport*

Paragraph 50 states that Local Authorities should "*deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities*".

Chapter 11 *Conserving and enhancing the natural environment* sets out that the planning system should contribute and enhance the natural and local environment. Paragraph 111 states that: "*planning policies should encourage the effective use of land by re-using land that has previously been developed land (Brownfield land) provided that it is not of high environmental value*".

Fylde Local Plan to 2032

The Fylde Local Plan to 2032 identifies Strategic Locations for Development for the Fylde District. Policy SL2 *The Fylde-Blackpool Periphery Strategic Locations for Development* identifies two sites in close proximity to The Caravan Club's Blackpool South site: *MUS1 – Cropper Road East, Whitehills*, which is adjacent to the site and is designated for a combination of employment and residential development, and *HSS5 - Cropper Road West, Whitehills*, which lies opposite the site to the west and is designated as being suitable for residential development. Paragraph 7.17 identifies that the development of HSS5 will require a



comprehensive masterplan to be submitted as part of any application, and proposes that a local retail centre be included as part of any masterplan. Paragraph 7.18 states that within MUS1 any employment sites should recognise the sub-regional significance of the land as a strategic location and make provision for high quality and readily available sites.

Policy EC7 – *Tourist Accommodation* relates specifically to Holiday Caravans and Camping Pitches. The policy states that “*Holiday caravan pitches will be retained for holiday use. Proposals to allow residential use of existing holiday caravan pitches and holiday park homes will be resisted. Conditions will be imposed on any permissions granted for additional holiday caravan pitches and holiday park homes to ensure that they are retained for holiday use.*”

Planning Considerations

The Caravan Club previously made representations to the call for non-strategic development sites in February 2015 and the revised preferred options consultation in December 2015. These both highlighted to the Council that The Club would need to expand to meet tourist need if it were to remain in situ, and indicated that its preferred methodology would be to expand into the land to the north east of its current location. This preference has not been accommodated in the Publication Version of the Draft Local Plan.

The current proposal put forward in the draft publication version of the Fylde Local Plan will result in the proposed development bounding The Club’s site on all sides with residential or employment development. This development will leave no room for growth or expansion, and will initiate a significant change in the surrounding environment experienced by members staying at the site

The Club are keen to remain in the local area and believe that it brings leisure and employment benefits to the area. However, The Club recognise that the land directly to the south of the site is being promoted for residential development, and the land directly adjacent to their site is being promoted for a mix of both employment and residential development. In the event that this change proves negative to The Caravan Club’s members and does not provide the environment that they are looking to stay in, The Club may wish to search for suitable alternative premises. However, *Policy EC7: Tourism Accommodation* states that *holiday caravan pitches will be retained for holiday use. Proposals to allow residential use of existing holiday caravan pitches and holiday park homes will be resisted.* This Policy would be prohibitive towards The Club being able to relocate in the event that its site incurs a decline in visitor numbers and a decline in its viability.

The Club recognise that there is logic in having their site designated as being suitable for residential development in the emerging Plan. The Club would only be willing to agree to the residential redevelopment of its site if a suitable alternative local site could be identified, as this will ensure that the volume of tourist accommodation provided and benefits to the local economy and Club members remain. The Club does not wish to leave the area, but is pragmatic in that the inclusion of its site in the surrounding residential development would allow for a complete redevelopment of the area as opposed to leaving its site wedged in between non compatible uses. This would allow The Club in this instance to pursue an alternative, more appropriate site in the local area.

Conclusion

The Caravan Club is concerned that the impending redevelopment of the land surrounding its site may have a potentially detrimental impact upon the quality of setting and service that it will be able to offer to members.

The logical move in this situation is to include the Blackpool South site within the residential allocation at this stage of the plan, and assist The Club in locating and securing a suitable alternative local site. The site is well suited for a potential residential development, as it constitutes previously developed ‘Brownfield’ land, which under current local and national policy should be prioritised for redevelopment. The site is also situated close to the settlement boundary of Blackpool, is well connected to the local area, has a number of services in close proximity and therefore would constitute sustainable development. The site is also well located to the sites within the proposed scheme, allowing it to be included in the comprehensive redevelopment of the area.



If this site is not to be included, The Club wishes to see an amendment made to policy EC7, so that the policy is not prohibitive towards the potential relocation of the site in the event that their concerns are realised. The Club wishes to retain a site in the Fylde District in close proximity to Blackpool. In order to facilitate this within the emerging Local Plan, The Club request amendments be made to policy EC7 to include a level of flexibility that is not currently afforded.

Yours sincerely

A large, irregular black redaction box covering the signature of Duncan Parr.

Duncan Parr BA DUPI Dip TP FRGS MRTPI Cgeog MEWI
Director

8. Caravan Club - Savills



Publication Version Local Plan Representation Form

Ref:
Date Received:
Date acknowledged:
(For official use only)

Name of the Local Plan to which this representation relates:

Publication Version Fylde Local Plan to 2032

Please return to Fylde Borough Council by **5pm on Thursday 22 September 2016**

This form has two parts:

Part A – Personal Details

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details*	2. Agent's Details (if applicable)
-----------------------------	---

**If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.*

Title		Mr
First Name		Duncan
Last Name		Parr
Job Title (Where Relevant)		Director
Organisation (where relevant)	The Caravan Club	Savills
Address Line 1	C/O Agent	72-74 High Street
Line 2		Sevenoaks
Line 3		Kent
Line 4		
Post Code		TN13 1JR
Telephone Number	C/O Agent	01732 789788
Email Address (where relevant)	C/O Agent	dparr@savills.com

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph Policy Policies Map

4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(3) Complies with the Duty to cooperate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

N/A

(Continue on a separate sheet /expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any noncompliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please see accompanying representation letter

(Continue on a separate sheet /expand box if necessary)

8. Caravan Club - Savills

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?



No, I do not wish to participate at the oral examination



Yes, I wish to participate the oral examination

Please tick as appropriate

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

9. Signature:



Date:

22/09/2016

Data Protection

Your personal contact details will not be released to any third parties and will only be used for the purposes of the Fylde Local Plan. Please note that your name, comments, and your town/city will be made publicly available. In order to comply with data protection legislation, address details and email addresses will not be released.

If you want this information in large print, audio, Braille or another language please call 01253 658658

9. Carrington Group - Johnson Mowat

Eddie Graves

From: Richard Mowat <richard@johnsonmowat.co.uk>
Sent: 22 September 2016 14:06
To: PlanningPolicy
Cc: Jerome Roith; 'peter@leonardprop.co.uk'; Luke Herring
Subject: Local Plan Representations - Fylde Council
Attachments: Mains Lane_Poulton-Le-Fylde_Residential Option 13_09_2016.pdf; Carrington Group - Local Plan Representation.pdf

Dear Sir/Madam,

Good afternoon.

Please find attached representations made by Carrington Group in respect to the Publication Version of the Fylde Local Plan to 2032.

Please can you confirm receipt of this submission.

I look forward to hearing from you.

Kind regards,

Richard

Richard Mowat MRTPI
Director

Johnson Mowat
Planning and Development Consultants

Coronet House, Queen Street, Leeds, LS1 2TW

☎: 0113 887 0120 🌐: www.johnsonmowat.co.uk

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Registered in England Nos: OC407525

Planning Policy
Fylde Council
Town Hall
St Annes
Lancashire
FY8 1LW



22 September 2016

Dear Sir/Madam

RE: FYLDE LOCAL PLAN PUBLICATION VERSION CONSULTATION

I write on behalf of our clients Carrington Group with respect to their land interests at land off Mains Lane, Poulton-le-Fylde, a location plan detailing the extent of the site boundary is included with our representation. The site is subject to a pre-application enquiry currently under consideration by the authority under reference ENQ/16/0263. We wish to promote the land for residential use and consider there to be significant benefits in an early release of the site which would accord with the policies of the emerging Local Plan and also assist in the delivery of large scale infrastructure improvements which have been identified by Highways England. Our comments in respect of the Publication Version of the Plan are discussed below.

The 'Blue Route'

The north eastern extent of the site is subject to the preferred line of the 'Blue Route' or M55 to Fleetwood Corridor improvements. On 5th September 2016 Highways England opened consultation on two options for improving congestion on the local highways network.

The first option includes a bypass to the south of A585, understood to be costed at circa £50m. The first option does not include the full extent of the 'Blue Route' south to the M55 as set out within the Local Plan Proposals Map which is estimated to cost in the region of £200m.

The second option includes no bypass and proposes a more cost effective solution of providing improvements to the existing A585 with no bypass route.

The Local Plan

Notwithstanding the alternative proposals put forward for consultation by Highways England, the full extent of the 'Blue Route' is proposed to be safeguarded under Policy T1 of the emerging Local Plan. Policy T1 states:-

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9. Carrington Group - Johnson Mowat

“Land within Fylde Borough is proposed for part of the route of the Preston Western Distributor Road which will link up to a new Junction 2 on the M55, and the Cottam Link Road. Planning permission will not be granted for any development in Fylde that would prejudice the construction of these roads which are shown on the Policies Map.

The delivery of the following strategic highway improvements within Fylde will be supported:

- a. The M55 to Heyhouses (St Annes) Link Road;*
- b. The M55 to Fleetwood Corridor improvements and*
- c. The A585 Skippool – Windy Harbour improvements”*

As discussed further on in our representation, the proposals put forward would fully comply with Policy T1 and would in no way prejudice the delivery of either the ‘Blue Route’ or Option 1 of the Highways England proposals and would therefore in no way undermine the emerging Plan.

The full extent of the ‘Blue Route’ has been a long term option considered by the Council, with significant resourcing and funding issues surrounding delivery of the route together with uncertainty over the extent of environmental impacts brought about by such development.

The July 2015 Fylde Coast Highways and Transport Masterplan informs that the County Council *“do not believe that the scheme is deliverable in the foreseeable future”* and there is therefore a need *“to look for alternative solutions”*¹.

Until such time Lancashire County Council are able to undertake the M55 Fleetwood Corridor Study, then the full extent of the ‘Blue Route’ is proposed to be safeguarded in the emerging Local Plan. We consider this approach unsound and contrary to the provisions of the Framework² as a proportionate evidence base has not been utilised to inform the safeguarding of the route. The proposed safeguarding of the ‘Blue Route’ is not ‘justified’³, nor is the plan ‘effective’ as the evidence base which underpins the Local Plan considers the route undeliverable within the plan period to 2032.

We therefore consider the plan in its current form unsound until such time the findings of the M55 Fleetwood Corridor Study have been presented and its findings incorporated within a future revision to the Plan.

Housing Requirement

Carrington Group supports the evidence presented by the HBF in respect to the Fylde Objectively Assesses Housing Need (OAN). The proposed housing requirement is too low and does not align with the economic strategy within the plan, nor will it meet the affordable housing needs of the area. Carrington Group also remain concerned that the housing implications of the Lancashire Enterprise Partnership (LEP) ambitions to create

¹ Fylde Coast Highways and Transport Masterplan, pg.40

² NPPF §158

³ NPPF §182

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50,000 new jobs over the period 2015 to 2025 LEP Strategic Economic Plan is not fully addressed in the 'Statement of Compliance with the Duty to Co-operate' or the plan.

Carrington Group agree with an HBF recommendation that increases the housing requirement be increased towards the upper end of the objectively assessed needs range identified in the SHMA addendum 2, 440 to 450dpa (net). The scenarios should also be re-run using the 2014 based SNHP as their starting point.

Five Year Land Supply

The Council's latest 'Five Year Housing Land Supply Statement' published 18 May 2016 indicates the Council has a 4.8 years housing land supply (at 31 March 2016). This is based upon a 20% buffer, as required by the Framework, and dealing with under-delivery in the first five years. Whilst the methodology to identify the five year supply is considered correct and in compliance with the Framework and PPG the input of 370dpa, as the appropriate housing requirement, is disputed as above. A housing requirement in the order of 440 to 450dpa would mean an overall housing requirement of between 9,240 and 9,450 net additional dwellings. The supply currently falls some way short of this need.

To ensure that the plan can be found sound at examination it is imperative that the Council provide an adequate supply of housing land to enable a five year supply to be demonstrated.

Duty to Co-operate

Carrington Group has had regard for the August 2016 'Statement of Compliance with the Duty to Co-operate' background paper and it is noted (§3.21) that Fylde Council suggest they can meet their own housing needs within their own boundary and as such has not requested assistance from neighbouring authorities.

In terms of neighbouring authorities requesting assistance from Fylde §3.22 of the background paper indicates that Wyre Council has requested assistance from Fylde in meeting its OAN. The Council's response is less than encouraging. Whilst indicating that they will continue to discuss this issue with Wyre Council there is no firm commitment to assist in meeting the needs of the neighbouring authority. Whilst Carrington Group have serious concerns about this approach, our land holdings located which border both administrative areas (east of Poulton-le-Fylde) provide an opportunity for Fylde Council to assist Wyre Council with its OAN. Our draft proposals are set out under the subheading 'Opportunities' below.

Opportunities

Despite the safeguarding of the 'Blue Route' we consider the plan does not explore opportunities for enabling development around key access points of the line of the preferred route, specifically around the A585 toward Skippool and Poulton. Policy INF1 of the emerging Local Plan states that:-

"In order for Fylde to protect and create sustainable communities, proposals for development should:

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9. Carrington Group - Johnson Mowat

- a. *Make the most of existing infrastructure by focusing on sustainable locations with the best infrastructure capacity;*"

The delivery of a key arterial route is likely to provide growth opportunities, around the A585, Mains Lane that can connect with existing social and physical infrastructure in Skippool and Poulton-le-Fylde.

Our initial concept plan included with this representation demonstrates how the preferred location of either the 'Blue Route' or Option1 of the Highways England proposals can be safeguarded together with providing an early opportunity for residential development on the western edge of the site of circa 100 dwellings together with a smaller infill site to the east of circa 10 dwellings. The development can accommodate both the preferred route of the bypass together with any necessary standoff area. The concept plan currently shows a corridor totalling 105m including a buffer. This location is broadly supported by the HBF with §9 of their representations stating:-

"The unmet housing needs of Wyre Council could be accommodated in reasonable proximity to the administrative boundary and could benefit from the infrastructure improvements identified in the plan, including the Strategic Highway Improvements identified at Policy T1"

Such proposals would not conflict with Policy T1 of the emerging Plan as the development would in no way prejudice the delivery of the 'Blue Route'. The site can be brought forward in the short term and designed such that the bypass can be incorporated at a later date. The site is considered sustainable in terms of its location and accessibility given it would be sustainably connected and would benefit from a range of public transport options including bus stops located along the A585, Mains Lane and the nearby Poulton-le-Fylde rail station. A residential end use would therefore accord with Policy M1 of the emerging Plan.

The site is not allocated Green Belt and as the a five year housing land supply cannot currently be demonstrated by the authority, the site can contribute to the immediate shortfall and be brought forward in advance of adoption of the plan.

Discussions are ongoing with the authority however it is our intention to submit a planning application in outline form by the end of the year. Carrington Group are committed to working with both the Council and Highways England to ensure that opportunities for the future development of the site are maximised and that either the 'Blue Route' or Option 1 of the Highways England proposals can be accommodated within our plans.

Information

Carrington Group would like to be made aware of the following:

- Submission of the plan for examination
- The publication of the examiner's recommendations and any publicly available correspondence regarding the plan; and the,

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9. Carrington Group - Johnson Mowat

- Adoption of the plan.

We trust these comments will be taken into consideration and should you have any queries please contact us.

Yours Faithfully



Richard Mowat, MRTPI

Partner

Johnson Mowat

Encl. Residential Option 2

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9. Carrington Group - Johnson Mowat



Johnson Mowat
Planning & Development Consultants



Total Site Area = 9.7 hectares
Gross Developable Area circa 6 ha
Net Developable Area= 3.5 ha
(incl. allowance for open space, landscape road buffer and SUDS)
Circa 100 dwelling capacity @ 30 dpha

Key

- Site Area
- Residential Development Cell
- Open Space
- Indicative 40m Road Corridor 'The Blue Route'
- Indicative 30m Landscape Buffer to Road
- Indicative Surface Water Attenuation Area

Title Residential Option 2
Project Mains Lane, Poulton-Le-Fylde
Client Carrington Land

Dwg No. 02
Scale 1:2500
Date September 2016
Ref -

Coronet House
Queen Street
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t: 0113 887 0120
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w: www.johnsonmowat.co.uk



10. Chris Hill - De Pol Associates



Publication Version Local Plan Representation Form

Ref:
Date Received:
Date acknowledged:
(For official use only)

Name of the Local Plan to which this representation relates:

Publication Version Fylde Local Plan to 2032

Please return to Fylde Borough Council by 5pm on Thursday 22 September 2016

This form has two parts:

Part A – Personal Details

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details*

2. Agent's Details (if applicable)

** If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.*

Title	Mr	Mr
First Name	Chris	Chris Betteridge
Last Name	Hill	De Pol
Job Title (Where Relevant)		Managing Director
Organisation (where relevant)		De Pol Associates Ltd
Address Line 1		Farington House
Line 2		Stanifield Business Park
Line 3		Stanifield Lane
Line 4		Leyland
Post Code		PR25 4UA
Telephone Number		01772 888488
Email Address (where relevant)		chris@depol.co.uk

10. Chris Hill - De Pol Associates

Part B – Please use a separate sheet for each representation

Name or Organisation: Mr Chris Hill (c/o De Pol Associates)

3. To which part of the Local Plan does this representation relate?

Paragraph Policy Policies Map

4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(3) Complies with the Duty to cooperate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

These representations concern the provision of services and a Local Centre in Warton which will meet the needs and requirements of the development proposed by the Local Plan publication version. These representations highlight concerns that the identified location for a local centre in Warton is not sufficient to provide the necessary infrastructure to support the development proposed. These representations propose the relocation of the proposed Local Centre to land to the north of the Lytham Road roundabout as identified on the accompanying plan.

Policy DLF1 identifies Warton as one of the four strategic locations for development which will contribute towards the delivery of 7,768 new homes to be delivered over the plan period. Policy S1 identifies Warton as a Local Service Centre and that the settlement will have improved services by the end of the plan period. Policy SL3 identifies that the allocated sites in Warton will deliver 840 homes over the plan period. This policy also makes reference to the requirement for a new local retail centre to support the proposed housing development.

Policy EC5 of the plan proposes a new local centre at Warton. The Policies map articulates this proposal through the use of a blue triangle icon located approximately at the junction of Church Road and Lytham Road. It is considered that the identification of this location for the necessary Local Centre is not sound and does not meet the requirements of the plan.

The location proposed as the new Local Centre currently benefits from a limited range of services including a small convenience store, public house and a small terrace of retail and service uses. It is considered that the current range of services and floorspace available at this location would not be sufficient to meet the needs of Warton and provide a suitable Local Centre. This is recognised both in policy S1, as identified above, and The Infrastructure Delivery Plan August 2016 which states, in paragraph 9.12, that “there is currently a lack of shops and community facilities” and that “the provision of retail facilities and services appropriate to its scale and function will improve Warton as a sustainable location to live”.

10. Chris Hill - De Pol Associates

It is considered that the location identified for the Local Centre has limited potential to provide the range of services and retail facilities necessary to improve sustainability at Warton and support the proposed residential development. The area at the junction of Church Road and Lytham Road is constrained by relatively dense development and there are no identified opportunities to provide the services and facilities necessary to create the proposed Local Centre. The existing premises and buildings around the Church Road/Lytham Road junction are unlikely to appeal to meet modern retail requirements and therefore not appeal to retail and service operators. The allocation of this area restricts the form of Local Centre which could be provided to the disbenefit of the village and as such will not increase the sustainability of the settlement, an important element of the plan.

The site to which these representations relate could accommodate a modern purpose built Local Centre which could be developed and designed to meet the needs of Warton and accommodate the requirements of modern retailers. The site at land to the north of the Lytham Road roundabout is accessible and would provide scope for a range of retail and community uses. Land to the north of the subject site is currently subject to an appeal for 350 dwellings under reference APP/M2325/W/15/3004502). If approved this development would provide for the containment of the subject site and effectively result in it forming part of the settlement of Warton with development on all sides. Whether the representations relating to the allocation of the site as a Local Centre are accepted or not it would be logical to amend the settlement boundary to include the subject site. In the setting of an approval of land to the north the subject site would serve no function with a countryside designation.

It is considered that the Local Plan is not sound when considered against the tests outlined in paragraph 182 of National Planning Policy Framework (NPPF) for the following reasons:

- The proposed Local Centre site at Warton has not been assessed to establish whether it can meet the infrastructure requirements of the proposed housing allocations for the settlement. Given the constraints at the location identified for the Local Centre there is limited opportunities to meet the recognised lack of services and facilities to deliver the plan. By contrast the site submitted in these representations would provide scope for a range and variety of services which would meet infrastructure requirements and provide for a sound plan.
- The location of the proposed Local Centre is not justified. The location which currently accommodates a limited range of services and facilities has been identified but it would appear that consideration has not been given to a new location which could provide modern purpose built facilities to operate alongside the existing limited range of services in the settlement. This alternative strategy of a new facility should be considered a more appropriate strategy.

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any noncompliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The local centre should be relocated to the location identified on the accompanying plan (Ref: DPA_01).

(Continue on a separate sheet /expand box if necessary)

10. Chris Hill - De Pol Associates

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate the oral examination

Please tick as appropriate

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

In order to provide an appropriate opportunity to fully explore the evidence which will be presented by all parties in order to properly explore the issues set out in the objection.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

9. Signature:

Chris Betteridge

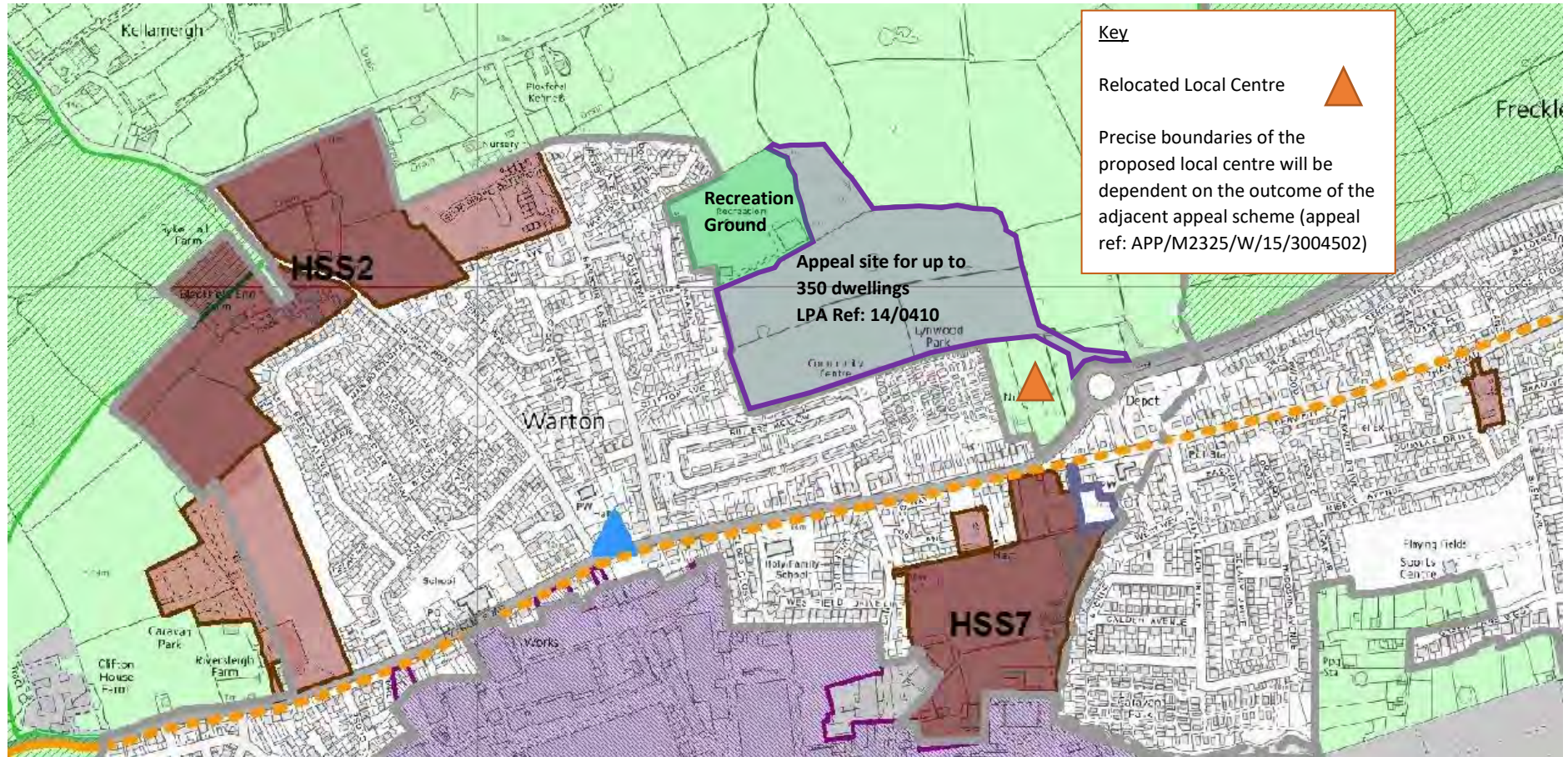
Date:

22/09/2016

Data Protection

Your personal contact details will not be released to any third parties and will only be used for the purposes of the Fylde Local Plan. Please note that your name, comments, and your town/city will be made publicly available. In order to comply with data protection legislation, address details and email addresses will not be released.

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Enlarged Extract from Fylde Local Plan to 2032 Publication Version Policies Map (Draft)



Planning Policy Team
Fylde Council
Town Hall, Lytham St Annes, FY8 1LW (by e-mail)

Copy to the EiP Inspector

16th September 2016

Fylde District Group is part of the Lancashire Branch of the Campaign to Protect Rural England (CPRE), a company limited by guarantee. Registered in England 5291461 Registered charity 1107376 www.cprelancashire.org.uk

Secretary

*John Westmoreland 01772 685415
john.westmoreland@btinternet.com*

Branch Chairman

*Nick Thompson
01772 378831
info@cprelancashire.org.uk
Springfield House, 41-45 Chapel Brow
Leyland, Lancashire, PR25 3NH*

FYLDE LOCAL PLAN TO 2032 – PUBLICATION VERSION - June 2016

CPRE CONSULTATION RESPONSE

Introduction/CPRE Position

1. The Lancashire Branch of the Campaign to Protect Rural England with its Fylde District Group (herein referred to as CPRE) has reviewed the Fylde Local Plan to 2032 – Publication Version (FLPPV – Reference 1) and the associated evidence base.
2. We note the significant progress the Planning Policy Team has made in reaching this important stage. We wish to engage positively to ensure a new Local Plan is examined and adopted as soon as possible to steer truly sustainable development, that best protects and enhances Fylde's living and working countryside for the benefit of all. Fylde has some lovely countryside which is why so many people wish to live, work, do business, holiday and retire here.
3. Fylde's natural assets are a key economic driver and to this end the Council must ensure the Local Plan protects them. The continued protection of health and well-being of the communities across the predominately rural Borough depends on the countryside, farmland and habitats being properly sustained. The environment is important for its own intrinsic value for biodiversity, climate change resilience and maintenance of water quality.

CPRE's recommendations on the Revised Preferred Option

4. This Consultation Response is based on our previously submitted Consultation Response on the Local Plan Revised Preferred Option (Reference 2). Many of our comments and recommendations were favourably received by the Planning Policy Team (See their Report Reference 3). But, where appropriate, some comments that did not result in changes being incorporated into the FLPPV are repeated herein for consideration by the EiP Inspector.

CPRE Fylde District Group's experience in Fylde local planning

5. CPRE Fylde District Group was involved in the preparation and examination of the Fylde Borough Local Plan 1996-2006, the Fylde Borough Local Plan Alterations Review 2004-2016, and all previous stages of the new Local Plan. Also we have been involved in the planning appeals referenced in the table below: *Off-Plan Greenfield Housing Sites Already Approved*.

11. CPRE

FYLDE LOCAL PLAN TO 2032 – PUBLICATION VERSION - CPRE CONSULTATION RESPONSE

Housing and employment land requirements in Fylde

6. Allocations of land for development in the FLPPV are primarily driven by the housing requirement figure and the requirement for new employment land, and we assert that both are too high. Also an excessive requirement for employment land has a knock-on effect by precluding such land being used for housing, and this may justify further allocation of housing on greenfield sites. We argue that by over-planning for jobs and housing the natural environment will needlessly be lost for development. We urge caution on the housing and employment requirements.

Housing supply in Fylde

7. The overriding concern of CPRE is that there has already been significant loss of Fylde countryside, including best and most versatile agricultural land, since the introduction of the NPPF in 2012. This continues to be the case as the Council is unable to defend its 5-Year Housing Supply in accordance with NPPF rules, triggering a 'presumption in favour of sustainable development'. (Our 2014 [research report](#) - Reference 4 available on our website - showed that this applies across Lancashire).
8. Greenfield sites not allocated in the current Local Plan have already been allowed and allocated in the FLPPV. Also greenfield sites not proposed in the FLPPV are receiving permission. (See table below: *Off-Plan Greenfield Sites Already Approved*).
9. The excessive housing requirement, backdated to the start of the Plan Period, means that the shortfall is increasing. Consequently we note that in order to show a 5-Year Housing Land Supply in the FLPPV the Council has changed from the Sedgfield method (first 5 years) used in the Revised Preferred Option to the Liverpool method (over the life of the plan). (See FLPPV 10.19)

The rural economy and rural proofing

10. Concerning specific rural aspects of the FLPPV and the evidence base, we approve the Rural Proofing Assessment (Reference 5) with its confirmation that at the national, local and neighbourhood level planning policies should not treat greenfield land as an unlimited resource ripe for development. However, the effectiveness of the Rural Proofing Assessment will ultimately depend on whether rural-specific developments are assessed as truly sustainable.
11. We criticise the absence of an explicit policy for the rural economy in the FLPPV. Such a policy (EC3) was included in the Preferred Options but was removed from the Revised Preferred Option.

We trust that you will find our comments of value in progressing a new Local Plan through to adoption.

Prepared by:

John Westmoreland

John Westmoreland
Secretary, Fylde District Group

Approved by:

Jackie Copley

Jackie Copley MRTPI MA BA(Hons) PgCert
Planning Manager, CPRE Lancashire

11. CPRE

FYLDE LOCAL PLAN TO 2032 – PUBLICATION VERSION - CPRE CONSULTATION RESPONSE

CONTENTS OF THIS CONSULTATION RESPONSE

- REFERENCES
- OFF-PLAN GREENFIELD HOUSING SITES ALREADY APPROVED
- FYLDE COUNCIL REPRESENTATION FORM PART A
- FYLDE COUNCIL REPRESENTATION FORM (Participation in the Examination)
- INDIVIDUAL REPRESENTATIONS (Each covered by a Representation Form Part B)

REFERENCES

1. Fylde Local Plan to 2032 – Publication Version – June 2016 (FLPPV)
2. Fylde Local Plan to 2032: Revised Preferred Option. CPRE Consultation Response. 16-Dec-15
3. Fylde Local Plan to 2032: Revised Preferred Option Consultation. Responses Report. Fylde - March 2016
4. CPRE Lancashire Research Report on Countryside loss in Lancashire, including Merseyside and Greater Manchester, as a direct consequence of the NPPF's Five Year Housing Land Supply Rule. July 2014
5. Rural Proofing Assessment of Policies in the Fylde Local Plan to 2032. Fylde Council. 2015
6. Fylde Borough Council Employment Land and Premises Study - Final Report. August 2012. AECOM/BE
7. Employment Land and Premises Minority Report. Produced by a minority of Scrutiny Committee members. September 2014
8. Lancashire Advanced Engineering & Manufacturing Enterprise Zone (Warton) Local Development Order
9. Fylde Housing Requirement Paper June 2015
10. Fylde Council Housing Land Availability Schedule. Base date 31st March 2016

11. OFF-PLAN GREENFIELD HOUSING SITES ALREADY APPROVED

Policy	Site	Homes #1	Appeal Ref	Allowed
SL1	HSS1 Queensway St Annes	1,150	2157314	21-Jun-12
SL2	HS15 land west of Ballam Road, Lytham	12	Fylde DMC 6-Jun-13	
SL2	MUS2 Whyndyke Garden Village	1,400	Fylde DMC 18-Jun-15	
SL3	HSS2 Blackfield End Farm, Warton	360	2217060	24-Sep-15
SL3	HS24 Riversleigh Farm, Warton	83	Fylde DMC 12-Jan-15	
SL4	HSS8 The Pastures, Wesham (Part)	100	2186415	1-Aug-13
SL4	HSS8 The Pastures, Wesham (Whole site)	264	Fylde DMC 3-Dec-14	
SL4	HSS9 Land north of Blackpool Road Kirkham (Part)	180	2192188	27-Nov-13
SL4	HSS9 Land north of Blackpool Road Kirkham (Part)	140	2196027	27-Nov-13
SL5	Land off Willow Drive, Wrea Green	100	3005671	14-Jan-16
SL5	Land adj Richmond Avenue, Wrea Green	55	Fylde DMC 10-Oct-12	
SL5	North View Farm, Wrea Green	49	2209839	16-Apr-14
#2	Brook Farm, Dowbridge, Kirkham (Part)	95	Fylde DMC 27-Jul-16	
#2	Brook Farm, Dowbridge, Kirkham (Whole site)	170	3144925	tbd
#2	Clifton House Farm, Warton	115	3141398	tbd
#2	Land east of Warton	375	3004502	tbd

#1 Permissions, not *Total in Plan Period* shown in the FLPPV

#2 Site not proposed for allocation in the FLPPV



Publication Version Local Plan Representation Form

Ref:

Date Received:

Date acknowledged:

(For official use only)

Name of the Local Plan to which this representation relates:

Publication Version Fylde Local Plan to 2032

Please return to Fylde Borough Council by **5pm on Thursday 22 September 2016**

This form has two parts:

Part A – Personal Details

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal
Details*

2. Agent's Details (if applicable)

**If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.*

Title	Ms	
First Name	Jackie	
Last Name	Copley	
Job Title (where relevant)	Planning Manager	
Organisation (where relevant)	CPRE Lancashire	
Address Line 1	Springfield House	
Line 2	41-45 Chapel Brow	
Line 3	Leyland	
Line 4	Lancashire	
Post Code	PR25 3NH	
Telephone Number	01772 378831	
E-mail Address (where relevant)	info@cprelancashire.org.uk	

11. CPRE

FYLDE LOCAL PLAN TO 2032 – PUBLICATION VERSION - CPRE CONSULTATION RESPONSE

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate the oral examination

Please tick as appropriate

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

As an Interested Party, CPRE Lancashire wishes to reserve the option to participate in appropriate sessions of the Examination in Public.

We may wish to present our views on matters arising between now and the beginning of the EiP, for example:

- The Council's response to the consultation responses
- Any proposed modifications proposed by the Council to the Publication Version
- Any updated or additional evidence presented by the Council
- Representations on the Publication Version made by other parties
- Any matters, issues or questions raised by the Inspector prior to the EiP
- Any changes to the NPPF and/or Planning Practice Guidance
- Implications of any further off-plan housing development sites receiving permission
- Appeal decisions for the two Fylde shale gas fracking sites

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

9. Signature:

Jackie Copley

Date:

16-Sep-16

11. CPRE

FYLDE LOCAL PLAN TO 2032 – PUBLICATION VERSION - CPRE CONSULTATION RESPONSE

Name or Organisation: **CPRE Lancashire**



3. To which part of the Local Plan does this representation relate?

Paragraph **Ch 8**

Policy **GD3**

Policies Map

4. Do you consider the Local Plan is:

4.(1) Legally compliant

Yes

No

X

4.(2) Sound

Yes

No

4.(3) Complies with the Duty to cooperate

Yes

No

1 ADDITIONAL AREAS OF SEPARATION

CPRE commends Policy GD3 *Areas of Separation*.

Protecting the area between Wrea Green and the Ribby Corner fringe of Kirkham from development is particularly important because it includes significant agricultural land (including BMV land) in productive use.

CPRE recommends further Areas of Separation defined. Benefits would be:

- Added protection of the countryside
- Protection of BMV agricultural land and farming operations
- Preservation of the distinctiveness and character of semi-rural settlements

RECOMMENDATIONS

Additional Areas of Separation should be defined, (list not exhaustive):

- Dow Brook, Kirkham, to Treales
- Treales, to Wesham, including the countryside either side of Mowbreck Lane
- Land west of Westby between Westby and Whitehills
- Land between Wesham town and Greenhalgh/Medlar/M55
- Land between Poulton and Singleton
- Land to the west of Kirkham to Westby
- Land to the north of Kirkham to Wesham

11. CPRE

FYLDE LOCAL PLAN TO 2032 – PUBLICATION VERSION - CPRE CONSULTATION RESPONSE

Name or Organisation: **CPRE Lancashire** 

3. To which part of the Local Plan does this representation relate?

Paragraph	Ch 8	Policy	N/A	Policies Map	
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4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes		No	
4.(2) Sound	Yes		No	X
4.(3) Complies with the Duty to cooperate	Yes		No	

2 CONTROL OF ADVERTISEMENTS IN THE COUNTRYSIDE

Control of advertisements is an important aspect of protection of the countryside. In fact, CPRE was formed in 1926 initially to limit ‘ribbons’ of advertisements sprawling into the countryside from urban areas.

CPRE commends the Council for its effective planning and enforcement measures against proliferation of intrusive advertisements in Fylde’s countryside. In particular the spate of trailer adverts alongside the M55 was abated.

Policy should apply in the *Fylde Area of Special Control of Advertisements (ASCA)* in order to restrict deemed consent where appropriate, in compliance with Regulation 7 Town and Country Planning (Control of Advertisements) (England) Regulations 2007. In general, the current Fylde ASCA corresponds with Countryside Area and Green Belt in the current Local Plan, but it also includes the coastal fringe, estuary, and golf courses in Lytham St Annes.

Policy *GD7 Achieving Good Design in Development* does mention Advertisements at *w) Advertisement designs should respect the character and architectural details of the buildings and location within which they are proposed, and their surroundings, in terms of scale, details, siting and method of illumination.* But In our opinion this is inadequate for countryside protection.

We would like to see a specific policy for control of advertisements in the Local Plan. However, the Planning Policy Team has indicated (In Reference 3) that an SPD is to be produced. This SPD ought to be referenced in the Local Plan, eg. in *GD4 Development in the Countryside*, and in *GD7*.

11. CPRE

FYLDE LOCAL PLAN TO 2032 – PUBLICATION VERSION - CPRE CONSULTATION RESPONSE

Name or Organisation: **CPRE Lancashire**



3. To which part of the Local Plan does this representation relate?

Paragraph		Policy	EC1	Policies Map	
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4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes		No	
4.(2) Sound	Yes		No	X
4.(3) Complies with the Duty to cooperate	Yes		No	

EXCESSIVE EMPLOYMENT LAND REQUIREMENT

Allocations of land for development in the Local Plan are driven by the requirement for new employment land. CPRE considers the employment land requirement to be excessive, leading to an over-supply of land for employment use, with a knock-on effect by precluding such land being used for housing, and this may ‘wrongly’ justify further allocation of housing on greenfield sites.

Taking the Warton Enterprise Zone properly into account, together with the range of predictions and historical evidence in the AECOM/BE Employment Land and Premises Study (Reference 6, the Council will probably need less land than is currently designated as employment land.

We believe some of the Warton Enterprise Zone land could be counted as an allocation of ‘new’ employment Land at Warton within the Local Plan period.

The Employment Land and Premises Study was published in August 2012. The Study presents a range of 7 models to predict the quantity of employment land required, and only the largest of the predictions, based on historic trend, is recommended. We shared the concerns about the Study expressed in the Employment Land and Premises Minority Report produced by independent councillors. (Reference 7).

Revised Preferred Option net requirement

52.3 Ha for a 21 year Plan (2.49 x 21)
 - 2.2 Ha new since 2011 start of the Plan
 -7.7 Ha with permission or under construction
 + 14 Ha for ‘Blackpool’s requirement up to 2027’
Total 56.5 Ha (56.3 in Policy EC1)

FLPPV net requirement : (From Para 9.12):

46.6 Ha for Fylde 21 year Plan (2.22 x 21)
 + 14 Ha for ‘Blackpool’s requirement up to 2027’
 - 3.0 Ha already developed 2011 -> 2015
 - 2.0 Ha under construction
 - 8.9 Ha land with permission
 + 15.3 Ha lost to business/industrial use
Total 62.0 Ha

2.1 WARTON ENTERPRISE ZONE

The AECOM/BE Employment Land and Premises Study excluded the Warton Enterprise Zone supplying new employment land because *'it is a planned re-use of an established employment allocation'*. But this fails to allow for the Warton Enterprise Zone facilitating re-use of a significant part of the BAE Systems site, with ambition for a large net gain of 'jobs/Ha' by replacements for BAE job loses and jobs from new Enterprise Zone tenants.

The Policies Map shows the full areas of the Warton Enterprise Zone including the BAE Systems core, total 75 Ha, ie North Zone, SW Zone and SE Zone. The north side Phase 1 currently offers just 8.5 Ha.

Although designated by Fylde for employment, the SW and SE areas outside the BAE airfield currently represent quite a low jobs/Ha density. Consequently, some of this total Enterprise Zone land could be counted as an allocation of 'new' employment land at Warton within the Local Plan period. But Policy EC1 does not show any of this existing employment land at BAE Systems Warton, so does not account for any net gain of employment land due to the Enterprise Zone.

The declared aim of the Zone is to *'support genuine additional growth and new jobs to counteract the loss of employment by BAE Systems'*. (Local Development Order, Reference 8). But this additional jobs growth does not need the Council to allocate any additional employment land elsewhere. And these new jobs would contribute to employment needs of Blackpool and the Fylde Coast Sub-region, as BAE Systems and its predecessors have always done.

The Enterprise Zone (currently) provides incentives for new jobs only in the advanced engineering and manufacturing sectors. However, employment outside the scope of the Zone is not precluded by the LDO. Hence the AECOM/BE Study acknowledges *'that there may be exceptional circumstances where local occupier relocation or expansion could be appropriate – though they may not qualify for the Zone benefits'*.

Finally, we see little or no sign of the aim of the Enterprise Zone to *'create 1,200 new jobs in the short to medium term'* (FLPPV Para 9.28) actually coming to fruition.

2.2 EVIDENCE FOR BLACKPOOL EMPLOYMENT LAND IN FYLDE?

9.11 states: *Discussions between Blackpool and Fylde Councils have identified that Blackpool Council requires Fylde Council to provide 14Ha of employment land within Fylde Borough, to meet Blackpool's requirement up to 2027.*

We have seen no evidence to justify the 'discussions'.

And this is despite the increased allocation of Fylde employment land in Policy EC1 from 5.0 Ha in the Revised Preferred Option to 14.5 Ha as a consequence of creation of the Blackpool Airport Enterprise Zone.

11. CPRE

Name or Organisation:

CPRE Lancashire



3. To which part of the Local Plan does this representation relate?

Paragraph Ch 9

Policy None

Policies Map

4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes		No	
4.(2) Sound	Yes		No	X
4.(3) Complies with the Duty to cooperate	Yes		No	

3 POLICY FOR THE RURAL ECONOMY

CPRE disapproves of the lack of a specific policy for the rural economy. After all, in terms of the Borough of Fylde 84% is countryside, 10% of which is Green Belt and the other 72% is unprotected countryside (based on March 2015 DCLG data).

We had commended such a policy EC3 in the Preferred Options but this was removed in the Revised Preferred Option.

A policy for the rural economy ought surely to be included in Chapter 9 *The Fylde Economy*.

A policy is required to address the following FLPPV statements:

Rural Areas - Key Characteristic

2.62 Although agriculture remains an important part of the local economy, farm diversification is also required to supplement the rural economy.

Strategic Objective 2: To maintain, improve and enhance the environment by: vii. Protecting best and most versatile agricultural land.

Strategic Objection 4: To diversify and grow the local economy by: x. Supporting and protecting agricultural and farming operations and appropriate diversification as a key element of the local economy.

Policy GD4 *Development in Countryside* only attempts to address diversification.

Through a strong policy for the rural economy the Council must seek to ensure that the loss of any agricultural land is kept to a minimum, and that new development is not located or designed in such a way as to create unnecessary conflict between urban fringe development and farming operations. (cf. Local Plan Policy EP22 and its supporting justifications).

11. CPRE

FYLDE LOCAL PLAN TO 2032 – PUBLICATION VERSION - CPRE CONSULTATION RESPONSE

Name or Organisation: **CPRE Lancashire**



3. To which part of the Local Plan does this representation relate?

Paragraph		Policy	H1	Policies Map	
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4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes		No	
4.(2) Sound	Yes		No	X
4.(3) Complies with the Duty to cooperate	Yes		No	

4 PROVISION OF HOUSING IN FYLDE

The total provision of housing over the plan period and the consequent land allocated for new housing developments in the FLPPV is driven by the local Housing Requirement Figure for Fylde proposed in the Council’s Housing Requirement Paper (Reference 9). This figure also directly affects the 5-Year Housing Supply figure.

4.1 THE HOUSING REQUIREMENT FIGURE

In the opinion of CPRE the housing requirement figure of 370 homes/year is based on an objectively assessed need calculation based on unrealistic scenarios leading to a unreasonably high figure.

We agree with the following caveats in the Council’s Housing Requirement Paper suggesting the figure could be too high:

- Ability of the development industry to achieve the target (114.)
- Downward revision of assumed build rates for deliverable homes (115./116.)
- Large number of commitments (permissions) not being taken up (119.)
- Shortfall in completions since the start of the Plan Period which ‘continue to be low’ (119./138.)
- Workers for land in Fylde (14 Ha) for Blackpool’s employment needs need not be accommodated in Fylde (132.)
- The Preston Western Distributor road will make it much easier for workers to commute into Fylde (132.)
- 370 homes/year is a substantial uplift (56%) from the 2012-based Sub-National Household Projection for Fylde, the ‘starting point’ projection. (149.)
- 370 homes/year represents a high level of delivery in relation to that achieved even before the recession. (155.)

Taking into account the perceived capacity of the industry and market signals reflected in the increasing shortfall in take up of permissions and completions, CPRE suggests the realistic achievable housing requirement for Fylde ought to be circa. 250 homes/year.

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FYLDE LOCAL PLAN TO 2032 – PUBLICATION VERSION - CPRE CONSULTATION RESPONSE

4.2 Relevant figures

Average new homes built in the last 13 years:	210 homes/year	HLAS (Ref 10)
Average new homes from start of Local Plan (5 years):	210 homes/year	HLAS
2012-based household projection for Fylde for Plan Period:	225 homes/year	DCLG
2014-based household projection for Fylde for Plan Period:	259 homes/year	DCLG
FLPPV Housing Requirement Figure:	370 homes/year	
CPRE suggested annual requirement:	~250 homes/year	

4.3 THE 5-YEAR HOUSING SUPPLY

In July 2014 CPRE Lancashire published independent research (Reference 4) which showed in Fylde the number of sites with extant planning permission for housing was equivalent to more than ten years housing land supply (viz. land with planning permission for 3,948 dwellings divided by 366 homes/year = 10.8 years supply of housing land). Despite this, inspectors ruled that the NPPF 5-Year Housing Land Supply rule was not satisfied and in consequence allowed appeals for greenfield sites including Queensway, Mowbreck Lane Wesham, Kirkham Triangle and sites at Wrea Green. These off-plan sites are now allocated in the FLPPV.

(See Table: OFF-PLAN GREENFIELD HOUSING SITES ALREADY APPROVED).

The number of existing planning permissions for housing is now over 5,000. (FLPPV Para 10.19).

The Revised Preferred Option used the Sedgefield method to recover the shortfall. We note that the FLPPV now adopts the Liverpool method. (FLPPV Para 10.19).

CPRE agrees that the Liverpool method is the most appropriate in Fylde, given the unrealistic housing requirement, and consequent history of under-delivery since the start of the Plan Period which has resulted in a large notional shortfall of new homes.

11. CPRE

FYLDE LOCAL PLAN TO 2032 – PUBLICATION VERSION - CPRE CONSULTATION RESPONSE

Name or Organisation:

CPRE Lancashire



3. To which part of the Local Plan does this representation relate?

Paragraph

Policy

H5

Policies Map

4. Do you consider the Local Plan is:

4.(1) Legally compliant

Yes

No

4.(2) Sound

Yes

No

X

4.(3) Complies with the Duty to cooperate

Yes

No

5 GYPSY, TRAVELLERS & TRAVELLING SHOWPEOPLE'S SITES

CPRE believes that travellers and gypsies, like everyone else, have the right to a decent home. But – and this too applies to everyone else – in obtaining their home undue harm should not be imposed on other people, and the environment and countryside we all share. It is the responsibility of the Local Plan to allocate suitable gypsy, travellers and travelling showpeople's sites. Otherwise such sites should not be allowed as an exception to restrictions for development in the Fylde countryside. We highlight the negative impacts associated with the site in Countryside Area at Fairfield Road, Hardhorn.

There should be no exception to Policy GD4 *Development in the Countryside* to allow gypsy, travellers and travelling showpeople's sites.

Site allocations will need to show the 6 pitches allowed on appeal at Angel Lane, Fairfield Road, Hardhorn. (Appeal decision reference 3026000, 3-Aug-16).

11. CPRE

Name or Organisation: **CPRE Lancashire**



3. To which part of the Local Plan does this representation relate?

Paragraph		Policy	H6	Policies Map	
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4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes		No	
4.(2) Sound	Yes		No	X
4.(3) Complies with the Duty to cooperate	Yes		No	

6 ISOLATED NEW HOMES IN THE COUNTRYSIDE

There is inconsistency between Policy H6 *Isolated New Homes in the Countryside*, and Policy H7 *Replacement of, and Extension to Existing Homes in the Countryside*.

As worded, Policy H6 could permit a new home in the countryside on the grounds of ‘*exceptional quality of the design of the building helps to raise standards of design more generally in the countryside*’.

But even if such criteria of Policy H6 are met, in our opinion any new home in the countryside should follow the same rules and justification of Policy H7 concerning ‘large homes’.

We support the criteria of Policy H7:

b) The appearance of the replacement or extended home respects the character of the original building and surrounding rural area with regard to scale, design and use of materials.

And the associated justification:

10.87 Most importantly, the impact on the rural landscape must be considered. Large homes are often overbearing in appearance, they dominate the landscape and are surrounded by suburban style gardens with ornate walls, gates and floodlighting. The overall impact is to make the appearance of the rural area more suburban.

We recommend that this justification of Policy H7 should also apply to isolated new homes in the countryside.

11. CPRE

FYLDE LOCAL PLAN TO 2032 – PUBLICATION VERSION - CPRE CONSULTATION RESPONSE

Name or Organisation: **CPRE Lancashire**



3. To which part of the Local Plan does this representation relate?

Paragraph	1.52/53	Policy	
		Policies Map	

4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes		No	
4.(2) Sound	Yes		No	X
4.(3) Complies with the Duty to cooperate	Yes		No	

7 IMPACT OF SHALE GAS EXPLORATION/EXPLOITATION ON THE COUNTRYSIDE

With reference to *Shale Gas Exploration, Production and Distribution (1.52/1.53)* in the opinion of CPRE, the FLPPV grossly understates the planning responsibilities associated with exploration and exploitation which will fall to Fylde Council.

The FLPPV acknowledges that applicants must receive permission for exploration and exploitation from Lancashire County Council under their Mineral and Waste Planning powers. But exploration and exploitation will necessitate significant infrastructure, such as:

- water and waste pipelines;
- pumping stations, storage tanks and lagoons;
- electricity and gas supply networks;
- site access roads;
- buildings, lighting and fencing.

We believe that the policies of the new Local Plan must be sufficiently robust to protect the existing settlements and the countryside and Green Belt through measures such as:

- Impact on tranquillity, ie. noise and visual disturbance especially to habitations
- Control of flaring of gas
- Undergrounding of services, pipelines etc.

7.1 POTENTIAL FYLDE COUNCIL FRACKING REGULATION RESPONSIBILITY

CPRE has been recommending that if consent is given at sites in Fylde that Lancashire County Council should ensure that fracking stays within the specified target formation. This is because the Environmental Permit fails to adequately address this issue, with higher risks associated with the activity as a result. The Oil & Gas Authority say this issue will be dealt with via the Hydraulic Fracturing Plan, but importantly this document will not be public and therefore CPRE sees that a key area of regulation is not going to be transparent.

In making this recommendation, we are well aware that the Planning Practice Guidance for the National Planning Policy Framework (PG) states that local authorities are not to duplicate the work

11. CPRE

FYLDE LOCAL PLAN TO 2032 – PUBLICATION VERSION - CPRE CONSULTATION RESPONSE

of the regulatory authorities. However, the PG also states that local authorities have a responsibility to be satisfied that the regulatory authorities can and will address the issues which would normally be considered their responsibility (ref. ID: 27-112-20140306, par. 112). Since we have demonstrated both the EA and the OGA are failing to exert the necessary regulation, it becomes the responsibility of the Lancashire County Council (as the Minerals Planning Authority) to make good that deficit. But if Lancashire County Council fails to enforce a planning condition that is readily enforceable as part of the land use planning regime, it would fall to the responsibility of Fylde Council. It would be easy to do as it only requires that a planning officer inspects, at times of their own choosing, the records of the Hydraulic Fracturing Plan as actually executed (the relevant documents are required by the EA to be available on site).

We recommend that the Local Plan should recognise the above responsibilities of Fylde Council. Please refer to our Branch policy for information...

<http://www.cprelancashire.org.uk/campaigns/energy-and-waste/climate-change-and-energy/in-depth/item/2255-cpre-lancashire-policy-on-shale-gas>



Publication Version Local Plan Representation Form

Ref:

Date Received:

Date acknowledged:

(For official use only)

Name of the Local Plan to which this representation relates:

Publication Version Fylde Local Plan to 2032

Please return to Fylde Borough Council by **5pm on Thursday 22 September 2016**

This form has two parts:

Part A – Personal Details

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal
Details*

2. Agent's Details (if applicable)

**If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.*

Title	Mr	
First Name	Alexis	
Last Name	De Pol	
Job Title (Where Relevant)	Managing Director	
Organisation (where relevant)	De Pol Associates Ltd	
Address Line 1	Farington House	
Line 2	Stanifield Business Park	
Line 3	Stanifield Lane	
Line 4	Leyland	
Post Code	PR25 4UA	
Telephone Number	01772 888488	
Email Address (where relevant)	alexis@depol.co.uk	

Part B – Please use a separate sheet for each representation

Name or Organisation: De Pol Associates Ltd

3. To which part of the Local Plan does this representation relate?

Paragraph	<input type="text"/>	Policy	<input type="text" value="GD3"/>	Policies Map	<input checked="" type="checkbox"/>
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4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(3) Complies with the Duty to cooperate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

This representation is an objection to the inclusion of land to the rear of 91-93 Ribby Road, Wrea Green within the proposed Area of Separation between Wrea Green and Kirkham, as identified on the Policies Map.

This site is entirely screened from public view, with established landscaping present on all boundaries. The land lies to the rear of existing built development along Ribby Road (91-93) which is excluded from the Area of Separation and the land does not extend any further east than this existing built development.

There is no logical reason to include this site within the Area of Separation as it has no real contribution to the objectives of the Area of Separation in terms of preventing the coalition of the two settlements.

The eastern boundary of the site benefits from a defined landscaped boundary and it is considered that this is a much more logical boundary to the Area of Separation.

Further to this, Committee Members have resolved to approve a housing development on part of the land subject to this representation, under LPA Ref: 16/0227, subject to the agreement of access details.

It is considered that the extent of the Area of Separation isn't sufficiently justified to be considered "sound", neither is it consistent with the Council's recent planning decisions.

12. De Pol Associates Ltd

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any noncompliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is requested that the land edged in red on the attached plan is removed from the proposed Area of Separation between Wrea Green and Kirkham.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate the oral examination

Please tick as appropriate

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

9. Signature:

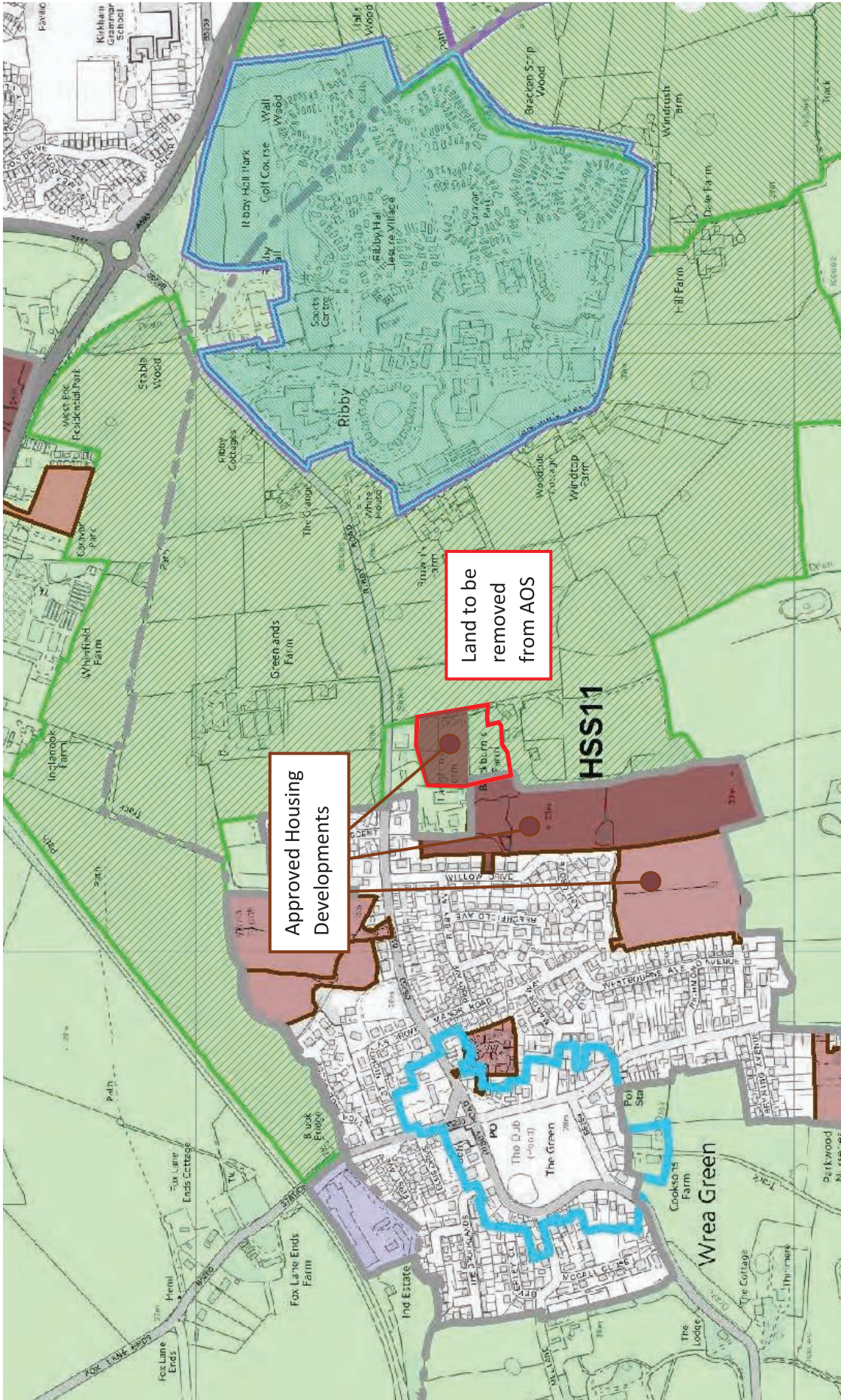
Date:

20/09/16

Data Protection

Your personal contact details will not be released to any third parties and will only be used for the purposes of the Fylde Local Plan. Please note that your name, comments, and your town/city will be made publicly available. In order to comply with data protection legislation, address details and email addresses will not be released.

If you want this information in large print, audio, Braille or another language please call 01253 658658



Extract from Fylde Local Plan to 2032 – Publication Version Policies Map (Draft)

13. Environment Agency

Fylde Borough Council
Planning Policy
Town Hall
Lytham St. Annes
Lancashire
FY8 1LW

Our ref: NO/2012/103893/CS-05/SB1-L01
Your ref: Fylde Local Plan 2032

Date: 22 September 2016

Dear Sir/Madam

PUBLICATION VERSION OF THE FYLDE LOCAL PLAN 2032 AND THE PRELIMINARY DRAFT CHARGING SCHEDULE - COMMUNITY INFRASTRUCTURE LEVY (CIL)

Thank you for consulting us on the above.

We have reviewed the Fylde Local Plan to 2032 and the associated documents insofar as it relates to our remit and we wish to comment as follows:-

We are pleased to see that our comments in our previous response (dated 5 January 2016, Ref: NO/2012/103893/CS-03/PO2-L02) to the Revised Preferred Option consultation have been taken on board.

We note that there is an error in the numbering of the sections on page 29 and 30 of the Infrastructure Delivery Plan (August 2016): section 3.52 is stated twice which results in the subsequent sections being out of sync.

We are also pleased to see the inclusion of projects to enhance the coastal sand dunes and improve flood defences on the CIL Regulation 123 List.

We have reviewed the Duty to Cooperate Report and we are satisfied that our involvement has been appropriately recorded.

Yours faithfully

Mr Alex Hazel
Planning Advisor - Sustainable Places Team

E-mail: CLPlanning@environment-agency.gov.uk

Environment Agency
Lutra House Walton Summit, Bamber Bridge, Preston, PR5 8BX.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

End



Publication Version Local Plan
Representation Form

Ref:
Date Received:
Date acknowledged:
(For official use only)

Name of the Local Plan to which this representation relates:

Publication Version Fylde Local Plan to 2032

Please return to Fylde Borough Council by 5pm on Thursday 22 September 2016

This form has two parts:

Part A – Personal Details

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details*

2. Agent's Details (if applicable)

*If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.

Title	Mr	
First Name	Fred	
Last Name	Moor	
Job Title (Where Relevant)		
Organisation (where relevant)		
Address Line 1	████████████████████	
Line 2	██████████████	
Line 3	██████████	
Line 4		
Post Code	██████	
Telephone Number	██████████	
Email Address (where relevant)	██████████████████	

14. Fred Moor

Part B – Please use a separate sheet for each representation

Name or Organisation: F Moor

3. To which part of the Local Plan does this representation relate?

Paragraph	Chapters 3 & 4	Policy	Vision and Strategic Objectives	Policies Map	
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4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes		No	
4.(2) Sound	Yes		No	X
4.(3) Complies with the Duty to cooperate	Yes		No	

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

There are several aspects of the vision and strategic objectives I am unable to support. The vision is excessively aspirational and euphoric; it uses jargon that would be better suited to an advertising brochure and – in its attempt to present itself as being as unquestionably good as motherhood and apple pie – it rambles into areas well outside the sort of change that is capable of being effected by land use planning. But in doing so, it affords the camouflage from which a **claimed justification for Fylde’s intentional** misinterpretation of the number of dwellings needed, and the scale of employment land that will be necessary, emerges.

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any noncompliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

There would be far more than could be included here, so I have only included three examples.

In terms of changing the tone of the Vision to become more realistic and planning relevant, the deletion of unnecessary words and phrases (such as the following example) should be undertaken e.g. **"Fylde will have enhanced ~~its unique qualities including its historic and built environment,....~~"** The original wording sounds more like an advertising brochure than a local plan.

The most important modification needed is to use a more realistic and less politically optimistic assumption of the extent of the 'growth' that is necessary or desirable in Fylde. The present Vision is the fundamental driver for the unnecessary and unsustainable increase in built development in Fylde.

The Vision should also better recognise the value and importance of **Fylde’s** agricultural industry. Spatially this is by far Fylde's biggest industry, yet the Council has no local data from which it can adequately assess either the quality or the importance of **Fylde’s** agricultural land. The Vision should include a commitment to at least begin a local assessment of the quality and importance of the agricultural land within Fylde.

14. Fred Moor

Part B – Please use a separate sheet for each representation

Name or Organisation: F Moor

3. To which part of the Local Plan does this representation relate?

Paragraph Policy Policies Map

4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(3) Complies with the Duty to cooperate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

"The Local Plan will deliver a minimum of 7,768 new homes and land will be developed for a minimum of 60.6 Ha (gross requirement) of employment use over the plan period to 31 March 2032."

I believe the statement to be unsound because although the base information and evidence from which these numbers are derived is generally sound and well prepared, **Fylde's** inappropriate Vision has caused the wrong conclusions to be derived from that data.

(Continue on a separate sheet /expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any noncompliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

I argue that the housing need in Fylde is less than 5,000 homes over the plan period and I will be pleased to explain the basis for this assertion further at the inquiry.

I argue that there is a negligible need for additional employment land. This is because of the changing nature of employment and the changing nature of economic activity. Again will be happy to explain further at the inquiry

(Continue on a separate sheet /expand box if necessary)

Part B – Please use a separate sheet for each representation

Name or Organisation: F Moor

3. To which part of the Local Plan does this representation relate?

Paragraph Policy Policies Map

4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(3) Complies with the Duty to cooperate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Concerned about the wording:

"The Council will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible,...."

(Continue on a separate sheet /expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any noncompliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Insert the words in red

The Council will always work proactively with applicants *and the local community* jointly to find solutions which mean that proposals can be approved wherever possible,

Justification: Working exclusively with developers on pre-application advice breeds distrust within the community and frequently results in protests that can be both costly and avoided if community involvement were to take place as part of the pre-application process.

(Continue on a separate sheet /expand box if necessary)

14. Fred Moor

Part B – Please use a separate sheet for each representation

Name or Organisation: F Moor

3. To which part of the Local Plan does this representation relate?

Paragraph Policy Policies Map

4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(3) Complies with the Duty to cooperate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Whilst recognising (9.62) that *“The Tourism Economy is the third largest employer in the area”*, this plan significantly downgrades the importance of tourism compared with the current plan. Safeguarding of the facilities that depend on tourism for their existence (and which are enjoyed by both visitors and residents) is noticeably weaker, and in my view the proposed policies are inadequate and thus unsound.

(Continue on a separate sheet /expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any noncompliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

There is no evidence or objective justification to delete the present plan’s concept of primary and secondary holiday areas. This categorisation should remain.

Areas of the North Promenade in St Annes (Glendower Best Western Hotel, Monterey Hotel, various holiday flats etc) need to be included as part of the defined tourism area.

Proposals such as these that weaken the safeguarding of tourism areas and seek to actively diversify away from the third largest employer in the area are unsound and should be changed or deleted.

(Continue on a separate sheet /expand box if necessary)

Part B – Please use a separate sheet for each representation

Name or Organisation: F Moor

3. To which part of the Local Plan does this representation relate?

Paragraph

Policy

Policies Map

4. Do you consider the Local Plan is:

4.(1) Legally compliant

Yes

No

4.(2) Sound

Yes

No

X

4.(3) Complies with the Duty to cooperate

Yes

No

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

"62.0 Ha of new employment development will be delivered from 1 April 2015 to 31 March 2032."

This policy is unsound because the study shows unprecedented growth in homeworking, and a very significant change in the nature of employment. It shows that extensive land-using industrial processes are in decline, and future employment involves businesses that need smaller premises and less land. This is especially because of the growth in service industries and technology companies. These require significantly less land than traditional or historic uses (and in some instances they require no land at all). The studies also show that in six out of seven predicted scenarios these factors mean there is enough existing employment land for Fylde's needs for the plan period, or the existing land supply would be in surplus. The seventh scenario is the one that produces the justification for an additional 62 ha of additional land.

The arguments are set out in the 'Employment Land and Premises Minority Report' published by seven of the sixteen councillors on Fylde's Policy Development Scrutiny who remain dissatisfied with the decision.

The Local Plan is supposed to be based on evidence but this part of the plan is not based on the evidence, it is based on a vision, and a vision is not evidence.

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any noncompliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The evidence needs to be re-examined and re-interpreted to better recognise the changing nature of employment and employment land.

14. Fred Moor

Part B – Please use a separate sheet for each representation

Name or Organisation: F Moor

3. To which part of the Local Plan does this representation relate?

Paragraph Policy Policies Map

4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(3) Complies with the Duty to cooperate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Small but important point in the paragraph that says

“...Lowther Pavilion and Gardens is a major tourism attraction, which is important for both the daytime and night time economy and includes the only theatre in the Borough....”

(Continue on a separate sheet /expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any noncompliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Reword to

“Lowther Pavilion and Gardens is a major tourism attraction, which is important for both the daytime and ~~night time~~ evening economy and includes the only theatre in the Borough.”

I know of no ‘night time’ uses of Lowther Gardens or the Pavilion, (such as night clubs for example), and I argue there should be none, given the surrounding residential area in which care homes and nursing homes predominate.

(Continue on a separate sheet /expand box if necessary)

14. Fred Moor

Part B – Please use a separate sheet for each representation

Name or Organisation: F Moor

3. To which part of the Local Plan does this representation relate?

Paragraph	<input type="text"/>	Policy	<input type="text" value="EC6"/>	Policies Map	<input type="text" value="Yes"/>
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4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(3) Complies with the Duty to cooperate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

The Island Sea Front Area.

Whilst I welcome the very firm statement that ***"Non leisure, culture and tourism uses will not be permitted in this Sea Front Area."*** there may be a small conflict between the recently issued development brief for this site and the proposals map. The proposals map properly shows the area designated as 'Historic Parks and Gardens', but it fails to show the boundary of the designated Seafront Area as including the approach to it (which is currently used for access and parking) and which is included within the plan in the development brief. This access and parking area lies within the historic parks and gardens designation.

(Continue on a separate sheet /expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any noncompliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It appears to me that either the development brief should be changed to exclude the access and car parking area, or the proposals map should include that area within the 'Seafront Area' designation.

(Continue on a separate sheet /expand box if necessary)

14. Fred Moor

Part B – Please use a separate sheet for each representation

Name or Organisation: F Moor

3. To which part of the Local Plan does this representation relate?

Paragraph Policy Policies Map

4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(3) Complies with the Duty to cooperate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

- 1) Policy EC7 is too weak to safeguard the stock of Tourist accommodation and the holiday areas when it **says "Non serviced tourism accommodation uses in these areas will be resisted"**. This is nowhere near as strong as the current TREC1 policy which says *changes of use will not be allowed*
- 2). There is no evidence and no objective justification to delete the concept of secondary holiday areas set out in the existing local plan.

(Continue on a separate sheet /expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any noncompliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The concept of primary and secondary holiday areas should be maintained and mapped, and changes to primary holiday areas should not be "resisted", the should be refused in order to retain the 'critical mass' of accommodation for holidaymakers.

This change is nothing more than Fylde's present policy, and it mirrors both the logic and the wording used to maintain the 'critical mass' of attractions on The Island Seafront Site in relation to Policy EC6

(Continue on a separate sheet /expand box if necessary)

14. Fred Moor

Part B – Please use a separate sheet for each representation

Name or Organisation: F Moor

3. To which part of the Local Plan does this representation relate?

Paragraph

All of Chapter 10

Policy

Inc. H1 and H4

Policies Map

4. Do you consider the Local Plan is:

4.(1) Legally compliant

Yes

No

4.(2) Sound

Yes

No

4.(3) Complies with the Duty to cooperate

Yes

No

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

It is unsound because its assumed need of 420 (unpenalised 370) dwellings a year is grossly over inflated, as is the assumed need for 249 'affordable houses'.

The plan is said to be predicated on evidence of need but it is not. It is based on an incorrect interpretation of the housing need figures and a fallacious prediction of the need for employment land, which in turn is based on a Vision. A Vision is not evidence, it is not even a forecast. It is a desire. The plan is unsound because its foundations are unsound.

The SHMA (p111 fig 7.11) showed the projected number of dwellings 'needed' in Fylde lay between minus 64 and plus 436 a year depending on how one defines need and what assumptions are made about migration and employment demand.

The former Council Leader and former Portfolio Holder for Planning and Development jointly produced evidence to show that over the last 10 years, 195 new dwellings a year (including the 20% buffer) had had more than met Fylde's need.

The former Lancashire Joint Structure Plan(2001 to 2016) showed that Fylde had an annual need for just 155 dwellings of all types.

(Continue on a separate sheet /expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any noncompliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

14. Fred Moor

The evidence needs to be re-examined and re-interpreted to remove historic errors that have been carried forward to the present SHMA, and to establish sound housing numbers that are informed by real evidence, not by an unrealistic Vision, which itself is pursuing a desire for growth that is not evidence based.

(Continue on a separate sheet /expand box if necessary)

Further Representations continue on the next page

14. Fred Moor

Part B – Please use a separate sheet for each representation

Name or Organisation: F Moor

3. To which part of the Local Plan does this representation relate?

Paragraph	10.56 to 10.75	Policy	Esp H3	Policies Map	
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4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	?
4.(3) Complies with the Duty to cooperate	Yes	?	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Whilst I cannot support the conclusions that Fylde has drawn from the evidence on housing need, and I doubt the basis of some of the evidence itself, (the combined effect of which is to deliver inflated 'need', there is another matter which I believe this plan fails to address. One that is linked to the duty to co-operate.

The southern and central areas of Blackpool have an excess of smaller hotel property that is damaging its tourism industry because the number of bedspaces exceeds demand for almost the whole year. As a consequence, these businesses are not viable and one can secure B&B at £10 a night as desperate property owners try to cover their costs. The outcome is that standards decline, and reinvestment from profit is impossible. The pages of commercial estate agents are full of such properties for sale at very low prices as owners seek to stem their losses.

It is widely recognised that the travel to work area and the housing market operate across local authority borders. In terms of travel time (and travel to work time), the **southern part of Blackpool is closer to Fylde's most populated areas than many of the rural parts of Fylde.**

It follows that, if Fylde has an excess of housing demand – especially for low cost or affordable housing, with the most acute shortage in the main urban areas, and if Blackpool has an excess of smaller run-down property that is easily capable of adaption for sale (or for re-development) as either low cost homes and / or for redevelopment as affordable housing, then the problems of both councils have a single solution if Fylde had successfully persuaded or pursued Blackpool to recognise its duty to co-operate across boundaries by agreeing to release unprofitable and poor quality accommodation for redevelopment or adaption to housing **to meet Fylde's need.**

(Continue on a separate sheet /expand box if necessary)

14. Fred Moor

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any noncompliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

I have seen no evidence in Fylde's local plan that this approach has been pursued, and I regard that as an omission which is causing more agriculture land in Fylde to be taken for development than would have been the case. I thus argue that the absence of a policy to pursue this aim renders the plan unsound.

(Continue on a separate sheet /expand box if necessary)

Further Representations continue on the next page

14. Fred Moor

Part B – Please use a separate sheet for each representation

Name or Organisation: F Moor

3. To which part of the Local Plan does this representation relate?

Paragraph	<input type="text"/>	Policy	<input type="text" value="ENV5"/>	Policies Map	<input type="text" value="Yes"/>
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4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(3) Complies with the Duty to cooperate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

1) There is a small wording conflict in the Historic Parks and Gardens section which need changing. The lead-in says ***"Proposals that result in harm to the significance of a Registered Historic Park and Garden or its setting will not be permitted"*** whilst the later text says ***"Proposals.... should ensure that development does not cause significant harm"*** Harming the significance sounds like, but is not the same as, causing significant harm.

2) Since the Ashton Gardens were designated Grade II listed in December 1997 there has existed a small anomaly in that the boundary of the listed area extends outside the (prior) Conservation area boundary on the site of the former nursery in the Gardens. The anomaly arose because the conservation area boundary was drawn to exclude the nursery part of the gardens, but the nursery area has always been part of the gardens since they became Ashton Gardens in 1914, so it is part of the listed area.

The last local plan's proposals map has had this anomaly, and the present one, as drawn, continues it

(Continue on a separate sheet /expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any noncompliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It would make much more sense to have the same boundary for both the Conservation area and the Listed area and, despite having raised this matter with FBC in the past, it has not been changed in the proposals map. I hope it may be changed now.

(Continue on a separate sheet /expand box if necessary)

14. Fred Moor

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate the oral examination

Please tick as appropriate

7. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Because some of the issues above are too fundamental and complex to adequately address in a form of this size

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

9. Signature:



Date:

21 Sept
2016

Data Protection

Your personal contact details will not be released to any third parties and will only be used for the purposes of the Fylde Local Plan. Please note that your name, comments, and your town/city will be made publicly available. In order to comply with data protection legislation, address details and email addresses will not be released.

If you want this information in large print, audio, Braille or another language please call 01253 658658

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Duly Made Representations

Documents with Representations

Document/Part Name: POLICY CL3 - Renewable and Low Carbon Energy Generation - excluding onshore wind turbines

Listed here are representations items for:

Id Number	Representor	Received Date
OCENW16/02082/1	Miss Steiner	22/09/2016
Nature Of Representation	Objecting	
Comment	<p>As an agent acting on behalf of Friends of the Earth I am making a representation on Policy CL3. Suggested Amendment: "Policy CL3 Renewable and Low Carbon Energy Generation Renewable and low carbon energy development potential is significant within Fylde and will generally be supported given their contribution to the mitigation of climate change. Particular support will be given to renewable and low carbon energy generation developments that: a) Are led by, or meet the needs of local communities; and b) Create opportunities for co-location of energy producers with energy users, in particular heat, and facilitate renewable and low carbon energy innovation. When considering such proposals, regard will be given to the wider benefits of providing energy from renewable sources, including wind energy, as well as the potential effects on the local environment, including any cumulative impact of these proposals. Developers of commercial, small and medium sized renewable and low carbon energy developments will be required to provide evidence, to the satisfaction of the Council, in support of their proposals by taking into account all of the following: a. The cumulative impact of the renewable and / or low carbon development within Fylde and across the boundary in Blackpool, Wyre and Preston, where the project is of larger than local impact." Its original form: "Policy CL3 Renewable and Low Carbon Energy Generation excluding onshore wind turbines Renewable and low carbon energy development potential excluding onshore wind turbines - is significant within Fylde. Developers of commercial, small and medium sized renewable and low carbon energy developments will be required to provide evidence, to the satisfaction of the Council, in support of their proposals by taking into account all of the following: a) The cumulative impact of the renewable and / or low carbon development within Fylde and across the boundary in Blackpool, Wyre and Preston."</p>	
Attachments	<p>SPDconsultationresponse020320150000.pdf Friends of the Earth response to Fylde Local Plan September 22 20160000.pdf</p>	

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Publication Version Consultation

Planning Policy

Fylde Council

Town Hall

St Annes

Lancashire

FY8 1LW

Via Email: planningpolicy@fylde.gov.uk

22 September 2016

Ref: CL3

Friends of the Earth objects to the draft Fylde Local Plan as it fails to comply with planning practice guidance on wind energy and NPPF Chapter 10, as supported by Section 19 of the Planning and Compulsory Purchase Act 2004 (as amended by the Planning Act 2008).

Matter 1: Climate change

There is insufficient regard to the requirement to ensure that policies in the plan “as a whole contribute to the mitigation and adaptation of climate change”. This includes the policy on renewable energy (Policy CL3).

Given that Directive 2001/42 on the assessment of the effects of certain plans and programmes on the environment (SEA Directive) applies to the minerals plan, the authority is required to consider reasonable alternatives under Article 5(1).

Section 39(2) of the Planning and Compulsory Purchase Act 2004 makes it a statutory duty to act with the objective of achieving sustainable development. Section 1(1) of the Climate Change Act 2008 provides that it is the duty of the Secretary of State to ensure that the net UK carbon account for the year 2050 is at least 80% lower than the 1990 baseline. Section 19(1A) of the Planning and Compulsory Purchase Act 2004 provides: Development plan documents must (taken as a whole) include policies designed to secure that the

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development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change.

These objectives are adumbrated throughout the NPPF. Achieving sustainable development is summarized at paragraphs 6 and 7 - and paragraph 151 of the NPPF re-states that Local Plans must be prepared with the objective of contributing to the achievement of sustainable development. A test of soundness for the plan is also whether it is in line with sustainable development policies.

An aspect of achieving sustainable development which the NPPF expressly alights upon is the objective to “mitigate and adapt to climate change including moving to a low carbon economy”. It is a core planning principle that local plans should “*encourage the use of renewable resources (for example, by the development of renewable energy),*”

We suggest the policies should follow the Burnley example¹ (see the ‘preferred options’ documentation for their local plan which allocates areas for wind development, see p175 onwards).

Matter 2: Wind energy

Wind energy technology is a tried and tested technology. Government surveys show that renewable energy is consistently popular with the public while support for fracking is low². The Government consistently says that keeping energy costs down for consumers is a priority³ but new onshore wind developments – the cheapest source of electricity⁴ are not being sufficiently encouraged by local plan frameworks.

Planning practice guidance makes it clear that the assessment of areas suitable for development must happen through the local plan process “*only grant planning permission if: the development site is in an area identified as suitable for wind energy development in a local or neighbourhood plan;*” This provides an opportunity for the general suitable locations for wind turbines to be properly identified in participatory process. In a rural, agricultural, area such as the Fylde, the importance of community-led and farmer-led schemes to provide a clean and affordable electricity supply for the local area must be recognised and encouraged by the local plan. We do not think the justification at paragraph 13.48 can be

¹ <http://www.burnley.gov.uk/residents/planning/planning-policies/burnleys-emerging-local-plan>

² <https://www.gov.uk/government/statistics/public-attitudes-tracking-survey-wave-17>

³ <https://decc.blog.gov.uk/2015/07/09/clear-priorities-for-decc/>

⁴ <http://www.independent.co.uk/environment/wind-power-now-the-cheapest-source-of-electricity-but-the-government-continues-to-resist-onshore-a6685326.html>

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used to exclude wind entirely – instead a proper map setting out the proven constraint areas, should be used to show where development can come forward.

We therefore suggest that policy CL3 is amended to include the following wording:

Particular support will be given to renewable and low carbon energy generation developments that:

a) Are led by, or meet the needs of local communities; and

b) Create opportunities for co-location of energy producers with energy users, in particular heat, and facilitate renewable and low carbon energy innovation.

When considering such proposals, regard will be given to the wider benefits of providing energy from renewable sources, including wind energy, as well as the potential effects on the local environment; including any cumulative impact of these proposals.

Matter 3: Fossil fuels

With regard to the SPD consultation we wish to make the following points. Oil and gas are fossil fuels, and their extraction (inevitably resulting in direct emissions through methane leakage or flaring, and indirect emissions through their use) must be considered in the context of the recent Paris Agreement and the latest scientific evidence on the impact of exploiting fossil fuels on global, national and local efforts to tackle climate change. The Committee on Climate Change (CCC) has acknowledged in a letter to the Secretary of State for Climate Change (28 January 2016) that the commitment in the Paris Agreement to hold the increase in global average temperature to well below 2°C above pre-industrial levels and to pursue efforts to limit to 1.5°C goes “well beyond” the CCC’s previous assumption. This therefore draws into question whether three distinct, but inter-related, aspects of the UK climate regime are still sufficiently ambitious: the fifth carbon budget advice, the 2050 target and the most appropriate target for the UK after 2050. In addition, CCC’s recommendation for the Fifth Carbon Budget is that the Government should develop policy approaches consistent with reducing carbon intensity of the power generating sector to below 100gCO₂/kWh in 2030. Gas-fired electricity, which typically emits between 350 - 450gCO₂/kWh, would still be 3.5 – 4.5 times higher than this policy approach would permit.

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The CCC have also warned, in a strongly-worded letter⁵ to the Department for Energy and Climate Change, that ‘excessive use of unabated gas-fired capacity... would be incompatible with meeting legislated carbon budgets’ and the Climate Change Act.

Peer-reviewed evidence⁶ suggests shale gas is more polluting than conventional gas, and could be more polluting than coal.

Researchers in the US⁷ have concluded that “Compared to coal, the footprint of shale gas is at least 20% greater perhaps twice as great on the 20 year horizon and is comparable to coal over 100 years”. There is also growing concern around the impact of methane leakage in the US⁸.

The Tyndall Centre at Manchester University conducted an assessment of the climate and environmental risks from shale gas⁹ and concluded that shale gas extraction poses ‘significant risks to human health and the environment’ and that there is no evidence to back-up industry claims that shale gas could be a transition route to a low carbon future. This concluded that “the CO₂ emissions from burning shale gas are estimated to occupy a substantial proportion, over a quarter, of a budget associated with a better than 50:50 chance of avoiding 2°C warming” (page 69). Tyndall add that this figure is likely to be a conservative estimate as firstly, it only calculates carbon dioxide emissions from combustion (and so does not include for example the impact of fugitive methane emissions); and secondly it uses estimates of global shale gas reserves from the US Energy Information Administration which do not include figures for Russia and Central Asia, the Middle East, South East Asia and Central Africa (page 68). Tyndall also assessed the potential impact of shale gas on meeting the UK’s legally-binding climate change targets. They conclude that emissions from using the UK’s potential shale gas reserves could represent up 14.5% of the total UK greenhouse gas budget for the period 2010 to 2050 (page 67). Again, this only includes carbon dioxide emissions from combustion, and so does not include the impact of fugitive methane emissions.

The Inter-Governmental Panel on Climate Change (IPCC) recently confirmed that there are unprecedented levels of greenhouse gases in the atmosphere and that it is extremely likely (95-100%) that human influence has been the dominant cause of observed warming since the mid-20th century. It confirmed that there will be more frequent temperature extremes,

⁵ <http://hmccc.s3.amazonaws.com/EMR%20letter%20-%20September%202012.pdf>

⁶ <http://www.springerlink.com/content/c338g7j559580172/> and <http://www.postcarbon.org/reports/PCI-Hughes-NETL-Cornell-Comparison.pdf>

⁷ http://www.climateactionprogramme.org/news/shale_gas_worse_for_climate_than_coal/

⁸ <http://www.ncwarn.org/2016/06/whistleblower-epa-official-covered-up-methane-leakage-problems/>

⁹ <http://www.tyndall.ac.uk/shalegasreport>

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heat waves will occur with a higher frequency for longer, and there will be more intense and frequent extreme rainfall, resulting in flooding.

There should be no assumption that hydrocarbons are needed without a proper assessment of the impacts of this assumption through the Strategic Environmental Assessment, and in terms of ensuring that cumulative climate change impacts are considered through planning control.

Conclusion

We ask you to revisit Policy CL3, and the presumption to omit wind energy development from the types of renewable energy acceptable, subject to the criteria. This exclusion is not viable in light of UK climate target commitments, and the 2015 Paris Agreement.

We would call for a full reappraisal, on a site by site basis of viability for wind energy; distinguishing single wind turbines from larger developments, and a point by point justification of all the sites where wind is not permitted, as opposed to the blanket omission of medium to large scale wind energy.

Where possible the mitigation of climate impacts through wind energy provision, should be sought.

Yours sincerely,

Pollyanna Steiner, Regional Campaigner

Helen Rimmer, Regional Campaigner

Planning Policy Team
Lancashire County Council
PO Box 100
County Hall
Preston PR1 0LD

Contact Email: lmwf@lancashire.gov.uk

2nd March 2015

Dear Planning Policy Team,

Lancashire's Supplementary Planning Document for Onshore Oil and Gas

Friends of the Earth welcomes the opportunity to respond to Lancashire County Council's consultation on this proposed Supplementary Planning Document for Onshore Oil and Gas.

Climate change

1.1 We are concerned that the SPD does not clearly set out the relevant policy context as there is a need to set out climate change commitments with regard to energy policy.

1.2 Given the UK Government recently amended the Infrastructure Act 2015 to include provisions to ensure that the Committee on Climate Change provides advice on the impact of unconventional oil and gas activities on the ability of the UK to meet its targets we strongly urge the authority to ensure this omission is remedied.

1.3 The planning context set out in the appendix fails to mention the particular requirement for local development documents in law (i.e. the plan-making context for decisions) to consider mitigation and adaptation of climate change (section 19 of the Planning and Compulsory Purchase Act 2004) and also paragraph 94 of the National Planning Policy Framework: "Local planning authorities should adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk, coastal change and water supply and demand considerations." Policy DM2 also refers to reduction in carbon emissions.

Unacceptable adverse environmental impacts

2.1 Our second main concern is that the proposed document fails to reference the unacceptable adverse impacts context as set out in national planning policy: "set out environmental criteria, in line with the policies in this Framework, against which planning applications will be assessed so as to ensure that permitted operations do not have unacceptable adverse impacts on the natural and historic environment or human health, including from noise, dust, visual intrusion, traffic, tip- and quarry-slope stability, differential settlement of quarry backfill, mining subsidence, increased flood risk, impacts on the flow and quantity of surface and groundwater and migration of contamination from the site; and take into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality;".

2.2 The document seems to suggest that impacts can be designed out of unconventional oil and gas activities but this will not be possible in practice as shown from places where these activities have been conducted.

2.3 Cumulative visual impacts on landscape are noted within the document, but nothing about cumulative noise or other key environmental issues. Cumulative impact is an issue that has been recognised at national

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level.

2.4 We are concerned that a policy which sets out an imbalanced set of considerations for the planning authority to take into account, or one which fails to reflect the balance as set out in national planning policy (eg: a document which fails to refer to carbon impacts or climate change at any point) may be unsafe and may not provide a robust basis for decisions to grant permission.

Economic impacts

3.1 We welcome the consideration of negative local economic impacts in paragraph 6.30 of the SPD.

Health impacts

4.1 We welcome the reference to the need to complete Health Impact Assessments for these developments. We would highly recommend a reference to the WHO guidelines on completing Health Impact Assessments, the Department of Health guidance, and the national planning practice guidance. Health impacts should form an important part of the consideration of proposals.

Precautionary principle

5.1 As this is part of the national policy context, we recommend that the authority ensures that the following paragraph from the national planning practice guidance as follows is noted in the SPD: “the local planning authority must have regard to the amount of information available, the precautionary principle and the degree of uncertainty in relation to the environmental impact.” Reference should be made to the precautionary principle in relation to the need for Environmental Impact Assessment. An established line of case law recognises the application of the principle when determining whether EIA is required¹.

5.2 Reference to the principle is also necessary in connection with assessment of impacts on protected species and protected areas which is referenced in the SPD².

5.3 The policy should make plain that subsurface activities must be taken into account in this regard.

Public Participation

6.1 The planning authority could go further and adopt a pre-application ‘requirement’ similar to that enshrined nationally for significant wind developments. The SPD could set out a set of expectations around good practice for pre-application community engagement in unconventional oil and gas proposals.

6.2 Commitment to public participation (paragraph 1.17) should state the local council’s commitment to invite presentations from community representatives when unconventional oil and gas applications are under consideration. It should also commit to informing via email all those who have requested to be kept up to date (paragraph 1.13). The planning authority should also suggest that local public meetings are held during the 21 day consultation to discuss the application (paragraph 1.14).

6.3 In particular the officer’s report must demonstrate how due regard has been taken of all consultation responses in a transparent manner.

6.4 Speaking at planning committee (paragraph 1.16) should include a commitment to ensure that every effort will be made to ensure concerned residents have an opportunity to respond.

6.5 Paragraph 2.4 of the SPD encourages community consultation but fails to highlight the need for independence and transparency.

6.6 Paragraph 1.14 of the SPD fails to make clear that a 21 day consultation on the Environmental Statement is the minimum necessary (as made clear by the Town & Country Planning (Environmental Impact Assessment) Regulations 2011). Where environmental statements are comprehensive considerably greater periods of time may be necessary both to ensure compliance with the Environmental Impact Assessment Directive (2011/92) and to ensure consultation is fair in accordance with domestic administrative law.

1 See for example R (Gilbert) v Secretary of State for Communities and Local Government [2014] EWCA 1952 (Admin).

2 Waddenzee case (Case C-127/02, [2004] ECR-I 7405):

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6.7 The SPD should reflect the obligation on the authority to ensure that persons with “protected characteristics” within the meaning of section 137 of the Equality Act 2010 have access to the information necessary to participate fully in the decision making process.

Financial guarantees

7.1 Paragraph 6.21 states that “It may be necessary for the operator to enter into a planning obligation or financial guarantee (bond) sufficient to provide for the restoration of the proposed development in the event of operator failure.” In our view this should be more strongly worded to say that these are required given the untried and untested nature of these developments in a UK context, and the real risk of failure (particularly where hazardous materials are being handled on site).

Consideration and mitigation of environmental impacts overview

8.1 The paragraph on noise (6.5) fails to ensure that BS4242 is used to assess impacts of clearly audible night time noise and to ensure that the health impacts are properly considered. The WHO guidelines on ‘Community Noise’ should also be referenced³.

8.2 The paragraph on air quality (6.6) fails to mention the policy context where air quality management schemes are in place, or how the affect on vulnerable communities should be assessed.

8.3 The paragraphs on water protection (6.7-6.9) fail to reference the documented level of risk to groundwater, and the need to avoid source protection zones (SPZs) and functional links as well as sensitive surface water bodies. Appendix 4 of the SPD refers loosely to “dissolved minerals” in flowback fluid but does not make clear that these can contain pollutants such as cadmium or chromium (see flowback fluid analysis for the Preese Hall site).

8.4 The paragraphs on transport (6.17-6.18) fail to set out the need to ensure the safety of other road users.

8.5 The section dealing with waste is limited, particularly given the significant environmental impacts waste may have. Paragraph 6.2 of the SPD contains little clarity as to what environmental elements are required to be subjected to baseline assessment nor that this must be undertaken before works begin.

8.6 Paragraph 6.19 does not give any indication as to how long or who is to carry on post-closure monitoring of the well. So far as production is concerned, section 5 fails to acknowledge that considerable further evaluation of impacts is required before permission may be granted (as recently recognised by researchers commissioned by the EU Commission)⁴.

8.7 Section 6.27 on seismicity should elaborate on the acceptable level of impacts (in terms of ground acceleration) and a statement of expectation (at least) that the developer will thoroughly assess the impacts, demonstrate that the risk of events above an unacceptable (predicted) magnitude are highly unlikely and propose a monitoring programme with mitigation measures in place should recorded levels exceed those agreed as acceptable. It remains a legitimate land use planning consideration which the SPD could cover.

8.8 Agricultural land is also a material consideration – the impact upon best and most versatile land is not covered adequately in the SPD. Guidance could set out that these locations should be avoided where the conflict arises.

Use of planning conditions

9.1 We are concerned that the fear of duplication is leading to yawning gaps between the different regulatory authorities. It is well understood that in a development, conditions will be set by the planning authority to regulate that development e.g. emissions to air and water. It must also be recognised that there will be impacts that cannot be mitigated e.g. the risk of well failure.

Lack of information about risks

10.1 The section on reservoirs fails to contain information on risks presented by unconventional oil and gas

3 <http://www.who.int/docstore/peh/noise/Comnoise-1.pdf>

4 <http://www.sciencebusiness.net/news/76921/Controversy-as-EU-announces-%e2%82%ac11.6M-in-funding-for-fracking-research>.

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development. In particular the risk of well failure is not referenced. There is growing evidence from countries which are at a more advanced stage of unconventional oil and gas development of the impacts of these developments. The risks should be acknowledged.

Yours sincerely,

Naomi Luhde-Thompson

Planning Advisor

Friends of the Earth England, Wales and Northern Ireland

Fylde Borough Council
Representations on Fylde Local Plan
Publication Version



September 2016

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1 INTRODUCTION

1.1 Context

1.1.1 Gladman Developments Ltd. (hereafter referred to as “Gladman”) specialise in the promotion of strategic land for residential development and associated community infrastructure. From this experience, we understand the need for planning to deliver the homes, jobs and thriving local places that the country needs. Every effort should be made to objectively identify and meet the full housing and economic needs on area, whilst responding positively to the wider opportunities for growth.

1.1.2 This submission provides **Gladman’s representations on the current consultation held by Fylde Borough Council (FBC) on the publication version of the emerging Local Plan.** Through this submission Gladman will highlight a number of issues with the Local Plan as currently proposed. We critically submit that the Plan fails to identify what the full objectively assessed need (OAN) for housing is, and that subsequently the Plan is progressing a housing requirement which fails to meet **the borough’s full OAN.**

1.1.3 To ensure a sufficient supply of **deliverable and developable housing land to meet the borough’s OAN in full,** we submit that the Local Plan should allow for a further degree of flexibility and should be now seeking to direct future growth to a range of locations to provide greater certainty that the **housing requirement is met. Crucially, a large proportion of the borough’s growth is directed to urban extensions,** to which Gladman have fundamental concerns regarding timing and delivery. It is considered that the borough contains a range of suitable and sustainable settlements that are **able to accommodate additional housing growth to meet the borough’s housing needs. It is our position that further growth should be directed to these settlements as this will provide greater flexibility and surety that the borough’s housing needs will be delivered in full.**

1.1.4 The National Planning Policy Framework (the Framework) sets out four tests that Local Plans must meet to be considered sound at Examination. In order to provide an appropriate basis on which to **plan for the borough’s housing needs and to be found consistent with the requirements of national planning policy,** the emerging Local Plan will need to be tested at Examination to ensure that it has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements and to assess whether it is sound. The four tests which the Local Plan must meet are as follows:

- Positively prepared
- Justified
- Effective
- Consistent with national policy

1.1.5 The Planning **Inspectorate’s “Procedural Practice in the Examination of Local Plans”** provides guidance to local authorities on the examination of local plans. It sets out that the Plan that is published under Regulation 19 is the Plan that the Council intends to submit to the Secretary of

State under Regulation 22. The Council should satisfy itself that the document is sound prior to undertaking its Regulation 19 consultation. There does however remain an opportunity for the Council to address the fundamental issues that remain following this Regulation 19 consultation through the production of an addendum (including an updated sustainability appraisal where necessary). Any addendum would need to be the subject of a further round of public consultation by the Council prior to the submission of its Plan (together with any addendum) under Regulation 22. This approach can be effective in enabling an efficient examination timetable and can significantly reduce the likelihood of further changes needing to be put forward by the Council as main modifications during the examination.

- 1.1.6 Gladman requests that it is given the opportunity to discuss the significant objections to the Plan that are contained within these representations at the Examination in Public.

2 NATIONAL PLANNING POLICY AND GUIDANCE

2.1 The National Planning Policy Framework

2.1.1 The National Planning Policy Framework (the Framework) makes clear that the purpose of the planning system is to contribute to the achievement of sustainable development and that Local Plans should meet full objectively assessed needs (OAN) for housing.

2.1.2 The Framework has been with us now for over four years and the development industry has experience with its application and the fundamental changes it has brought about in relation to the way the planning system functions. **Crucially, the Framework sets out the Government's commitment to 'significantly boosting the supply of housing' and how this should be reflected** through the preparation of Local Plans. It is imperative that the emerging Local Plan is formulated on the basis of meeting this requirement. In this regard, §47 of the Framework sets out specific guidance that local planning authorities should take into account when identifying and meeting their objectively assessed housing needs and states:

To boost significantly the supply of housing, local planning authorities should:

- *Use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period;*
- *Identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements...*
- *Identify a supply of specific, developable sites or broad locations for growth, for years 6-10, and where possible for years 11-15.'*

2.1.3 The starting point of identifying objectively assessed housing needs is set out in §159 of the Framework, which requires local planning authorities to prepare a Strategic Housing Market Assessment, working with neighbouring authorities where housing market areas cross administrative boundaries. It is clear from the Framework that the objective assessment of housing needs should take full account of up-to-date and relevant evidence about the economic and social characteristics and prospects for the area, with local planning authorities ensuring that their assessment of and strategies for housing and employment are integrated and take full account of relevant market and economic signals (§158).

2.1.4 Once a local planning authority has identified its objectively assessed needs for housing these needs should be met in full, unless any adverse impacts would significantly and demonstrably outweigh the benefits of doing so (§14). Local planning authorities should seek to achieve each of the economic, social and environmental dimensions of sustainable development, resulting in net gains across all three. Adverse impacts on any of these dimensions should be avoided. Where

adverse impacts are unavoidable, mitigation or compensatory measures may be appropriate (§152).

2.1.5 To be considered sound at Examination the emerging Local Plan will need to meet all four of the soundness tests set out in §182 of the Framework. Paragraph 182 states:

“A local planning authority should submit a Plan for Examination which they consider is ‘sound’ – namely that it is:

- *Positively prepared – the plan should be prepared based on a strategy which seeks to meet the objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;*
- *Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;*
- *Effective – the plan should be deliverable over its period and based on effective joint working on cross boundary strategic priorities; and*
- *Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with policies in the Framework.”*

2.2 Planning Practice Guidance

2.2.1 As the Council will be aware the Government published its final suite of Planning Practice Guidance (PPG) on 6th March 2014, clarifying how specific elements of the Framework should be interpreted when preparing Local Plans. The PPG on Housing and Economic Development Needs in particular provides a clear indication of how the Government expects local planning authorities to take account of the requirements of the Framework when identifying their objectively assessed housing needs. In summary, the Housing and Economic Development Needs chapter of the PPG states:

- Plan makers should not apply constraints to the overall assessment of need, such as limitations imposed by the supply of land for new development, historic under performance, infrastructure or environmental constraints.
- Household projections published by the Department for Communities and Local Government should provide the starting point estimate of overall housing need.
- Household projection based estimates of housing need may need adjusting to reflect factors affecting local demography and household formation rates which are not captured by past trends, for example historic suppression by under supply and worsening affordability of housing. The assessment will need to reflect the consequences of past under delivery and the extent to which household formation rates have been constrained by supply.
- Where the supply of working age population that is economically active is less than the projected job growth, this could result in unsustainable commuting patterns and could reduce the resilience of local businesses. In such circumstances, plan makers will need to consider how much the location of new housing or infrastructure development could help address these problems.

-
- If the historic rate of development shows that actual supply falls below planned supply, future supply should be increased to reflect the likelihood of under-delivery of a plan.
 - Plan makers should take account of concealed households.
 - Housing needs indicated by household projections should be adjusted to reflect appropriate market signals, as well as other market indicators of the balance between the demand for and supply of dwellings. Appropriate comparisons of indicators (land prices, house prices etc.) should be made – with longer term trends in the HMA, similar demographic and economic areas, and nationally. Divergence under any of these circumstances will require upward adjustment to planned housing numbers.
 - The more significant the affordability constraints (as reflected in rising prices and rents, and worsening affordability ratio) and the stronger other indicators of high demand (e.g. the differential between land prices), the larger the improvement in affordability needed, and the larger the additional supply response should be.
 - Market signals are affected by a number of economic factors. Plan makers should increase planned supply by an amount that, on reasonable assumptions and consistent with principles of sustainable development, could be expected to improve affordability.

3 OBJECTIVELY ASSESSED HOUSING NEED

3.1 Background

3.1.1 The process of undertaking an OAN is clearly set out in the Framework principally in §14, §47, §152 and §159 and should be undertaken in a systematic and transparent way to ensure that the plan is based on a robust evidence base.

3.1.2 The starting point for this assessment requires local planning authorities to have a clear understanding of housing needs in their area. This involves the preparation of a Strategic Housing Market Assessment (SHMA) working with neighbouring authorities where housing market areas cross administrative areas as detailed in §159 of the Framework. The Framework goes on to set out the factors that should be included in a SHMA including identifying:

“The scale and mix of housing and the range of tenures that the local population is likely to need over the plan period which:

- *Meets household and population projections taking account of migration and demographic change;*
- *Addresses the need for all types of housing including affordable housing and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes); and*
- *Caters for housing demand and the scale of housing supply necessary to **meet this demand.**”*

3.1.3 A key point worth noting from the above is that the objective assessment should identify the full need for housing before the Council consider undertaking any process of assessing the ability to deliver this figure. In addition, §159 specifically relates to catering for both housing need and housing demand within the authority area. It is worth pointing out that any assessment of housing need and demand within a SHMA must also consider the following factors; falling household formation rates, net inward migration, the need to address the under provision of housing from the previous local plan period, the results of the Census 2011, housing vacancy rates including the need to factor in a 3% housing vacancy rate for churn in the housing market, economic factors to ensure that the economic forecasts for an area are supported by sufficient housing to deliver economic growth, off-setting a falling working age population by providing enough housing to ensure retiring workers can be replaced by incoming residents, addressing affordability and delivering the full need for affordable housing in an area.

3.1.4 The need to identify the full OAN before considering any issues with the ability of a Local Planning Authority to accommodate that level of development has been confirmed in the High Court. Most notably in *Solihull Metropolitan Borough Council v (1) Gallagher Homes Limited (2) Lioncourt Homes*

Limited where it was considered that arriving at a housing requirement was a two stage process and that first the unconstrained OAN must be arrived at. In the judgement it was stated:

“The NPPF indeed effected a radical change. It consisted in the two-step approach which paragraph 47 enjoined. The previous policy’s methodology was essentially the striking of a balance. By contrast paragraph 47 required the OAN [objectively assessed need] to be made first, and to be given effect in the Local Plan save only to the extent that that would be inconsistent with other NPPF policies. [...] The two-step approach is by no means barren or technical. It means that housing need is clearly and cleanly ascertained. And as the judge said at paragraph 94, “[h]ere, numbers matter; because the larger the need, the more pressure will or might be applied to [impinge] on other inconsistent policies”.

3.1.5 Therefore following the exercise to identify the full, OAN for housing in an area,

“Local planning authorities should seek opportunities to achieve each of the economic, social and environmental dimensions of sustainable development, and net gains across all three. Significant adverse impacts on any of these dimensions should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where adverse impacts are unavoidable, measures to mitigate the impact should be considered. Where adequate mitigation measures are not possible, compensatory measures may be appropriate.” (NPPF §152)

3.1.6 This statement clearly sets out that local planning authorities should seek to deliver the full OAN and that this should be tested through the evidence base. Only where the evidence shows that this is not achievable should they then test other options to see if any significant adverse impacts could be reduced or eliminated by pursuing these options. If this is not possible then they should test if the significant adverse impacts could be mitigated and where this is not possible, where compensatory measures may be appropriate.

3.1.7 The final stage of the process is outlined in §14 and involves a planning judgement as to whether, following all of the stages of the process outlined above,

“Local Plans should meet OAN, with sufficient flexibility to adapt to rapid change, unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole; or
- specific policies in this Framework indicate development should be **restricted.”**

- 3.1.8 It is also worth noting that the final part of this sentence refers to footnote 9 of the Framework which sets out the types of policies that the Government consider to be restrictive. These include:

“sites protected under the Birds and Habitat Directive (see paragraph 119) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; **and locations at risk of flooding or coastal erosion”.**

- 3.1.9 Although this list is not exhaustive it is clear that local landscape designations, the intrinsic value of the countryside, the character of areas, green gaps etc. are not specifically mentioned as constraints by the Framework.
- 3.1.10 The National Planning Practice Guidance (NPPG) contains guidance to support local authorities in objectively assessing and evidencing development needs for housing (both market and affordable) and economic development. This document supports and provides further guidance on the process of undertaking such assessments, in addition to what is set out in the Framework.

3.2 Fylde Coast Strategic Housing Market Assessment

- 3.2.1 FBC is a member of the Fylde Coast Housing Market Area which includes Blackpool Borough Council, Wyre Borough Council and Fylde Borough Council.
- 3.2.2 Whilst the OAN report and subsequent Addendums prepared by consultants Edge Analytics and Turley Associates on behalf of the Fylde Coast authorities provides the most recent objective assessment of the **HMA’s housing needs, since** the publication of Addendum 2, two important additional sets of demographic data and projections have been released. The Office for National Statistics (ONS) published the 2014-based Sub National Household Projections on 25th May 2016 whilst Addendum 2 considers the implications of these figures, the subsequent 2014-based Household Projections being published by the Department for Communities and Local Government on 12th July 2016 have not been considered prior to the current consultation. Accordingly, it is important that the Council and its partners within the HMA fully consider what **impact these new figures will have on the housing needs of the borough. Until the Council’s** evidence on housing needs is updated to take account the latest starting point as advised by the PPG¹ it will remain uncertain whether the Council will deliver its full objectively assessed needs for housing.
- 3.2.3 **FBC’s affordable identified affordable housing need is 249dpa, this represents a large proportion of** the 370 dpa of all housing development for Fylde. Gladman question why this would be undeliverable as stated in §10.67 of the FLP. The PPG sets out that in assessing demographic-led housing needs, CLG Household Projections form the overall starting point for the estimate of housing needs, but caveats that these may require further adjustment to reflect future change and

¹ PPG Paragraph: 015 Reference ID: 2a-015-20140306

16. Gladman Developments

local demographic trends that are not captured through the projections. Given the probable percentage of affordable housing to be delivered by market housing led development we question whether an increase in the total housing figures would secure the delivery of the Council's full OAN for market and affordable housing.

- 3.2.4 In light of the above, Gladman reserve the right to comment on any future updates regarding the Council's housing need evidence.

4 LEGAL COMPLIANCE

4.1 Duty to Cooperate

- 4.1.1 The Duty to Cooperate (DtC) is a legal requirement established through Section 33(A) of the Planning and Compulsory Purchase Act 2003, as amended by Section 110 of the Localism Act. The DtC requires local planning authorities to engage constructively, actively and on an ongoing basis with neighbouring authorities on cross-boundary strategic issues through the process of plan preparation. As demonstrated through the outcome of the 2012 Coventry Core Strategy Examination and the 2013 Mid Sussex Core Strategy Examination, if a Council fails to satisfactorily discharge its DtC then a Planning Inspector must recommend non-adoption of the Plan. The issue of effective cooperation is not a matter than can be rectified through modifications.
- 4.1.2 Gladman recognise that the DtC is a process of ongoing engagement and collaboration². As set out in the PPG, it is clear that the Duty is intended to produce effective policies on cross boundary strategic matters. In this regard, the Council must be able to demonstrate that it has engaged and worked with its neighbouring authorities, alongside their existing joint work arrangements, to satisfactorily address cross boundary strategic issues, and the requirement to meet any unmet housing needs. This is not simply an issue of consultation but a question of effective cooperation to ensure that the HMAs housing needs are met in full.
- 4.1.3 Gladman note that the Council is seeking to work with its neighbouring partners in the HMA to meet its requirement under the Duty. As highlighted in section 4.2 of this response, the OAN evidence will need to be revisited to take account the most up-to-date projections that are available (i.e. 2014-based). These projections provide the starting point for determining OAN and will likely alter the level of housing needed over the plan period.
- 4.1.4 Further §3.23 – 3.26 of the Council's Duty to Cooperate Statement of Compliance documents states that that the Council is unable to assist due to the uncertainties relating on outstanding evidence studies relating to highway capacity, flood risk and green belt. Table 13 of Appendix 1 also states that Flyde is unable to accommodate any unmet needs if such a request is made. This seems **contrary to the Council's statement at §3.26 which suggests** that the Council is committed to **working with Wyre and its other neighbours, once the evidence base relating to Wyre's constraints** is complete.
- 4.1.5 **Gladman take this opportunity to highlight the Inspector's interim findings to the Warwick Local Plan**, where the Inspector found that the net shortfall of 4,680 dwellings was a significant figure and in those circumstances saw no basis in the Framework for an approach which having identified the OAN for the HMA, does not meet it in full³. Unless the Council update its housing needs evidence base and address the distribution of these issues then the Plan will likely be found inconsistent with

² PPG Reference ID: 9-011-20140306

³ Inspector's Interim Findings to the Warwick Local Plan - §20-21

the requirements of national planning policy with regards to effective joint working on cross boundary strategic issues, specifically the unmet needs of neighbouring local planning authorities.

4.2 Sustainability Appraisal

- 4.2.1 In accordance with Section 19 of the Planning and Compulsory Purchase Act 2004, policies set out in Local Plans must be subject to a Sustainability Appraisal (SA), and also incorporate the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA regulations).
- 4.2.2 **The SA/SEA is a systematic process that should be undertaken at each stage of the Plan's preparation, assessing the effects of the emerging Local Plan proposals on sustainable development when judged against all reasonable alternatives. The Council should ensure that the future results of the SA clearly justify its policy choices. In meeting the development needs of the area, it should be clear from the results of this assessment why some policy options have progressed, and others have been rejected. This must be undertaken through a comparative and equal assessment of each reasonable alternative, in the same level of detail for both chosen and rejected alternatives. The Council's decision making and scoring should be robust, justified and transparent.**

5 FYLDE LOCAL PLAN

5.1 Policy DLF1: Development locations in Fylde

- 5.1.1 Gladman support the inclusion of Policy DLF1 as it conforms with the Framework and the recognition of the national policy imperative which seeks to significantly boost the supply of **housing. In particular, we commend the Council's use of the word 'minimum' in relation to the** overall housing target of 7,768 dwellings as this provides a degree of flexibility and does not limit the amount of sustainable growth opportunities coming forward over the plan period. Gladman remind the Council of the need to ensure that this approach is reflected throughout the policies within the Local Plan.
- 5.1.2 Policy DLF1 provides the overarching strategy for the spatial distribution throughout the borough. Notwithstanding the above, the Council should be mindful that all settlements can play a positive role in securing the borough's **full OAN. Whilst it is recognised** that the major settlements continue to play a key role in accommodating future development within the borough, this should not be at the expense of ensuring that the housing and employment needs of other settlements are met. §55 of the Framework seeks to promote sustainable development in rural areas to maintain and enhance the rural vitality and viability of these areas. It is therefore essential that the needs of all sustainable rural settlements across the borough are apportioned meaningful growth to ensure their ongoing vitality and viability.
- 5.1.3 Whilst it is recognised that **some of the borough's settlements are small scale and consideration of** the setting and character of a particular settlement is important, these issues must be balanced against the needs of the local community for new housing, including affordable housing and the need to ensure the long term viability of services and facilities within the village.
- 5.1.4 Policy DFL1 makes the provision that windfalls and non-strategic sites will occur within the strategic locations for development and non-strategic sites within locations for development within and adjacent to Tier 1: Larger Rural Settlements and Tier 2. Gladman are keen to ensure that this is fully reflected throughout the Local Plan, these policies should not contain any unsubstantiated limitations that may preclude the delivery of sustainable development. In this regard, we do not **consider it effective or justified that the Council's proposed figure on non-strategic development sites (10-99 homes) to accord with the minimum housing target.**

5.2 General Development Policies

Policy GD1: Settlement Boundaries

- 5.2.1 Gladman do not support the use of Policy GDL1 as currently set out. The use of tightly drawn **settlement boundaries will only act to contain the physical growth of the borough's settlements.** The Framework is clear that development that is sustainable should go ahead without delay in accordance with the presumption in favour of sustainable development.

5.2.2 Indeed, this policy only allows development on previously developed land or greenfield sites within the proposed settlement boundaries. This position seems to conflict with Policy DLF1 which allows development within and adjacent to Tier 1 and Tier 2 Rural settlements and does not make any specific reference to the prioritisation of previously development land. In this regard, §111 of the Framework only seeks to encourage but does not prioritise the development of previously developed land.

5.2.3 Gladman recommend that a criteria based approach is instead applied that assesses the sustainability of sites on a case by case basis consistent with the presumption in favour of sustainable development.

Policy GD3: Areas of separation

5.2.4 Gladman submit that new development can often be located in countryside gaps without leading to the physical or visual merging of settlements, eroding the sense of separation between them or resulting in the loss of openness and character. In such circumstances we would question the purpose of a gap designation, particularly if this would prevent the development of otherwise sustainable and deliverable sites **coming forward to meet the borough's needs.**

5.2.5 The recent judgment at the High Court⁴ is informative on this point and the wide interpretation that is now to be placed on §49 of the Framework. Gladman therefore question whether this particular policy seeks to implement a blanket designation in these particular areas of the open countryside as a back door way to try and achieve what would amount to a new area (and an extension) of Green Belt by another name.

Policy GD4: Development in the Countryside

5.2.6 Gladman reiterate the comments made in response to Policy GD4. It is unclear whether land beyond the settlement limits are classed as countryside. If this is the case, then this policy would be in conflict with DFL1.

5.2.7 Further, this policy only allows for development should it be needed to support the purposes of a rural enterprise, redevelopment of existing buildings or minor extensions. Should development come forward in accordance with Policy H6 to support a rural enterprise, then this will likely have a condition attached to its use and will not generate any net dwellings to deliver market or affordable housing.

Policy H1: Housing delivery and the allocation of housing land

5.2.8 In principle Gladman support Policy H1 which seeks to deliver a minimum 370 dwellings per annum. However, we are concerned with the way in which criteria b will be applied. It states that the Council will keep under review the housing delivery performance on the basis of rolling 3 year completion levels. If, over the latest 3 year review periods, any targets relating to housing completions are

⁴ Suffolk Coastal District Council v Richborough & Hopkins v Cheshire East

missed by more than 20% the delivery of uncommitted sites will be adjusted as appropriate to achieve a high level delivery. Whilst this may seem a positive approach should **the Council's** proposed allocations fail to be implemented as envisaged this will result in a housing deficit. Regardless of the amount this policy needs to be able to react to market conditions and not obstruct the delivery of sustainable growth opportunities from being delivered.

Policy H2: Density and mix of new residential development

- 5.2.9 **The standards set in this policy should allow for flexibility and the wording 'subject to viability'** should be included within the proposed mix.

Policy ENV4: Provision of New Home Space

- 5.2.10 Gladman recognise the importance of this policy to secure the provision of new open space. The policy states that within housing developments comprising of ten or more units the following minimum standards will be applied

- 16m² per 1 bedroom home
- 24m² per 2 bedroom home
- 32m² per 3 bedroom home
- 40m² per 4 bedroom home
- 48m² per 5 bedroom home

- 5.2.11 However, we question why housing developments of 100 dwellings or more will be required to provide double the above standards. This casts serious doubt over whether development could be delivered viably if so much land was used for public open space without any sufficient justification or evidence for this standard being applied.

6 CONCLUSION

6.1 Summary

- 6.1.1 Having considered the FLP as proposed, Gladman are concerned about a range of matters including full objectively assessed need, the spatial strategy and the conflicting views between the **development strategy and the Council's development management** policies.
- 6.1.2 The FLP must be positively prepared, effective, justified and consistent with national policy if it is to be found sound at examination. In the first instance, the Council must start with clearly defining a Framework and PPG compliant OAN by developing an unconstrained requirement which properly follows the guidelines set out at the national level. In this regard, the OAN evidence will need to be updated to take into consideration the 2014 Household Projections using this as a starting point. This would should have been carried out prior to this consultation. Working with the wider HMA the Council should update its housing needs evidence before submitting the Local Plan for independent examination. Should the OAN increase the Council will need to undertake further evidence base work in order to identify suitable and sustainable sites to fulfil this need and consult on any proposed changes.
- 6.1.3 Careful consideration then needs to be given to the spatial strategy that forms the basis of distribution across the borough. All sustainable settlements should be able to meet their own housing and employment needs as well as contributing to the wider borough requirements. A **flexible approach to delivering the development needs of the district will ensure the Plan's** ultimate deliverability and success. Whilst it is noted that the Council seeks to direct growth to a number of sustainable settlements, it is concerning to see that the proposed development management policies do not reflect the policy wording in Policy DLF1.

17. Glasdon Group - Cassidy & Ashton



Publication Version Local Plan Representation Form

Ref:
Date Received:
Date acknowledged:
(For official use only)

Name of the Local Plan to which this representation relates:

Publication Version Fylde Local Plan to 2032

Please return to Fylde Borough Council by 5pm on Thursday 22 September 2016

This form has two parts:

Part A – Personal Details

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details*

2. Agent's Details (if applicable)

**If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.*

Title		Mr
First Name		Alban
Last Name		Cassidy
Job Title (Where Relevant)		Director
Organisation (where relevant)	Glasdon Group	Cassidy + Ashton
Address Line 1	c/o Agent	7 East Cliff
Line 2		Preston
Line 3		
Line 4		
Post Code		PR1 3JE
Telephone Number		01772 258356
Email Address (where relevant)		albancassidy@cassidyashton.co.uk

17. Glasdon Group - Cassidy & Ashton

Part B – Please use a separate sheet for each representation

Name or Organisation: Oyston Estates

3. To which part of the Local Plan does this representation relate?

Paragraph Policy Policies Map

4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(3) Complies with the Duty to cooperate	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

The Policy needs to be flexible to cater for changing requirements at the Airport Enterprise Zone, including non-airport uses.

(Continue on a separate sheet /expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any noncompliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The Policy should be modified to allow non-airport development in appropriate circumstances, in accordance with the requirements of the Enterprise Zone. The policy is currently too prescriptive and would prevent the creation of much needed employment-led development in the area.

(Continue on a separate sheet /expand box if necessary)

17. Glasdon Group - Cassidy & Ashton

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate the oral examination

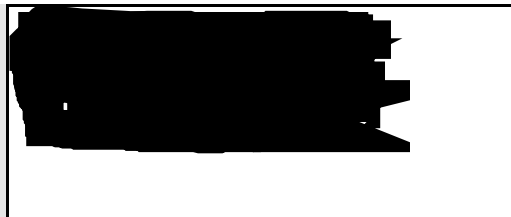
Please tick as appropriate

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

As a major landowner in the area, it is necessary to appear to join the general discussion regarding the future of the Airport Enterprise Zone.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

9. Signature:



Date:

22nd
September
2016

Data Protection

Your personal contact details will not be released to any third parties and will only be used for the purposes of the Fylde Local Plan. Please note that your name, comments, and your town/city will be made publicly available. In order to comply with data protection legislation, address details and email addresses will not be released.

If you want this information in large print, audio, Braille or another language please call 01253 658658

18. Greenhurst Investments - Indigo Planning

	<h3 style="margin: 0;">Publication Version Local Plan Representation Form</h3>	Ref: Date Received: Date acknowledged: (For official use only)
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Name of the Local Plan to which this representation relates: Publication Version Fylde Local Plan to 2032

Please return to Fylde Borough Council by **5pm on Thursday 22 September 2016**

This form has two parts:

Part A – Personal Details

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details*	2. Agent's Details (if applicable)
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**If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.*

Title	Administrators of Greenhurst Investments Limited (C/O Agent)	Mr
First Name		Daniel
Last Name		Jackson
Job Title (Where Relevant)		Associate Director
Organisation (where relevant)		Indigo Planning
Address Line 1		Lowry House
Line 2		17 Marble Street
Line 3		Manchester
Line 4		
Post Code		M2 3AW
Telephone Number		0161 836 6910
Email Address (where relevant)		Daniel.jackson@indigoplanning.com

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph Policy Policies Map

4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(3) Complies with the Duty to cooperate	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Please refer to cover letter

(Continue on a separate sheet /expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (NB Please note that any noncompliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please refer to cover letter

(Continue on a separate sheet /expand box if necessary)

18. Greenhurst Investments - Indigo Planning

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate the oral examination

Please tick as appropriate

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please refer to cover letter

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

9. Signature:



Date:

22/09/2016

Data Protection

Your personal contact details will not be released to any third parties and will only be used for the purposes of the Fylde Local Plan. Please note that your name, comments, and your town/city will be made publicly available. In order to comply with data protection legislation, address details and email addresses will not be released.

18. Greenhurst Investments - Indigo Planning

If you want this information in large print, audio, Braille or another language please call 01253 658658



Fylde Borough Council
Town Hall
St Annes
Lancashire
FY8 1LW

22 September 2016

By email
Planning.policy@fylde.gov.uk
let.026.SS.AS.07920031

Dear Sir/Madam

PUBLICATION VERSION OF THE FYLDE LOCAL PLAN TO 2032 – CONSULTATION

We write on behalf of our client the administrators of Greenhurst Investments Ltd (Greenhurst), in response to the above consultation exercise. The administrators Greenhurst own land north of Kilnhouse Lane in Lytham (see site location plan) and have submitted an outline planning application for residential development (ref: 16/0524). As such the draft Local Plan and its impact on schemes such as theirs is of great interest and they are keen to ensure that the policies contained within are legally compliant, sound and complies with the duty to cooperate.

Our representation relates to the general employment and housing land need within the wider borough with a focus on Lytham and St Annes, particularly in respect of the employment allocation Site ES1 which covers our client's site.

Chapter 6: The Development Strategy

Chapter 6 of the Local Plan sets out the development strategy for the borough. Greenhurst agrees that Lytham and St Annes is a strategic location for development and a Key Service Centre as defined by Policy S1. Nearly a quarter of the requirement (1,839 dwellings) is proposed to be accommodated within the Lytham and St Annes Strategic Location for Development. However, it should be recognised that whilst identified for growth, the area has a number of constraints to accommodate development comprising:

- Very limited opportunities of previously developed land within the settlement boundaries;
- Historic parks and gardens;
- The seafront restricting growth to the west;
- The Ribble Estuary designated as a Special Protection Area and a Ramsar site to the south;
- An internationally renowned golf course; and
- Green belt land to the north and east.



Policy DLF1

Given the above, we **object** to Policy DLF1 which sets the development locations for Fylde on the basis that the council will need to deliver more than a minimum of 7,768 new homes, but considerably less than 60.6 ha of gross employment development over the plan period to 31 March 2032.

Housing

The borough has been in a position of undersupply for a number of years and has a record of persistent under-delivery. Against its draft housing requirement of 370 dwellings per annum, the council has not for some time been able to demonstrate a five year housing land supply. This is demonstrated in a number of recent appeal decisions and is set out in the council's Five Year Supply document (base date 31 March 2016) which demonstrates a 4.8 year supply of housing.

Whilst the council acknowledge the undersupply in their latest monitoring work, we have undertaken a more detailed assessment of sites comprised in the council's supply against National Planning Policy Framework (NPPF) / National Planning Practice Guidance (NPPG) and our assessment demonstrates a significant deficiency in supply, even lower than Fylde's published position. We consider the supply to be more in the region of 3.6 years.

Furthermore, the position is exacerbated by the fact that as at May 2016, Wyre Council requested that Fylde Council help meet its objectively assessed housing need. Whilst the exact extent of the unmet need is unknown, it is clear that Wyre is looking to neighbouring authorities to meet its needs. This will result in Fylde needing to find more sites for housing.

It is also important to note that both our conclusions and the council's assessment are based upon the emerging draft plan housing requirement, which is yet to be tested at examination, and should the annual requirement increase, would reduce the supply position even further.

This was a point made by the St Anne's NDP Examiner where he states that the Local Plan Publication Version "*is still likely to be challenged at Inquiry, not least on the matter of housing numbers*".

Employment

The most up to date employment land information is held within the Business and Industrial Land Schedule (Business Schedule), which has a base date of 31 March 2015. The Business Schedule records an average annual take up of 0.99ha per annum since 2001. This is much lower than the 2.7ha per annum average in the Employment Land and Premises Study (2012) (ELPS), the evidence base for the adopted and emerging Local Plan. It is questionable why the council has decided to carry forward the 2.7ha annual take-up figure in the Publication Version, when its most up-to-date study shows a much reduced



historic take-up at 0.99ha per annum.

This suggests that the average figure applied in the ELPS is high and that there is a potential downward trend of take-up across Fylde, with important implications for land requirements over the plan period.

The Business Schedule also recognises that since 2008, the majority of take up for business and employment has been driven by development at Whitehills Business Park, and is therefore not fully representative of take-up trends. On this basis it is considered that the employment land range projected over the plan period is above that which is genuinely required.

Assuming the annual average requirement is in line with the Business Schedule, at 0.99ha per annum, the proposed revised allocation in the emerging Local Plan of 62.0ha equates to over 62 years of employment land supply. This is a considerable supply of employment land, extending beyond the plan period. It is therefore more than is required to deliver the requirements of the plan and aligns with the alternative forecasting scenarios in the ELPS which demonstrated a significant oversupply of employment land in the Borough.

The enclosed advice from CBRE states that during the last 6 to 7 years there has been an over-supply of industrial accommodation with occupational demand being limited.

Graphs within the enclosed letter indicate that as well as a fall in take-up, there has also been a continued fall in the number of registered transactions for industrial development. CBRE conclude that market demand for industrial development remains very limited.

With respect to the office market, CBRE conclude that whilst take-up is recovering, the number of annual transactions in Fylde is falling.

Taking the above into account, the broad distribution of development in Table 2 on page 61 of the Publication Version should consider a lower amount of employment development. Given there is evidence of windfall development within the council's Business Schedule, the table should also allow an element of new employment land to come forward on unallocated sites.

Chapter 7: Strategic Locations for Development

Policy M1

We **object** to Policy M1 which requires masterplans and design codes to be prepared by developers for each allocation site within the Strategic Locations for Development and adopted as Supplementary Planning Documents. The need to agree these with the council before an application, particular for an outline scheme will result in unnecessary delays, going against the government's initiative to reduce and streamline the planning process. It will act as an unnecessary regulatory barrier to growth. In any event, many of the requirements of Policy M1 are national and local validation requirements



anyway and would be provided with a planning application. In this respect the policy not only requires doubling-up, but would become out-of-date quite quickly, particularly given reports such as ecological surveys have a two-year expiration date.

Policy SL1

We **object** to Policy SL1 “Lytham and St Annes Strategic Location for Development”. Our objection is threefold: firstly, we do not agree with the overall number of homes and employment sites (see comments on Chapter 6 above); secondly we do not agree with the locations of anticipated development; and thirdly, we do not agree with the projected commencement dates for a number of sites.

Our comments are focused on Site ES1 “Queensway Industrial Estate” which our client owns and which is listed as a strategic site for employment development.

Site ES1

We **object** to Site ES1 being retained for employment development within the Publication Version.

The site is allocated as an extension to the adjacent Queensway Industrial Estate for 3.8ha of employment land. This is anticipated to come forward within the plan period albeit the exact delivery is unknown. Importantly, only one enquiry has ever been received in the two years of marketing from neighbouring businesses for less than 0.2 ha of land (see enclosed Marketing Report). This is substantially less than the 3.8ha of land anticipated to come forward for employment development.

The site itself has a long history of being identified for development by Fylde Borough Council. Over the past 20 years plus, the site has been identified for employment in various local plans and has been granted planning permission for industrial and warehousing development.

Despite supportive local plan policies, a planning permission and an extensive history of marketing, there has been very little interest in bringing the site forward for employment development. Other uses including retail have also been investigated on the site; however there has been and there is no demand at this location.

This is partly explained by other more suitable and attractive locations for new businesses in the local area, including the recently allocated enterprise zone at Blackpool Airport which seeks to create 3,000 new jobs by 2020 and offers business rate discounts and enhanced capital allowances in the form of tax relief.

Despite the above, and the ELPS concluding that the existing Queensway Industrial Estate is low grade, of poor quality and has moderate prominence, the



site is taken forward as a strategic location for employment development in the Publication Version.

The long standing retention of the site for employment development goes against the NPPF which at paragraph 22 states that planning policies should avoid the long-term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose.

The enclosed letter from Duff and Phelps and associated appraisal and plan (drawing ref: 2099-AU-SK.01 Rev A) confirms that a typical employment development on the site would result in a substantial negative land value of circa minus £2 million. It is therefore beyond doubt that the site is not viable for employment use and should not be retained for employment development within the Publication Version.

Chapter 8: General Development Policies

Policy GD1

Policy GD1 should be amended to make reference to the fact that NDP can alter settlement boundaries, as is the recommendation made by the Examiner of St Annes-on-the-sea NDP.

Policy GD8

The Publication Version at Policy GD8 allows the change of use of employment land and sites, provided it is robustly demonstrated that to maintain the former/current use is no longer viable. A marketing exercise will need to be undertaken to demonstrate that there is no demand for the land in its current use. We agree with the wording of this policy as it promotes flexibility in accordance with paragraph 215 of the NPPF.

We have demonstrated through the submitted planning application (ref: 16/0524) that Site ES1 is not a viable employment site in accordance with Policy GD8. In accordance with Policy GD8, consideration has been given to the suitability and viability of site ES1 to deliver a mixed-use scheme or a retail scheme.

With respect to a mixed use scheme comprising residential and employment (office or industrial), there are a number of site specific constraints in relation to its location and technical constraints in terms of ground condition and proximity to Blackpool Airport Runway that restrict the site coming forward. Being a gateway location, residential development would need to front Queensway and the employment parcels would need to be located closest to the airport runway and Queensway Industrial Estate. This will however lead to commercial vehicles traversing the residential houses, not an ideal situation for prospective residents and employees. A mixed use scheme therefore would be unsuitable and consequently unviable in this location.

The retail market has been explored by retail experts Harvey Spack Field. The



retail marketing exercise was undertaken throughout 2015, principally from December 2014 to December 2015. In accordance with the Leasing Report (14 July 2015), and through further discussions with agents at Harvey Spack Field, it is evident that none of the enquiries materialised any further despite chasing. Furthermore, developers would not be willing to take the financial risk of developing a bulky retail scheme when rental levels in this area so low.

It is interesting to note, that the council's Part Two Report (October 2015) on their Preliminary Draft Charging Schedule (PDCS) states at paragraph 4.23 that "most forms of [commercial] development within the Borough are not economically viable without additional funding support at the current time, based on a speculative form of development".

The Part Two Report goes onto state that "notwithstanding the above, even the 'prime sites' tested with higher revenues were not financially viable (for either the office developments or industrial units tested) based on a speculative form of development. Given that the speculative development of industrial units and office accommodation is not viable, we would not recommend implementing any form of CIL charge for B1, B2 or B8 uses".

Summary

We trust that this representation will be taken into account as part of the consultation process and we request to take part in the oral examination of the Local Plan in order to raise the above points with the Inspector and answer any queries.

Yours faithfully

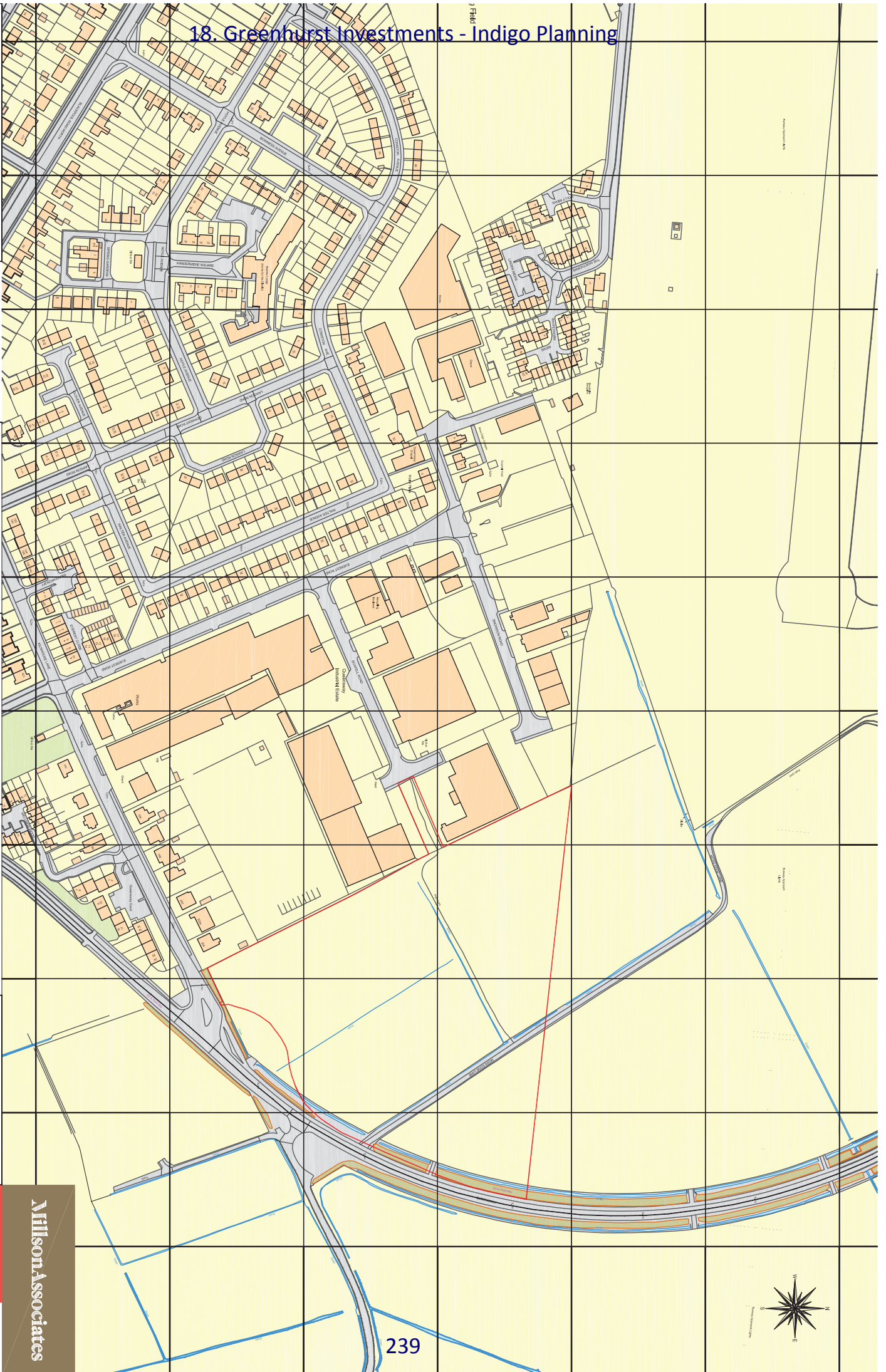


Daniel Jackson

Enc: Site Location Plan
Letter from CBRE 12 September 2016
Marketing Report, October 2015
Letter from Duff & Phelps with associated appraisal and plan
cc: Administrators of Greenhurst Investments Ltd

18. Greenhurst Investments - Indigo Planning

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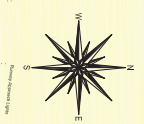
Greenhurst Investments Ltd
Client

LOCATION PLAN
Proposed Residential Development Land
North of Kilmhouse Lane, Lytham St. Annes

Drawing Title	Date	Status
Project Title	14/07/2016	Planning
Drawn	JB	Checked
Scale	1:2500	RB
Rev.	B	Size
		A3
		Drawing Nr.
		PL.001

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Steve.capper@cbre.com

Sarah Bell and Philip Duffy
Joint Administrators
Greenhurst Investments Limited
The Chancery
58 Spring Gardens
Manchester
M2 1EW

12th September 2016

Dear Sarah & Philip,

LAND AT QUEENSWAY, LYTHAM

I have now had the opportunity to review your appraisal in respect of the development land at Queensway, Lytham which extends to c. 11.5 acres.

The appraisal provides approximately 114,500 sq ft of industrial accommodation together with 17,000 sq ft of offices.

I thought it would be useful to provide a brief market overview of the area and my subsequent thoughts in respect of the viability of the scheme.

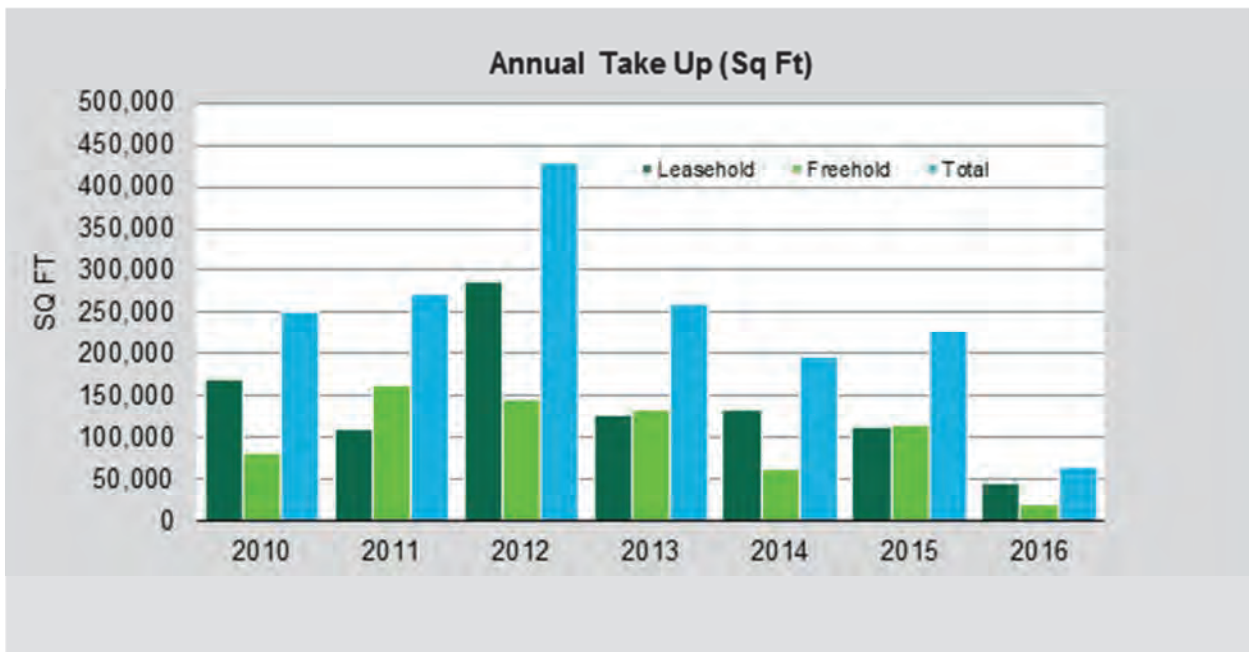
Industrial Market

In terms of the industrial market in the surrounding area, during the last 6 to 7 years there has been an over-supply of industrial accommodation with occupational demand being limited.

When the levels of registered take up are analysed it can be seen that take up has fallen fairly consistently during recent years. In fact since 2012 take up has dropped significantly and even though 2012 was a strong year, take up is now lower than both 2010 & 2011 with 2016 likely to show the lowest levels of space transacted in 7 years.

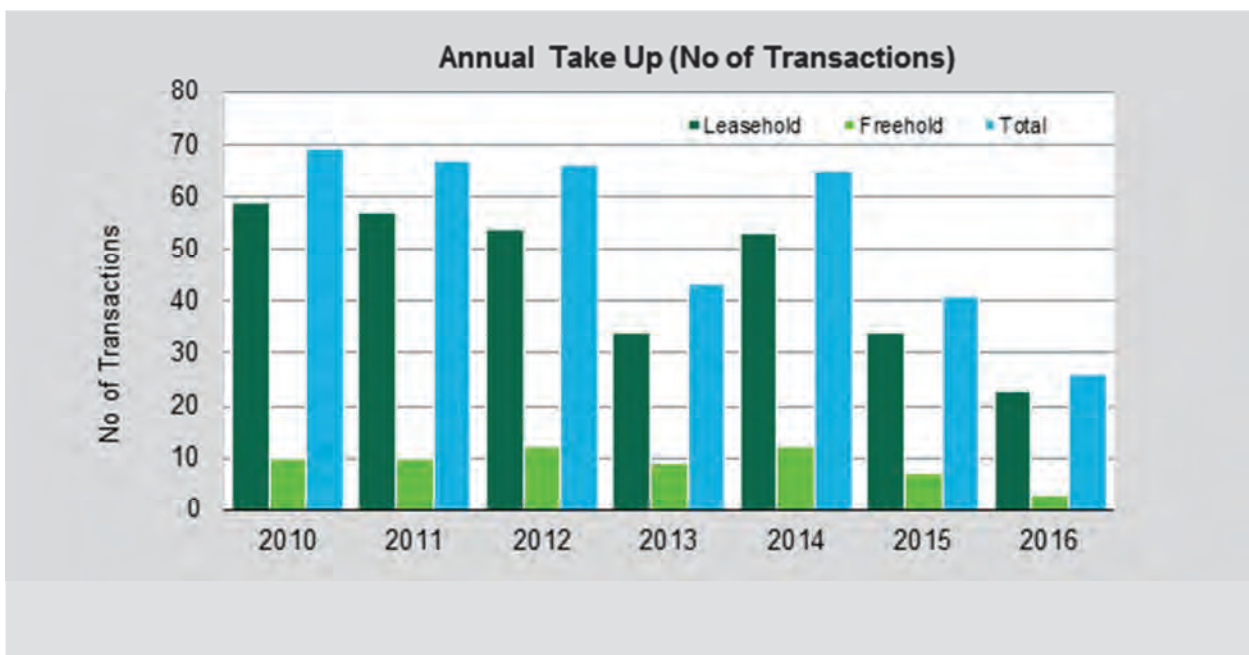
18. Greenhurst Investments - Indigo Planning

- 2 -



Source: Costar (2016 –H1 figure)

As well as a fall in take up there has also been a continued fall in the number of registered transactions.



Source: Costar (2016 –H1 figure)

With low levels of demand there has been little new development for several years which has to a certain extent addressed the over-supply in the market with registered availability currently standing at c. 400,000 sq ft.

However, market demand still remains very limited which is reflected in the 2016 take up figures provided above.

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In respect of ERVs I would suggest that a range of £6.00 to £6.50psf would be suitable with the smaller units commanding the higher rent. I have provided below some comparable transactions within the surrounding area.

Date	Property	Area	Sq Ft	Rent (psf)
12/01/16	Squires Gate Ln	Blackpool	800	£6.30
11/11/15	Apollo Ct	Blackpool	4,633	£6.47
01/10/15	Brinwell Rd	Blackpool	1,484	£5.66
01/09/15	Brinwell Rd	Blackpool	3,417	£5.64
01/07/15	Brinwell Rd	Blackpool	3,654	£6.57
25/06/15	Brinwell Rd	Blackpool	6,952	£5.78
01/06/15	Brinwell Rd	Blackpool	1,484	£5.66
01/03/15	Brinwell Rd	Blackpool	635	£6.33
01/02/15	Brinwell Rd	Blackpool	1,500	£5.40
01/02/15	Brinwell Rd	Blackpool	1,057	£5.01

Source: Costar

There are few modern/new build units available in the area however we are aware of the following:-

Property	Sq Ft	Quoting Rent (psf)
Unit 15 Piper Court, Amy Johnson Way, Blackpool	3,200	£6.25
Unit 5 Canberra Court, Amy Johnson Way, Blackpool	3,020 – 6,355	£6.00
Amy Johnson Way, Blackpool	3,878	£5.70
Unit 14 Olympic Court, Whitehills Business Park, Blackpool	2,090	£5.75

Source: Costar

In respect of comparable sales transactions there is limited evidence however we are aware of the following transactions on existing units:

Date	Property	Sq Ft	Price (psf)
27/03/13	Unit 14 Amy Johnson Way, Blackpool	3,200	£68.75
01/11/14	Unit 2A Henry Street, Blackpool	1,183	£58.33

Source: Costar

For a new build unit we would therefore suggest a capital value of £75psf.

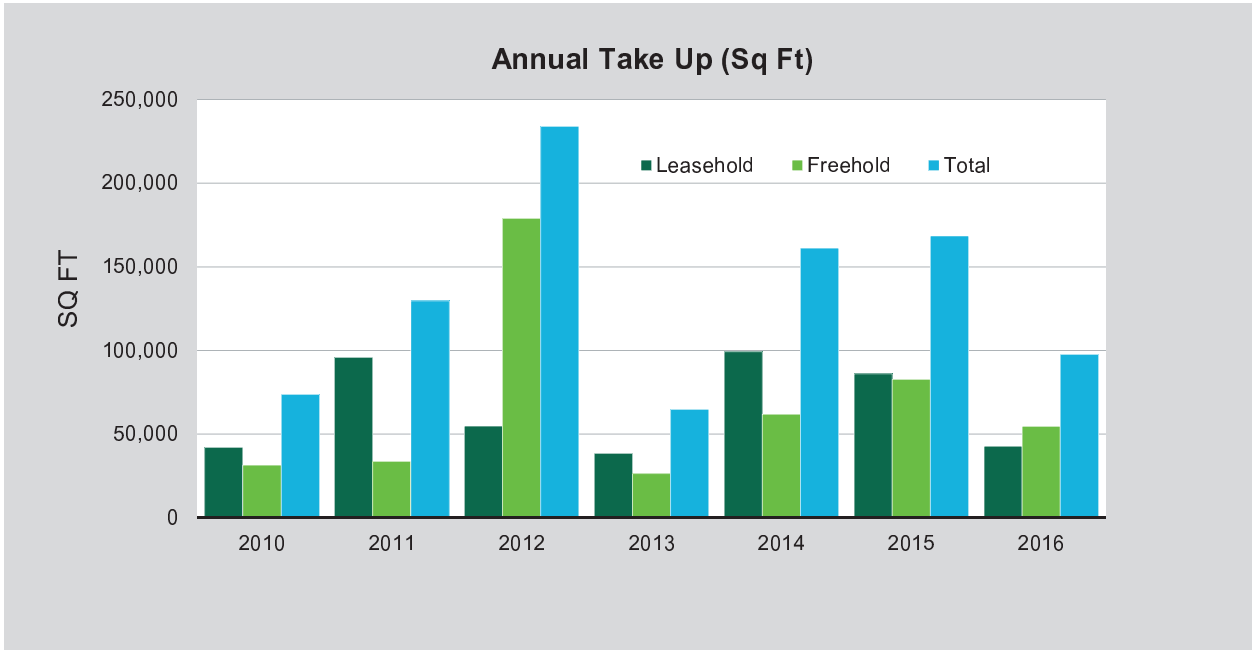
Office Market

When we analyse the registered take up figures for the office market it appears that demand has been more stable since 2013 when there was a large fall in take up. Whilst 2014 and 2015 were still significantly lower

18. Greenhurst Investments - Indigo Planning

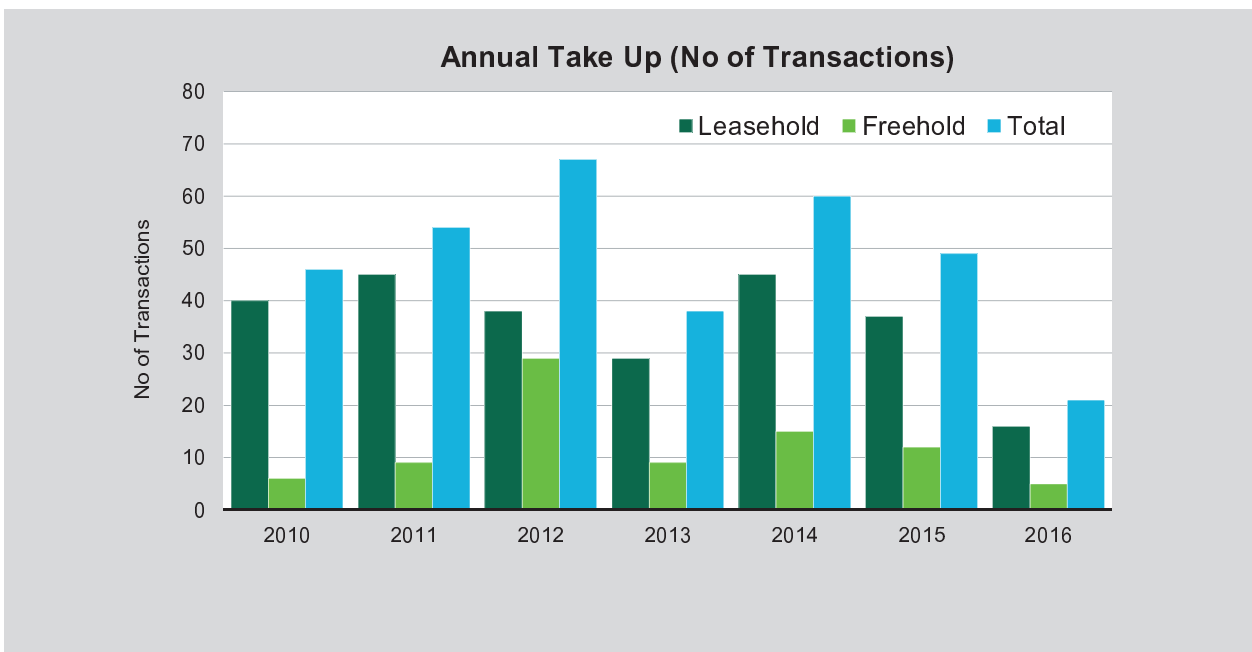
- 4 -

than 2012, they showed a large recovery from 2013. H1 take up for 2016 has been strong and should H2 continue at the same level, 2016 take up could be higher than both 2014 and 2015.



Source: Costar (2016 –H1 figure)

However when we review the number of annual transactions, it can be seen that 2016 looks set to continue the cycle of falling numbers of transactions.



Source: Costar (2016 –H1 figure)

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In respect of ERVs we would suggest £11psf and we are aware of the following comparable transactions in the surrounding area.

Date	Property	Area	Sq Ft	Rent (psf)
18/05/16	Avroe Cres	Blackpool	3,250	£10.00
15/05/16	Avroe Cres	Blackpool	3,350	£10.00
29/01/16	Hardhorn Rd	Poulton Le Fylde	617	£13.61
01/12/15	Amy Johnson Way	Blackpool	710	£12.68
02/11/15	Olympic Ct	Blackpool	1,025	£11.50
01/07/15	Amy Johnson Way	Blackpool	315	£15.58
01/07/15	4A Clifton Sq	Lytham St Annes	553	£8.63
01/07/15	Faraday Way	Blackpool	685	£10.00

Source: Costar

Again there is limited transactional evidence in respect of freehold sales however we are aware of the following transactions of existing accommodation:-

Date	Property	Sq Ft	Price (psf)
01/07/16	Unit 7 Thompson Road, Blackpool	4,312	£82.13
01/10/14	Units 15 & 16 Avroe Crescent, Blackpool	2,542	£68.35

Source: Costar

We would therefore suggest a capital value of £100psf for a new build office unit.

In the wider North West region we have seen a return to some speculative development however these schemes are being built in established commercial locations which have excellent existing connectivity. As you are aware we have been marketing the site for 18 months and we have received very little interest from prospective occupiers for commercial use.

In the current market I would not expect any commercial developer to incur any significant development costs including infrastructure, servicing, remediation etc without securing a significant pre-let for either office or industrial use.

The development risk for the estate is further enhanced by the recent creation of the Blackpool Airport Enterprise Zone which comprises a 144 hectare site immediately to the north of the subject site and which incorporates both existing accommodation and potential development sites.

The Enterprise Zone provides the potential benefit of rates relief over 5 years up to a maximum of £275,000. This is a significant saving for SMEs and when appraising their occupational costs this would be likely to put the Land at Queensway at a significant disadvantage. Again this would be

18. Greenhurst Investments - Indigo Planning

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likely to deter commercial developers from incurring any development costs given the high risk profile of the estate.

Taking this into account together with market conditions and the lack of occupational interest we have received, I would suggest that the proposed development is unviable.

If you would like to discuss any of the above in more detail please do not hesitate to contact me.

Yours sincerely,

Steve Capper MRICS
Associate Director – Advisory & Transaction Services

18. Greenhurst Investments - Indigo Planning

LAND AT QUEENSWAY, LYTHAM – MARKETING REVIEW UPDATE 13TH OCT 2015

Date of Instruction

CBRE were appointed as Sole Agents on 3rd March 2015.

Client

Investec Bank PLC

Property



Site known as Land at Queensway, Lytham

Description

The property comprises an open plot of land adjacent to Blackpool Airport of c. 11.5 acres.

Marketing Activity

We have implemented the following marketing initiatives:-

DATE	ACTIVITY	DETAIL
March 2015	Marketing Board	An 8ft x 6ft Board was erected fronting Guide Lane. 
30 th March 2015	Marketing Particulars	A 2 sided A4 colour brochure was produced with 1,000 copies printed 

18. Greenhurst Investments - Indigo Planning



30th March 2015

Website Listings

The property is listed on the following websites:

- EG Propertylink
- CBRE
- Nova Loca
- Focus



7th May 2015

Mailing

Details sent to North West Industrial Agents

11th June

Mailing

Hard copy details mailed to c.900 occupiers in the immediate and wider surrounding areas.

14th October

E-Mailing

Details sent to North West Industrial Agents & c.900 local occupiers

Page 2

Enquiries

Following the implementation of the marketing initiatives we have received the following enquiries:-

Company	Date of Enquiry	Business Type	Comment
Henco International Ltd	28-02-15	Developer	Initial enquiry in respect of potential development opportunities
Birtwhistle Consultants	03-04-15	Property Consultant	Property consultant making initial enquiry on behalf of unnamed client.
Morris Homes	14-04-15	Residential Developer	Enquiry to ascertain whether the residential had now been excluded on the site
Mrs Holding	07-05-15	Unknown	Enquired to ask if site is going to be developed for residential

18. Greenhurst Investments - Indigo Planning

Easterleigh Animal Sanctuary	07-05-15	Charity	Require 5-7 acres for relocation of the nearby animal sanctuary
Simpsons Beverages	11-06-15	Drinks Manufacturer	Based in Blackpool and enquired directly from Mailshot with requirement for expansion in the area. Limited feedback.
Zell-Em Ltd	11-06-15	Promotional Products Supplier	Based in Blackpool and enquired directly from mailshot however nothing further following initial enquiry.
North West Roofing Supplies	03-09-15	Roofing Supplies	Requires small amount (less than 0.5 acres) of land for expansion as based adjacent to site.
Mr Stanley	03-09-15		Requires land to build a house.

Our ref: SB/PFD/PUB/AOK/AW/60718/2267674/3

Kieran Birch
Fylde Borough Council
The Town Hall
St Annes Road West
Lytham St Annes
Lancashire, FY8 1LW

When telephoning please ask for:
Pete Broadbent

E-mail:
Peter.Broadbent@duffandphelps.com

Direct Line:
0161 827 9037

Dear Sirs

**Greenhurst Investment Ltd (In Administration) ("the Company")
Land off Kilnhouse Lane and Queensway, Lytham St Annes, Fylde
Planning application ref 16/0524**

I refer to my appointment as Joint Administrator together with my partner Phillip Duffy of the above named Company and Land.

This letter sets out the background to the site and our reasoning behind the residential planning application submitted to Fylde Council for consideration.

Greenhurst Investment Ltd has been placed into Administration by the first charge holder Investec Bank, as the Company is insolvent.

Background

The Company originally had marketed the site for employment use through Commercial Agents for a period of two years, and due to no occupational demand submitted a mixed use scheme for 87 houses and industrial units. This was submitted and validated as an application in March 2012. The application was never brought to committee due to ongoing discussions with the Planning Officer. In December 2014 the Banks agent Indigo Planning placed the application in abeyance. This was to allow the Bank and the Administrators to consider the options available.

During this period CBRE, were asked to review occupation demand for 'retail and industrial', and 'Office and Industrial' schemes. The marketing has been ongoing for over 18 months and to date there has been no take up of demand. Detailed evidence has been submitted to the Council with the planning application.

Due to the lack of demand and employment viability, we have now submitted a full residential application no: 16/0524 for consideration.

Unviable for employment use

Prior to making this application, we were made aware that Blackpool Airport has been granted Enterprise zone status. Our agents CBRE have commented in the enclosed letter that the Enterprise Zone will provide occupiers with rates relief over 5 years up to a maximum of £275,000. This is a significant saving for SMEs and when appraising their occupational costs this would be likely to put the Land at Queensway at a significant disadvantage. CBRE advise this would be

The affairs, business and property of the Company are being managed by the Joint Administrators Sarah Helen Bell and Philip Francis Duffy who act as agents for the Company and without personal liability. They are both licensed by the Insolvency Practitioners Association.

18. Greenhurst Investments - Indigo Planning

likely to deter commercial developers from incurring any development costs given the high risk profile of the estate

You will note from the application documentation, a full site investigation has been undertaken which reveals that the site will require remediation and piling to up to 18 metres in places.

A further issue has been in that the proposed roundabout providing access to this site has not come forward as proposed. We understand there are still discussions going on regarding this, however our Transport Consultant has produced an alternative access to this site which we understand complies with Highways requirements.

In order to demonstrate to the Council that employment development on this site is not viable, we have produced the enclosed appraisal based on a typical mixed use industrial and office development totalling circa 130,000 sqft of floor space. This is accompanied by drawing 2099-AU-SK.01 Rev A that shows how such a development may be laid out.

The appraisal demonstrates the following:

- Total annual rent would be £846,450 based on comparable industrial and office rental values (see CBRE enclosed letter).
- Total Gross Development Value would be £10,277,500.
- Net proceeds of sale deducting acquisition costs of 5.81% would be £9,680,337.
- Total cost would be £9,702,288 based on comparable capital values for industrial and office development, including fees.
- When taking into account a typical developer profit of 20%, this would result in a residual land value of minus £2,077,410.
- Even with zero developer profit, there would still be a negative residual land value.

Conclusion

After considerable research regarding the site, we can conclude that an employment use produces a substantial negative land value.

It is beyond doubt that the site is not viable for employment use as the value that would be generated by its development would not exceed the costs of developing the site. The appraisal demonstrates that employment use would not provide sufficient incentive for the land to come forward and the development to be undertaken.

We would after consideration of the above facts, ask that you support this residential application.

Should you require any additional information, please contact Pete Broadbent of this office.

Yours sincerely
For and on behalf of
Greenhurst Investments Limited


Sarah Bell
Joint Administrator

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18. Greenhurst Investments - Indigo Planning

Queensway

Sep-16

Occupier	Size	Value	Annual Rent
Industrial E Mixed Use	13,500	£5.50	£74,250
Office E Mixed use	2,700	£11.00	£29,700
Industrial Units D	45,000 3 x15,000	£5.50	£247,500
Industrial units B	32,000 8x3,000	£5.50	£176,000
Industrial unit C	24,000	£5.50	£132,000
Offices unit A	17,000	£11.00	£187,000
Total Annual Rent	134,200		£846,450

Capital Value	Yield	AR	Value
Industrial Units E		£75	£1,012,500
Industrial Units D		£75	£3,375,000
Industrial Units B		£70	£2,240,000
Office Units Part E & A		£100	£1,970,000
Industrial unit C		70	£1,680,000
Total GDV			£10,277,500

Total GDV £10,277,500

Less Acquisition Costs 5.81% £597,122.75

Net Proceeds of sale £9,680,377.25

Costs To Achieve	Land	sqft	Rate sqft
Construction Ind/Office	16,200	£1,101,600	£68.00
Construction Industrial	101,000	£5,757,000	£57.00
Construction Office block	17,000	£2,295,000	£135.00
	134,200		
Fees	8%	£548,688	
Interest			
Total Costs		£9,702,288	

Developers Profit 20% £2,055,500.00

Residual Land Value -£2,077,410.75

Excluding finance costs

Land Value -£2,077,411

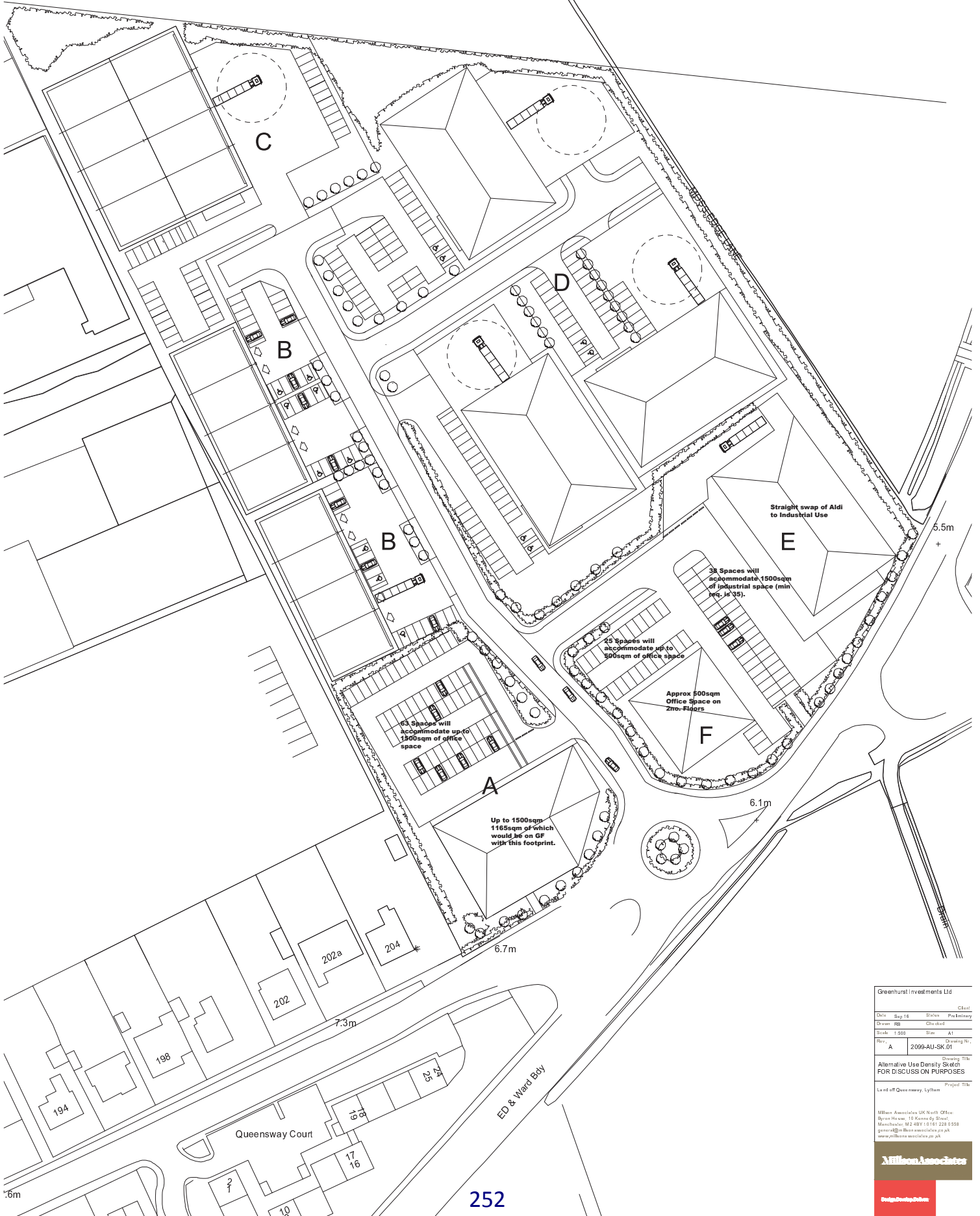
Floor Area Schedule

Building Ref	Use	Floor Area
A	Commercial	16,145sqm
B	Industrial	24,000sqm
C	Industrial	24,000sqm
D	Commercial	9 + 15,000sqm
E	Industrial	15,250sqm
F	Commercial	5,550sqm

Total Commercial = 66,295sqm
 Total Industrial = 63,250sqm

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Greenhurst Investments Ltd		Client
Date	Sep 18	Status
Drawn	RB	Checked
Scale	1:500	Sheet
Rev.	A	Drawing No.
2099-AU-SK-01		Project Title
Alternative Use Density Sketch FOR DISCUSSION PURPOSES		
Lead of Queensway, Lytham		
Millers Associates UK North Office Byron House, 10 Kennedy Street, Manchester, M2 4BT 0161 228 559 general@millersassociates.co.uk www.millersassociates.co.uk		

19. Hallam Land Management - Pegasus Planning

Eddie Graves

From: Sian Hayle <Sian.Hayle@pegasuspg.co.uk>
Sent: 22 September 2016 16:25
To: PlanningPolicy
Cc: Katie Dean; Sara Jones; Sebastian Tibenham; Graham Lamb; Mark Evans
Subject: Hallam Land Management - Publication Local Plan Reps Submission - Email 1
Attachments: Appendix 1- Full HLM Ownership in Warton.pdf; Appendix 2- BEF Site Location Plan (Approved).pdf; Appendix 3- BEF Decision.pdf; R009 - Publication Local Plan Reps - Final.pdf

On behalf of our client Hallam Land Management, please find attached our representations and appendices to the Local Plan Publication version.

I would be grateful if you could confirm receipt of this email.

Kind regards

Siân Hayle

Senior Planner

Pegasus Group

PLANNING | DESIGN | ENVIRONMENT | ECONOMICS

Suite 4b | 113 Portland Street | Manchester | M1 6DW

T 0161 393 3399 | M 07557 741166 | DD 0161 393 4532 | E Sian.Hayle@pegasuspg.co.uk

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<p>PLANNING FOR HOUSING 2016 ARSENAL FOOTBALL CLUB 29 SEPTEMBER 2016 9.00 - 17.00 PROUDLY SPONSORED BY PEGASUS GROUP</p> <p>OUR VERY OWN GLENN GODWIN IS ONE OF THE EXPERT SPEAKERS DEBATING ON ALL THINGS PLANNING!</p>	<p>mipim UK</p> <p>WE WILL BE EXHIBITING AT MIPIM UK 19-21 OCTOBER 2016</p> <p>COME AND SEE US AT STAND H26</p> <p>OLYMPIA, LONDON</p> <p>Pegasus Group</p>
---	---

19. Hallam Land Management - Pegasus Planning

Eddie Graves

From: Sian Hayle <Sian.Hayle@pegasuspg.co.uk>
Sent: 22 September 2016 16:28
To: PlanningPolicy
Cc: Katie Dean; Sebastian Tibenham; Graham Lamb; Sara Jones; Mark Evans
Subject: Hallam Land Management Reps Submission - Email 3
Attachments: Appendix 7- OAN Housing Need Paper, June 16.PDF; Appendix 8- Warton Spatial Masterplan (Rev D).pdf; Appendix 9- Warton West Spatial Masterplan.pdf; Appendix 10 - Moorside Homes Reps.pdf

Email 3 of 3

I would be grateful if you could confirm receipt of all three emails.

Thank you.

Kind regards

Siân Hayle

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FYLDE

OBJECTIVELY ASSESSED HOUSING NEED

APPEAL BY HALLAM LAND MANAGEMENT LIMITED

CLIFTON HOUSE FARM, WARTON

CHRISTOPHER MAY, BA(Hons) MRTPI

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ANNEX 1 - CHELMER DEMOGRAPHIC AND HOUSING REVIEW PAPER (UPDATED SEPTEMBER 2014)

1. PERSONAL BACKGROUND

- 1.1 My name is Christopher James May. I hold a Bachelor of Arts Degree with Honours in Urban and Regional Planning from Lanchester Polytechnic. I am a Member of the Royal Town Planning Institute. I am a Director employed in the firm of Pegasus Planning Group, a planning consultancy with offices throughout the country.
- 1.2 I have previously been employed in local government, having worked for 19 years in a variety of roles including forward plans and development control. Included in my roles within local government was head of development control at a metropolitan unitary authority.
- 1.3 On leaving local government I spent two years working for two national house builders, with responsibility for in-house planning matters including the promotion of sites through strategic planning processes and planning applications for residential development. I joined Pegasus Planning Group in a planning consultancy role in 2004. I advise a range of clients in relation to the promotion of land through the development plan process and the submission of planning applications. I have appeared at development plan examination hearings and planning appeal inquiries as a witness, including in relation to housing need and supply matters. Whilst a significant proportion of my work is in relation to housing development, I am also retained to act on behalf of clients with commercial property interests.
- 1.4 The report I have prepared and provide as part of evidence to this Inquiry on behalf of Hallam Land Management Ltd is true and given in accordance with the code of conduct of my professional institution. I can confirm that the opinions expressed are my true and independent professional opinions.

2. INTRODUCTION

- 2.1 This report has been prepared on behalf of Hallam Land Management Ltd (HLM) in relation to an appeal against the failure by Fylde Borough Council to determine within the prescribed time period outline planning application 15/0903 (all matters reserved except access) for up to 115 dwellings at Clifton House Farm, Lytham Road, Bryning with Warton.
- 2.2 This report sets out the correct approach to determining the full, objectively assessed need (OAN) for housing in Fylde Borough, over the emerging plan period 2011 to 2032. The OAN is to be used in the context of the appeal to assess the extent to which the Council can demonstrate a five year supply of deliverable housing sites in accordance with the requirements of the National Planning Policy Framework (the Framework).

3. DETERMINING THE HOUSING REQUIREMENT

3.1 This section deals with the approach to determining the full objectively assessed need for housing, the housing requirement, for the purposes of establishing whether the Council can demonstrate a 5 year supply of specific deliverable sites in accordance with paragraph 47 of the National Planning Policy Framework (NPPF). The following matters are addressed in turn:

- The Development Plan
- The Legal Context
- National Planning Policy Framework
- Planning Practice Guidance
- Other Notes and Publications
- **The Council's Position**

The Development Plan

3.2 The development plan for the area comprises the saved policies of the Fylde Borough Local Plan Alterations Review (2004-2016) (CD 1.1), which was adopted in October 2005 and is an update of the Fylde Borough Local Plan (1996-2006) (CD 1.2), adopted in May 2003. The Secretary of State issued Saving Directions in respect of some policies from both plans, as a result of which there are no extant development plan policies that set out a housing requirement for the Borough. The North West Regional Strategy (CD 1.7) and the Lancashire Structure Plan (1997) (CD 1.3) have been revoked.

3.3 The emerging Fylde Local Plan Revised Preferred Option was published for consultation between October and December 2015 (CD 2.28). It is understood the Publication version is due to be consulted upon in August to September 2016 with submission to the Secretary of State anticipated for December 2016. The Council anticipate that the hearings stage of the examination will follow in January 2017 with adoption expected March 2017. It is therefore the case that the emerging Fylde Local Plan is still at an early stage of production and will remain the subject of unresolved objections for some time to come, particularly concerning the draft housing requirement it proposes. It has also yet to be subject to examination. As such, little or no weight can be afforded to the draft housing requirement at this appeal as the basis for determining whether or not the Council can demonstrate a 5 year supply of housing.

The Legal Context

- 3.4 Following the Court of Appeal judgment in *City and District Council of St Albans v Hunston Properties Limited and the Secretary of State for Communities and Local Government* [2013] *EWCA Civ 1610* ("*Hunston*") (CD 6.15), in circumstances where there is no, or no up to date development plan requirement in place, the lawful way in which decision makers should approach determining a housing requirement for the purposes of understanding the five year housing land supply position is now clear. Sir David Keene giving the only substantive judgment in *Hunston* stated in paragraph 26 that the Inspector was:

"...mistaken to use a figure for housing requirements below the full objectively assessed needs figure until such time as the Local Plan process came up with a constrained figure".

- 3.5 The Court of Appeal decision in *Hunston* was considered further in *South Northamptonshire District Council v Secretary of State for Communities and Local Government & Barwood Land and Development Ltd* [2014] *EWHC 573 (Admin)* (CD 6.5). Mr J Ouseley said:

"30. In my judgment the crucial point to take from the *Hunston* case is how to interpret paragraph 47 (i) of the NPPF, relating the requirement for a full objective assessment of housing needs in the housing market area to the subsequent qualification that that be done so far as is consistent with the policies in the Framework, before the Local Plan is produced, reconciling or balancing the two aims.

31. Before that happens through the Local Plan, the full objectively assessed housing needs of the area are not subject to the constraints of policy. Those constraints fall for consideration later on in the development control decision-making process, as the Court of Appeal pointed out; for example in a Green Belt case, the question will be whether a shortfall of housing land supply against those fully assessed needs constitutes very special circumstances so as to permit inappropriate development in the Green Belt. The question is not whether the Green Belt constrains the assessment, but whether the Green Belt constrains meeting the needs assessed. Once the Local Plan is adopted, it is the constrained needs in the Plan which are to be met.

32. A revoked RSS is not a basis for the application of a constraint policy to the assessment of housing needs, because it has been revoked and cannot be part of the Development Plan. The same would be true of an out of date Local Plan which did not set out the current full objectively assessed needs. Until the full, objectively assessed needs are qualified by the policies of an up to date Local Plan, they are the needs which go into the balance against any NPPF policies. It is at that stage that constraints or otherwise may apply. It may be problematic in its application, but that is how paragraph 47 works."

- 3.6 The *Hunston* decision was also followed by Hickinbottom J. in the judgment *Gallagher Estates & Lioncourt Homes Ltd v Solihull Metropolitan Borough Council* [2014] *EWHC 1283 (Admin)*, dated 30 April 2014 (CD 6.23). Paragraph 88 of the judgment sets out that, following *Hunston* a number of points are now clear. Two relate to development control decision-taking:

"i) Although the first bullet point of paragraph 47 directly concerns plan-making, it is implicit that a local planning authority must ensure that it meets the full, objectively assessed needs for market and affordable housing in the housing

market, as far as consistent with the policies set out in the NPPF, even when considering development control decisions.

ii) Where there is no Local Plan, then the housing requirement for local authority for the purposes of paragraph 47 is the full objectively assessed need."

- 3.7 It is now clear that, absent a development plan requirement (as applies in relation to this appeal), the housing requirement that must be used in a decision-taking context to determine whether the Council can demonstrate a five year supply of specific deliverable housing sites, including in this appeal, is the full objectively assessed need for housing.

National Planning Policy Framework

- 3.8 The National Planning Policy Framework (the NPPF) was published in March 2012 (CD 4.2) and is a material consideration in the determination of planning applications and appeals. **The Government's imperative to boost significantly the supply of housing is set out** clearly in paragraph 47, which requires local planning authorities to ensure their local plans meet the full, objectively assessed needs for marketing and affordable housing in the housing market area, consistent with the policies set out in the Framework; identify and update annually a five-year supply of specific deliverable housing sites, with buffers of 5% or 20% as appropriate; identify a supply of specific developable sites or locations for growth for years 6/10 and where possible for years 11/15; illustrate the expected rate of housing delivery through a trajectory for the plan period and set out an implementation strategy for all housing describing how the delivery of a five year supply to meet their overall target will be met, and; set out their own approach to housing density to reflect local circumstances.
- 3.9 In relation to establishing a housing requirement, paragraphs 50, 158, and 159 from the **Framework set out a number of matters that should be taken into account. Local Council's** should ensure that their assessment of and strategies for housing, employment and other uses are integrated, and they take full account of relevant market and economic signals (paragraph 158). In order to assess full housing needs, there is a need to take into account evidence of current and future demographic trends, market trends and the needs of different groups in the community (paragraph 50). Paragraph 159 explains that this means:
- Meeting household and population projections, taking account of migration and demographic change.
 - Addressing the need for all types of housing including affordable housing and the needs of different groups in the community.
 - Catering for housing demand and the scale of housing to meet this demand

Planning Practice Guidance

- 3.10 On 6th March 2014 the Department for Communities and Local Government (DCLG) launched the Planning Practice Guidance (PPG) web-based resource (CD 4.5). This was accompanied by a Written Ministerial Statement which included a list of the previous planning practice guidance documents cancelled when the web site was launched.
- 3.11 The PPG seeks to explain further elements set out in the Framework. With regards to guidance on determining the full OAN, it makes the following points amongst others:

Housing and economic development needs assessments

- Establishing housing need is not an exact science and no single approach will provide a definitive answer (ID 2a-014).
- Household projections provide the starting point of overall housing need (ID 2a-015).
- They may require adjustment, for example to reflect previously suppressed household formation rates due to under-supply and worsening affordability. Assessments should therefore reflect the consequences of past under delivery of housing. Importantly, the projections do not reflect unmet housing need and a view should be taken on the extent to which household formation rates are or have been constrained by supply (ID 2a-015).
- It is relevant to take account of labour force supply relative to projected job growth in assessing housing need (ID 2a-018).
- The housing need number suggested by household projections should be adjusted to reflect market signals and other indicators of the balance between supply and demand, and worsening trends will require upward adjustment (ID 2a-019 & 020).

Other Notes and Publications

Planning Advisory Service Technical Advice Note – 2nd Edition July 2015

- 3.12 The Planning Advisory Service (PAS) provides consultancy and peer support, training sessions and online resources to help local authorities understand and respond to planning reform. The PAS is grant funded by the DCLG. Peter Brett Associates (PBA) has prepared an advice note entitled Objectively Assessed Need and Housing Targets on behalf of the PAS, the most recent version of which is from July 2015 (CD 4.11).

- 3.13 The Advice Note is a summary of policy in the Framework and the guidance set out in PPG. It states that housing needs assessments should start from the DCLG household projections, which in turn are based on the ONS population projections (SNPP). However, it goes on to point out that official projections roll forward demographic trends from the past and do not necessarily provide a true picture of future demand, for three main reasons: firstly, the projections might be technically flawed – for example because they are based on out-of-date information; secondly, they do not take account of future change in the external factors that drive demographic change, such as the economy or land supply in neighbouring areas; and, thirdly, because projections roll forward past trends they effectively assume that in the past the demand for housing land was met in full and therefore, in places where planning constrained past demand, projections will understate future demand. To overcome these flaws as far as possible, the Advice Note states projections may be adjusted to produce alternative scenarios.
- 3.14 With regard to the relationship between job growth forecasts and housing need, the Advice Note indicates that it is clear future labour market requirements cannot be used to cap demographic projections. In other words, if demographic projections do not provide enough resident workers to fill the expected workplace jobs they should be adjusted upwards until they do. But if the demographic projections provide more workers than are required to fill the expected jobs, they should not be adjusted downwards. The Advice Note states, if both a job-led projection and a trend-led demographic projection have been prepared, the higher of the two resulting housing numbers is the objectively assessed need.
- 3.15 The Advice Note also records the concerns PBA have with the alignment of jobs growth forecasts with housing needs. This stage remains an important part of the determination of the OAN for housing, but the Note suggests there can be methodological flaws in the integration of employment forecasts with housing assessments. Unfortunately, the solution suggested in the Note (an approach used by PBA in work they undertake on behalf of clients) is, in my view, flawed, **starting with a 'draft' OAN and suggesting the 'flexing' of assumptions** such as activity rates and commuting ratios, in the case of the latter in direct contradiction of the Note itself which clearly states this must be agreed with other authorities as part of the Duty to Cooperate. As the PPG itself points out, no single approach will provide a definitive answer.
- 3.16 The Advice Note goes on to refer to the steps local authorities should take to translate the objectively assessed need into a housing target or requirement in the plan making process. In the context of decision taking absent a local plan requirement, this is not a step those making decisions on applications and appeals can take; it is a task for the local plan making process. This is the clear, lawful approach as set out above.

Local Plan Expert Group Report

- 3.17 The Local Plans Expert Group (LPEG) was established by the Government in September 2015 with a remit to consider how local plan making can be made more efficient and effective. A

report to the Government was published in March 2016 (CD 4.12) and it is useful to give some consideration to the implications of its recommendations.

- 3.18 Appendix 6 of the report, which is the LPEG suggested approach to the calculation of a Local Authority's OAN, aims to provide a clear and objective calculation. Appendix 6 provides recommended changes to the PPG in respect of housing and economic development needs assessments.
- 3.19 In paragraph 3.21 LPEG make a recommendation to remove the current requirement to consider alignment of housing need with employment forecasts as they consider that this can be more easily achieved by recognising that employment growth pressure is also likely to be reflected in local affordability issues, so that an appropriate adjustment for market signals would meet this purpose. They advise that this should not form part of the calculation of the OAN.
- 3.20 This report was subject to consultation in March and April 2016. A response to the consultation has been made by PBA, Neil McDonald and Prof. Ludi Simpson from the University of Manchester (PBA et al) (CD 4.13), who submitted an objection to the LPEG report notably on the exclusion of an economic consideration in determining an OAN. Paragraph 3.41 of the PBA et al objection states that it cannot be right to relegate labour **market balance to an optional 'policy-on' adjustment**. Other things being equal, above-trend job growth will drive above-trend demand for housing, because many people move to places where there are job opportunities. In line with the principles of the NPPF planning should aim to meet that demand.
- 3.21 PBA et al disagree with the proposed methodology for deriving an OAN in the LPEG report. An alternative approach to deriving an OAN is suggested by PBA et al. which retains jobs growth and labour force growth alignment, and recommends a 10 year migration base. It also retains an uplift in some circumstances for market signals.
- 3.22 Table 4.1 of Appendix A of the PBA et al work utilises the LPEG methodology and identifies an estimated dwelling need for Fylde of 7,466 for the period 2011 to 2031 (373 dwellings per annum). This does not, however, include any assessment of the requirement for labour force growth in order to meet projected jobs growth, contrary to the PPG. It also does not include a 10% uplift for affordable housing which the PBA et al methodology suggests is not part of the OAN calculation, contrary to the PPG, but which would give a figure of 410 dwellings per annum for Fylde. On the basis of published evidence from the Council, reviewed below, the alignment of labour force growth and jobs growth, as recommended by the PBA et al methodology, would increase the OAN above 410 dwellings per annum.
- 3.23 The work of the LPEG is being reviewed by the Commons Communities and Local Government Select Committee, and at this stage it is not possible to draw any conclusions regarding proposed changes from the methodology for deriving the OAN for housing as currently set out in the PPG and followed in the SHMA and Addenda, as set out below.

The Council's Position

Strategic Housing Market Assessment

- 3.24 The Fylde Coast Strategic Housing Market Assessment (SHMA) was prepared by Turley and first published in February 2014 (CD 2.8). It utilises re-based 2010 sub national population projections, looks at natural change and net migration patterns and models housing needs that are aligned with the employment growth projections.
- 3.25 The first three scenarios tested in the SHMA are a range of migration-led scenarios. The first is a 5 year migration-led scenario where internal and international migration assumptions are based on the last five years of historical evidence (162 dwellings per annum 2011 to 2030). The next is a 10 year migration-led scenario where internal and international migration assumptions are based on the last ten years of historical evidence (242 dwellings per annum 2011 to 2030). A natural change scenario has also been tested where in-migration, out-migration, immigration and emigration are all set to zero and only births and deaths contribute to population change (-64 dwellings per annum 2011 to 2030).
- 3.26 It is important to note that Turley discount these first three scenarios on the basis that they do not fully meet population requirements and do not enable growth in total employment or increase the affordable housing stock. The SHMA then tests a scenario which rebases the 2010 SNPP to ensure consistency with the 2011 Census population (giving 321 dwellings per annum 2011 to 2030). The SHMA goes on to test three employment-led scenarios, the first from an Experian employment forecast (giving 366 dwellings per annum 2011 to 2030), the second from an Oxford Economics forecast (giving 436 dwellings per annum 2011 to 2030) and the third a forecast utilising the AECOM 2012 Employment Land Review (giving 404 dwellings per annum 2011 to 2030). The SHMA concludes that from the various modelling scenarios these indicate that there is an objectively assessed housing need for between 300 and 420 dwellings per annum in the Borough to 2030.
- 3.27 We consider that this range of 300 to 420 dwellings per annum is unusually large and is not helpful in understanding the objectively assessed need as a basis for deriving a housing requirement for either plan-making purposes or decision-taking in the absence of a development plan figure. It represents a difference of 2,280 dwellings over the plan period 2011-2030 and for the purposes of determining whether or not the Council can demonstrate a five year supply of housing, it is preferable a figure should be derived or, at the least, a very much narrower range of options. It is worthy to note that the lower end of the range (300 dwellings per annum) does not account for an employment-led scenario, with the lowest employment-led scenario giving 366 dwellings per annum.
- 3.28 A SHMA Addendum (now referred to as Addendum 1) was published in November 2014 (CD 2.19) to take into account the release of the ONS 2012 sub national population projections (SNPP). It concluded that in light of the new projections that were available, the range of

300 to 420 dwellings per annum that was evidenced in the SHMA 2014 remained appropriate and that the upper end of this range should be considered to represent the OAN. It also recorded the fact that modelling the Experian forecasts now indicated a loss of jobs. In addition, Addendum 1 noted that the net annual need for affordable housing had increased from 207 to 249 per annum.

- 3.29 Addendum 2 of the SHMA was subsequently published in May 2015 providing an update of the modelling presented in the Addendum 1 report to take into account the DCLG 2012 sub-national household projections that were released in February 2015.
- 3.30 Paragraphs 5.27 and 5.28 of the SHMA Addendum 2 (CD 2.20) state that the re-modelling continues to identify that at the upper end, the range identified within the 2013 SHMA falls below the re-modelled outputs presented in Addendum 2. The employment-led AECOM and Oxford Economics scenarios suggest a need for between 440 dwellings and 450 dwellings per annum based upon the application of the adjusted headship rate assumptions in the Addendum 2, and, in accordance with Addendum 1, this upper end of the range represents the OAN.
- 3.31 The SHMA Addendum 2, May 2015, therefore concludes that the range of 440 to 450 dwellings would now represent the OAN on the basis of the considered economic **position within the Council's evidence base.**

Housing Requirement Paper 2015

- 3.32 Based on the findings of the original SHMA and the subsequent Addenda, in June 2015 the Council published its *Housing Requirement Paper* (CD 2.21). The Paper summarises the findings of the SHMA and Addenda 1 and 2, and states (paragraph 5) that these conclusions; "*which sets out the objectively assessed need, plus national and local policy and evidence, plus local issues, will be used to derive an annual housing requirement figure*" (original emphasis). This process describes what is clearly set out by Lord Justice Laws in the Court of Appeal judgment concerning the Solihull Local Plan, as the second stage of a mandatory two stage process to derive a housing requirement for plan making purposes. (Paragraphs 16 & 18 *Solihull MBC v Gallagher Estates & Lioncourt Homes [2014] EWCA Civ 1610* (CD 6.27)). First, the OAN for housing must be established, and then, at the second stage, it is subject to policy and other considerations in order to derive a requirement figure.
- 3.33 As set out above, and given the stage the emerging Local Plan has reached in Fylde, for the purposes of this appeal it is the OAN for housing which must be used for determining the extent to which the council can demonstrate a 5 year supply of housing. The concluding paragraph of the *Housing Requirement Paper* (paragraph 159) clearly states that the figure that is the result of the consideration in the Paper, 370 dwellings per annum, provides a starting point for further refinement, and will be subject to public consultation. In addition, of course, it must also pass through the formal examination process, and until such time as

this has happened, a requirement figure which does not represent the OAN for housing cannot be used in this appeal.

- 3.34 Paragraphs 43 and 44 of the *Housing Requirement Paper* note the conclusions of the SHMA Addendum 2, as referred to above. They re-state that the Addendum 2 continues to identify that at the upper end, the range identified within the SHMA falls below the re-modelled outputs presented in Addendum 2. The employment-led AECOM and Oxford Economics scenarios now suggested a need for between 440 and 450 dwellings per annum based upon the application of the adjusted headship rate assumptions presented within Addendum 2.
- 3.35 At paragraph 44 the *Housing Requirement Paper* notes the conclusions of Addendum 1 which states that the upper end of the range would represent the OAN on the basis of the **considered economic position within the Council's evidence base. On this basis, given that** Addendum 2 updates this upper range of 440 to 450 dwellings per annum, it is clear that the Paper acknowledges that these figures must therefore represent the OAN. This is further evidenced in paragraph 2 of the *Housing Requirement Paper* which states that the Council has accepted the findings of the SHMA.
- 3.36 Unfortunately, the Paper then proceeds to conflate the two distinct outputs from the mandatory two stage approach, the OAN and the requirement, as illustrated by the use of **the phrase "objectively assessed housing requirement" in paragraph 56.**
- 3.37 The *Housing Requirement Paper* is self-contradictory in acknowledging the OAN at 440 to 450 dwellings per annum from the SHMA, and then going on to state that 370 dwellings per annum is the correct OAN once local policy and economic forecasts have been considered. This, amongst other findings, leads to the erroneous conclusion in paragraph 158 that a figure of 370 dwellings per annum will meet the OAN for the Borough.
- 3.38 Paragraphs 56 to 63 from the *Housing Requirement Paper* set out a series of policy aspirations and objectives which it contends bear on the derivation of a housing requirement figure, and paragraphs 64 to 67 refer to the local economic context, which is considered *"unusual in many respects"*. **The approach adopted** by the Council is what is referred to as the *"policy-on"* part of the local plan process.
- 3.39 This 'policy on' approach is described in paragraphs 129-134 in relation to the approach to commuting ratios. The Paper concludes in this section that, although Fylde aspires to grow its economy, it is *"unlikely that these new workers will live within the Council's area and housing will not need to be built to accommodate them"*. Although not spelt out in any detail, it is clear that the Council has chosen to assume that commuting ratios will not remain as they are at present, and that a greater proportion of the workforce in the future will commute into the Borough in order to fill jobs. This is in contrast to the modelling work which underpins the SHMA and its Addenda, which assumes the commuting ratio remains constant over the projection period.

- 3.40 The judgment of Hickinbottom J. in *Oadby & Wigston Borough Council vs Secretary of State for Communities and Local Government & Bloors Homes Ltd* is relevant here (CD 6.25). At paragraph 34 the judge stated the following:

"For an authority to decide not to accommodate additional workers drawn to its area by increased employment opportunities is clearly a policy on decision which affects adjacent authorities who would be expected to house those additional commuting workers, unless there was evidence (accepted by the inspector or other planning decision-maker) that in fact the increase in employment in the borough would not increase the overall accommodation needs. In the absence of such evidence, or a development plan or any form of agreement between the authorities to the effect that adjacent authorities agree to increase their housing accommodation accordingly, the decision-maker is entitled to allow for provision to house those additional workers. To decide not to do so on the basis that they will be accommodated in adjacent authorities is a policy on decision".

- 3.41 With the Council making assumptions about a change in the level of commuting this, in line with the findings of the Oadby judgment, is a 'policy on' decision. In so doing, the Council has also chosen not to reflect the labour force requirements derived from the economic projections used in the SHMA and Addenda, but instead to use the demographic projection of 370 dwellings per annum. As the SHMA is one which covers the areas of three local authorities, the implications of Fylde deciding not to meet its housing needs in full will require cooperation with its neighbours as to how this need is to be met, and this too is a second stage process which goes beyond the identification of the OAN. The Oadby judgment is clear on this basis alone that, in the context of Fylde, the figure of 370 dwellings per annum cannot be the OAN for the Borough.
- 3.42 The role of the *Housing Requirement Paper* in deriving a housing requirement figure as distinct from the OAN for housing, is further made clear by the overall conclusions in paragraphs 146 – 159. In particular, paragraphs 155 and 156, when referring to constraints to delivery and environmental constraints, demonstrate the Council is clearly undertaking the exercise of deriving a requirement figure by applying such factors to the OAN for housing.
- 3.43 The correct approach in determining the housing requirement through the local plan process is first to set out the OAN, and then pass this through the lens of policy and constraints to derive the requirement. This is what the *Housing Requirement Paper* actually does, and it is the legitimate second stage in the plan making process. It is not, though, part of the evidence as to what the OAN for housing in Fylde is – this is set out in the SHMA and Addenda.
- 3.44 There is a clear distinction between the OAN at 440-450 dwellings per annum and the untested requirement figure the Council is now proposing of 370 dwellings per annum. It is not lawful in this appeal to use anything other than the OAN for housing as the figure for assessing whether a 5 year supply of deliverable housing sites can be demonstrated.

The Approach to Deriving an Objectively Assessed Housing Need for Fylde

Latest Published Household Projections

- 3.45 The official household projections, referred to as the starting point in the PPG, apply headship, or household representative rates to projected household population levels to derive the number of households that will be projected to form, by local authority area and usually over a 25 year period.
- 3.46 The most recent household projections are the DCLG 2012 based Sub-National Household Projections (SNHP), which were published on 27th February 2015. The projections set the growth of 4,440 households in the period 2011 to 2031. This is equivalent to 222 households per annum.
- 3.47 When a vacancy/second homes allowance of 6.83% is applied, which is taken from the 2011 Census, the resulting dwelling requirement over the period 2011 to 2031 is 4,765 dwellings, 238 per annum. As the Notes which accompany the Live Tables containing the projections make clear, **"They are not an assessment of housing need or do not take account of future policies, they are an indication of the likely increase in households given the continuation of recent demographic trends"**.
- 3.48 It is important to recognise that the DCLG 2012 SNHP are based on the ONS 2012 Sub-National Population Projections (SNPP), which in turn project forward trends from the preceding reference period, 2007-2012, as discussed in the PAS Advice Note referred to above. This period included the very severe recession and in Fylde also reflects a suppressed supply of housing below levels of need over a considerable period of time, albeit in accordance with the prevailing policy context at the time. Housing targets and delivery have consistently been lower than housing need in Fylde and the effect this has had on suppressing household formation and internal in-migration should be carefully considered in deriving a full OAN for the Borough.
- 3.49 It is widely recognised that the 2011 Census results show an abrupt break with long term trends in household formation. This fed into the 2011 Interim SNHP, published in May 2013, now superseded by the 2012 SNHP. The 2012 SNHP project an increase in household formation overall above that in the 2011 Interim SNHP.
- 3.50 From published evidence, including that of Professor Alan Holmans in the TCPA paper *New Estimates of Housing Demand and Need 2011-2031 (September 2013)*, factors such as the deep recession and credit crunch, the impact of international migration and the deteriorating affordability of housing have all been likely to have had an effect on the departure from longer term trends in household formation rates more recently observed. There is still sufficient uncertainty over the 2012-based household formation rates such that careful consideration should be given to the extent to which factors identified as affecting these

rates and preventing households forming will persist, and the extent to which rates will be likely to return to longer term trends.

- 3.51 A recent publication from November 2015 is the Town and Country Planning Association Tomorrow Series Paper 17, by Neil McDonald and Christine Whitehead entitled *New Estimates of Housing Requirements in England 2012 to 2037*. This paper is a sequel to the Professor Holmans paper from September 2013. The conclusions of this Paper are that, although they imply a worsening of the household formation rates of couples aged under 35, the 2012-based household formation rate projections nonetheless form a reasonable basis for purposes such as planning for housing. However, the Paper also states that in using the 2012-based household projections it would be appropriate to consider adjustments to reflect the actual level of net international migration rather than that assumed in the projections, use longer term internal net migration trends rather than those based on the period 2007-2012 from the projections and take account of local factors not picked up in the 2012-based projections.
- 3.52 On 25th May 2016 the latest ONS 2014 based SNPP were released. These show an increase in the rate of population growth for Fylde when compared to the 2012-based SNPP. Table 1 below compares these two sets of population projections for the period 2014 to 2031.

Table 1: Comparison between the 2014 based and 2012 based sub national population projections for the period 2014 to 2031

	2014 SNPP		2012 SNPP	
	2014-31	% Growth	2014-31	% Growth
Fylde	5,500	7.1	5,100	6.7

Economic Requirements

- 3.53 The PPG notes that it is correct to take economic forecasts into account (*ID 2a-018*) and it is now an established component of the OAN for housing. In a Local Authority area, economic projections can be produced in order to determine the likely future employment generation based on current economic conditions that will take place across the plan period.
- 3.54 These projections will result in a forecast of the number by which the workforce is likely to grow in the district, and projections of the resultant demand for labour force can be produced. These requirements then need to be taken into account in the determination of the OAN in order to align assessments of employment and housing in accordance with the Framework, paragraph 158.
- 3.55 If a demographic model alone is used without taking account of future increases in the workforce then, if high employment growth is forecast, there is likely to be a shortfall in the housing requirement which will result in an increased flow of commuters into the Borough

to work. To adopt such an approach is clearly the use of a policy mechanism, as referred to above.

Affordable Housing

3.56 **With regard to the need for affordable homes, the Council's SHMA Addendum 1 identifies a need for 247 affordable dwellings per year in Fylde.** If you take the adopted and emerging affordable housing target of 30% and assume all affordable housing was to be delivered through the house building industry at this rate, this would require an annual gross target 823 homes. It is not suggested here that this calculation is appropriate as a means of deriving the OAN, but careful account should be taken of the need for affordable housing in arriving at an assessment of housing need overall.

3.57 Within the Agenda for the Local Plan Steering Group meeting on 16th April 2014 (CD 2.11), officers confirmed that providing 690 dwellings per annum (based on the affordable housing need in the SHMA 2014 of 207 per annum) would be unrealistic based on past delivery trends over the last 22 years at paragraph 7.9. However, they go onto say:

'Providing 360 to 440 dwellings per annum would contribute towards meeting a significant proportion of the affordable housing need in the SHMA....Figure 1.1 (from the SHMA 2013) shows that none of the migration led scenarios result in an increase in the affordable housing stock.'

Market Signals

3.58 The PPG (ID2a-018) considers that housing need should be adjusted to reflect market signals. Relevant signals are set out as:

- Land prices
- House prices
- Rents
- Affordability
- Rate of development
- Overcrowding

3.59 The Housing Requirement Paper 2015 considers each of these market signals in detail, following on from the analysis in the SHMA Addendum 2, and concludes at Paragraph 141 that the housing market signals are not displaying any significant upwards trends, with paragraph 142 concluding that any uplift in the housing requirement figure associated with the trends provided by the market signals, from the level implied by the household projections (i.e. the PPG starting point) should be relatively modest.

The Chelmer Report (September 2014) – 2012-based Sub National Population Projections

- 3.60 As noted above, with the publication of the ONS 2012 SNPP, the Council commissioned Turley to carry out an update of their SHMA based on this data (Addendum 2). At this time Pegasus carried out a Chelmer Demographic and Housing Review Paper (attached at Annex 1 of this report) utilising the 2012 SNPP on behalf of the appellant, to provide evidence of the OAN for housing at a previous appeal in the Borough.
- 3.61 The previous Chelmer work done by Pegasus concluded that the OAN was in the range of 389 to 437 dwellings per annum for the period 2011 to 2031. This calculation was based on the use of 10 year migration trends, adjusted headship rates and balancing jobs and labour force growth, following the methodology of the PPG and consistent with the methodology used in the SHMA and Addenda.
- 3.62 The results of this Chelmer Report represented robust evidence on the OAN at that time. As with the SHMA, it is acknowledged that the findings of this Report are now out-of-date as they are based on older population and household projections. However, the results of this earlier work included a scenario based on employment projections from Cambridge Econometrics, an alternative forecasting house to those used in the SHMA, and these results are consistent with those derived by Turley in their Addenda to the SHMA.

4 SUMMARY AND CONCLUSIONS

- 4.1 This report has been prepared to provide an objective assessment of housing need in Fylde Borough to support the evidence submitted on behalf of Hallam Land Management in relation to an appeal against the failure by Fylde Borough Council to determine within the prescribed time period an outline planning application for up to 115 dwellings at Clifton House Farm, Lytham Road, Bryning with Warton. In the absence of an adopted local plan housing requirement, then the housing requirement for a local authority for the purposes of determining whether a five year supply of specific, deliverable sites can be identified in accordance with paragraph 47 from the Framework, is the full objectively assessed need (OAN) for housing. For decision-takers, including at this appeal, this is the clear, lawful position.
- 4.2 This report has set out the factors to be taken into account in deriving an objective assessment of housing need, including the National Planning Policy Framework, the Planning Practice Guidance and other notes and publications. It considers the most up-to-date evidence in relation to ONS sub-national population projections and DCLG sub-national household projections and necessary adjustments to reflect their limitations.
- 4.3 **The Council's evidence has been reviewed, and the proper conclusion to be drawn from this evidence is that the full, objectively assessed need for housing in Fylde Borough over the period 2011 to 2032 is in the range 440 to 450 dwellings per annum. The Council is wrong in its *Housing Review Paper* to suggest that the figure of 370 dwellings per annum can be used as the objective assessment of housing need for the purposes of the appeal as this is clearly a 'policy-on' figure, making assumptions about changes to commuting patterns in the future and balancing as it does constraints to supply. It does not, on its own terms, purport to be a figure which represents the full objectively assessed needs for housing in Fylde Borough, but is the second stage of a process of plan making, where a requirement figure is proposed in the emerging Fylde Local Plan.**
- 4.4 The emerging Fylde Local Plan is still at an early stage of production and will remain the subject of unresolved objections for some time to come, particularly concerning the draft housing requirement it proposes, and is yet to be subject to examination. As such, little or no weight can be afforded to the draft housing requirement derived from the *Housing Review Paper* at this appeal as the basis for determining whether or not the Council can demonstrate a 5 year supply of housing.
- 4.5 A Chelmer Demographic and Housing Review Paper had been previously prepared for an earlier appeal to derive an objective assessment of housing need. This September 2014 Chelmer report is now out of date regarding the most recent population and household projections. However, the report followed the methodology in the PPG and utilised an alternative economic forecast for the Borough. The methodology and findings of the Chelmer

report are consistent with and serve to support the figures contained in the SHMA and its Addenda.

- 4.6 **Overall, the Council's evidence base on objectively assessed housing needs, the Turley SHMA 2014 and the two Addenda subsequently produced, is now a robust basis for establishing the requirement figure to be used in this appeal.** It reflects the Framework policy to ensure housing and employment growth strategies should be aligned, and guidance in the PPG that account should be taken of job growth projections and affordability issues. The **Council's Housing Requirement Paper** June 2015 is clearly part of the plan making process which seeks to apply policy and constraints to the OAN for housing to derive a draft housing requirement.
- 4.7 The lawful position is that, for the purposes of determining the extent to which the Council can demonstrate a 5 year supply of housing in accordance with Paragraph 147 of the Framework, the OAN for housing in Fylde should be used as the requirement figure in this appeal. In my view, the most robust evidence as to the OAN for housing is set in **the Council's** own evidence, contained in the SHMA 2014 and the two Addenda published in October 2014 and May 2015. This conclusion of this evidence, with which I agree, is that the OAN for housing in Fylde Borough over the period 2011-2032 is within a range of 440 to 450 dwellings per annum.

ANNEX 1



CHELMER DEMOGRAPHIC AND HOUSING REVIEW PAPER

UPDATED SEPTEMBER 2014

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1. INTRODUCTION

- 1.1 The purpose of this Updated July 2014 Paper is to provide further evidence to demonstrate the appropriate level of housing provision for the study area, Fylde Borough, using the most up to date 2012 Based Subnational Population Projections (SNPP) to provide for arising needs and demands of the population based upon projections generated by the Chelmer Housing and Population Model, which uses a demographic methodology to determine future housing provision.
- 1.2 A Chelmer Demographic and Housing Review Paper was prepared in March 2014. This Paper generated projections based on a range of scenarios using the most up to date information available at that point in time. Since then, the 2012 Based SNPP have been published. This Updated July 2014 Paper seeks to re-run the baseline demographic Scenario 1 using the new data, derives a further demographic projection based on long term migration trends, Scenario 2, and provides a further jobs-led projection, Scenario 3, based on jobs growth forecasts from Cambridge Econometrics. As previously, the Chelmer Model has generated a range of projections for Fylde Borough over the period 2011 to 2030 in accordance with the emerging Fylde Local Plan period.
- 1.3 The paper begins, in Section 2, by updating the demographic contextual data to reflect the latest SNPP and relevant components for the study area within the period of 2011 to 2030. Section 3 summarises the projections generated by the Chelmer Population and Housing Model (Chelmer Model). The paper concludes, in Section 4, by summarising the projections generated by the Chelmer Housing and Population Model and the implications for Fylde Borough study area. The outputs of the model are included as appendices to this paper.

2. ONS AND DCLG DEMOGRAPHIC AND HOUSING CONTEXTUAL DATA UPDATE

- 2.1 This chapter presents a demographic contextual data update to reflect the latest SNPP and relevant components for the study area, within the relevant period set by the emerging Fylde Local Plan, comprising of 2011 to 2030.

Office for National Statistics (ONS) 2012-based Sub-national Population Projections (SNPP)

- 2.2 The most recent SNPP data available is the 2012-based sub-national population projections. These were published by the Government on 29 May 2014. This statistical release projects the population at national and sub-national level between 2012 and 2037. These projections update the 2011-based interim sub-national projections with the latest available population estimates based on the results from the 2011 Census.
- 2.3 The 2012-based SNPP data for Fylde Borough projects an average population growth in the order of 290 people per annum between 2011 to 2021 (10 years) and 2011 to 2030 (19 years), a reduction when compared to the annual average over the same period from the 2011 SNPP (400 per annum) and 2010 SNPP (500 per annum).

Table 1: ONS Population Estimates and Projections for Fylde Borough (000's)

	2008	2011	2016	2021	2026	2030
2012 SNPP	-	75.8	77.0	78.7	80.2	81.3
2011 Interim SNPP	-	76.1	77.9	80.1	-	-
2010 SNPP	-	77.0	80.0	82.0	85.0	87.0
2008 SNPP	76.1	76.4	77.6	79.3	81.0	82.3
2006 SNPP	76.7	78.4	81.5	84.8	88.2	90.6
2004 (Rev) SNPP	78.4	81.0	84.6	88.1	91.5	-
2003 SNPP	78.2	79.8	82.8	85.8	88.3	-

	2011 – 2021	2011 - 2030
2012 SNPP	2,900/290pa	5,500/289pa
2011 Interim SNPP	4,000/400pa	-
2010 SNPP	5,000/500pa	10,000/526pa
2008 SNPP	2,900/290pa	5,900/311pa
2006 SNPP	6,400/640pa	12,200/642pa
2004 (Rev) SNPP	7,100/710pa	-
2003 SNPP	6,000/600pa	-

Source: Office for National Statistics

ONS Estimates and Projections of Natural Change

- 2.4 Natural change is one of the inputs of population change. The natural change statistics for the Local Authority (Tables 2), show that the projected population increases (as set out in Table 1), cannot be attributed to natural change. In fact all the projections predict negative natural change throughout the plan period with the death rate being slightly higher than the birth rate. This is consistent in all SNPP series, although more recently it is less negative in the longer term.
- 2.5 Please note the data for natural change in the tables below are given as actual mid-year figures. They are not annual rates.

Table 2: ONS Natural Change Estimates and Projections Fylde Borough (000's)

	2008	2011	2016	2021	2026	2030
2012 SNPP	-	-	-0.3	-0.3	-0.3	-0.4
2011 Interim SNPP	-	-	-0.3	-0.3	-	-
2010 SNPP	-	-0.3	-0.3	-0.3	-0.4	-0.5
2008 SNPP	-	-0.4	-0.4	-0.4	-0.5	-0.5
2006 SNPP	-0.4	-0.3	-0.3	-0.4	-0.4	-0.5
2004 (Rev) SNPP	-0.4	-0.4	-0.4	-0.5	-0.6	-
2003 SNPP	-0.4	-0.4	-0.4	-0.5	-0.6	-

Source: Office for National Statistics

ONS Estimates of Net Migration

- 2.6 Net migration is one of the inputs of population change. Table 3 identifies levels of migration since 2001. It should be noted that this data has been revised to take account of the 2011 Census.

Table 3: ONS Estimate of Net Migration and Other Change in Fylde Borough (rounded nearest 00's)

	Overall Net Migration
2001-2002	900
2002-2003	1,100
2003-2004	1,000
2004-2005	700
2005-2006	600
2006-2007	900
2007-2008	200
2008-2009	600
2009-2010	500
2010-2011	700
2011-2012	200

Annual Average 2007-2012	500
Annual Average 2002-2012	700

Source: Office for National Statistics (Revised mid-year estimates in light of the 2011 Census)

- 2.7 When examining the annual average figures for Fylde Borough, over the ten year period, net migration has averaged 700 people annually (rounded). More recently over the five year period between 2007 and 2012, the annual average rate has decreased to 400 people per annum.

ONS Projections of Net Migration

- 2.8 Migration projections, which form part of the SNPP, are calculated using migration propensities by age from one area to another. The data is summarised in Table 4.
- 2.9 Please note the data for migration in the tables below are given as actual mid-year figures. They are not annual rates.
- 2.10 Table 4 identifies that if recent propensities are to be maintained within Fylde Borough, annual net migration will continue over the plan period with only a slight decrease in net migration growth to 600 people per annum in 2030.

Table 4: ONS Migration Estimates and Projections (Annual Figures) Fylde Borough (000's)

	2008	2011	2016	2021	2026	2030
2012 SNPP	-	-	0.7	0.7	0.7	0.6
2011 Interim SNPP	-	-	0.7	0.8	-	-
2010 SNPP	-	0.7	0.8	0.9	0.9	0.9
2008 SNPP	-	0.5	0.6	0.8	0.8	0.8
2006 SNPP	0.9	0.9	1.0	1.1	1.1	1.1
2004 (Rev) SNPP	1.2	1.1	1.2	1.2	1.2	-
2003 SNPP	1.1	1.1	1.0	1.1	1.1	-

Source: Office for National Statistics

Conclusion

- 2.11 To conclude in respect of the demographic context, this chapter has demonstrated that the population of Fylde is projected to continue to increase. The latest 2012 SNPP reinforce this sustained growth in population. In the case of Fylde, the majority of the population change is due to migration rather than natural change.
- 2.12 In comparison with the 2011-based interim projections the 2012-based population and household projections show lower growth is anticipated over the period 2011 to 2030 than previous projections.

3. CHELMER POPULATION AND HOUSING MODEL FORECASTS

- 3.1 This chapter summarises the projections generated by the Chelmer Population and Housing Model (Chelmer Model). The Chelmer Model is a demographic regional housing model that can produce forecasts for specific local areas. It is based on population projections methodology allowing the projection of natural changes (births and deaths) and the projection of migrants into and out of an area. The projection population (by age and gender) is converted into household projections by the application of projected household formation rates. Household projections are then converted into dwellings, but this is principally in respect of vacancies and second homes. This process does not, however, include for other important factors such as un-met need.
- 3.2 The underlying data sets used in the Chelmer Model are set out in full within **Appendix A**. In summary, the data include:
- Revised Mid Year Population Estimates to 2011 (published by ONS);
 - 2012 Based Sub National Population Projections (published by ONS);
 - 2011 Based Interim Sub National Household Projections (published by Department of Communities and Local Government);
 - 2010 and 2008 Based National Population Projections and earlier versions (published by ONS, and previously by the **Government's Actuary Department**);
 - 2008 Based Sub National Household Projections (published by Department of Communities and Local Government); and
 - Internal Migration Estimates by Local Authority to 2010 (published by ONS).
- 3.3 The underlying data used for activity rates has now been updated to the 2011 Census and have been incorporated into this model. In addition, a percentage figure for vacancies and second homes has been applied for the District (6.8%). This has been derived from the 2011 Census Table KS401EW.

Baseline Assumptions of the Model

- 3.4 The forecast period for the Chelmer Model is 2011-2030. Three different scenarios have been tested. These are based on three unconstrained scenarios:
- Scenario 1 - Validation of 2012-based SNPP (2011 to 2030) with a hybrid of the 2011-based interim household representative rates up to 2016 with 2008-based household representative proportion growth rates thereafter (unconstrained).

-
- Scenario 2 - Validation of 2012-based SNPP (as above) with additional migration (749 net migrants per annum from 2016 onwards) in order to reflect long term (average 10 years) migration trends (unconstrained).
 - Scenario 3 - Validation of 2012-based SNPP (as above) with additional migration (1,040 net migrants per annum from 2016 onwards) in order to increase labour force growth broadly in line with Cambridge Econometrics forecast future employment growth for Fylde Borough (unconstrained).

Scenario 1

Validation of 2012-based Sub-national Population Projections (2011 to 2030) with a hybrid of household representative rates

- 3.5 Forecasts on population, household and dwelling growth are derived using the ONS 2012-based sub-national population projections being the most up to date data. The methodology for the 2012-based sub-national population projections (and previous data releases), in general terms, sets out that internal migration assumptions are based on replicating recent past trends (over a five year period) and international migration assumptions reflect the short term assumptions are fixed and held constant from mid 2019 onwards.
- 3.6 Applied to this population base is the 2011 household representative rates (headship rates) taken from the 2011-based interim sub-national household projections to determine household growth over the period 2011 to 2016. The growth rates from the 2008-based headship rates have been applied to the 2011-based headship rates from 2016 onwards which assumes a gradual increase in household formation trends following the rate of growth projected before the economic downturn. Scenario 1 therefore assumes a higher growth in headship rates from 2016 onwards. It should be noted, however, that the headship rate at the end of the plan period does not reach 2008 headship rate levels as it is only the rate of growth that has been applied. Scenario 1 therefore assumes a higher growth in headship rates from 2016 onwards.
- 3.7 This assumption is made on the basis that since the economic downturn household formation rates have fallen (as seen through analysis of the 2011-based interim SNHP). It is therefore suggested that as a result of the severe recession and financial crisis people who wanted to form their own household could not due to factors such as constraints on housing supply, affordability and mortgage lending. Over the long term as economic circumstances improve it is reasonable to assume that a **'correction' will occur whereby** those previously constrained from forming households will be able to do so, increasing the household formation rate over and above the rate that we would already expect, thus increasing growth in households. This scenario assumes that this trend will occur from 2016 onwards.
- 3.8 The key figures from the model output sheets, specifically the growth in population, labour force, households and dwellings between 2011 and 2030, are summarised in Table 5 below. The model output sheets are enclosed as **Appendix B**.

Table 5: Analysis of Scenario 1

2011 – 2030	2011	2016	2021	2026	2030	Difference 2011- 2030
<i>Population Growth</i>	76,098	77,100	78,900	80,400	81,360	5,262
<i>Labour Force Growth</i>	36,349	35,909	35,168	34,246	33,991	-2,358
<i>Household Growth</i>	34,566	35,426	36,726	38,071	38,983	4,417
<i>Dwelling Growth</i>	37,087	38,011	39,406	40,848	41,826	4,739

- 3.9 The projected dwelling growth, between 2011 and 2030 is 4,739 for Fylde Borough.
- 3.10 What this scenario anticipates is a reasonable, yet conservative, assumption in household formation beyond 2016 and demonstrates growth in households and subsequently dwellings that is likely to occur based on short term past trends projected forward between 2011 and 2030 in Fylde Borough. As highlighted earlier, though, this data is heavily influenced by the recession. As a result of the recession, new households are suppressed from forming and migration is restricted. This is evidenced in the demographic context that reflects low levels of migration. Basing projections on these levels of migration is, therefore, inappropriate as it will not reflect likely trends over the period 2011-2030.
- 3.11 It should be noted that undesirable and unsustainable consequences may arise from this level of dwelling provision as there is negative growth in labour force. As a result of the negative labour force growth the Borough may fail to achieve their economic growth targets and commuting into the area may increase to fulfil economic needs. There are social implications arising from this scenario, including the population profile will change resulting in less younger people and an increasing ageing population. Clearly, demands on services to support this change in population will change i.e. some may become less viable (education) and others more strained (care homes). Such consequences are undesirable in planning terms and in accordance with the PPG, objectively assessed need should not be based on such an approach.
- 3.12 Indeed, the changes to population identified by the model, based on past trends, further verify the above. Within the forecast period it is projected that there is to be an increase in population for the 0-15 age category (134), a decrease in population for the 16-64 age categories (-3,045), which is effectively the working population, and an increase in population for the 65 to 85+ age categories (8,173). Clearly, in light of the population projected the profile is unbalanced, which does not assist in the delivery of sustainable development.
- 3.13 As identified in the earlier March 2014 report, household projections do not reflect unmet housing need and a view should be taken to account for this. The Fylde Coast Strategic

Housing Market Assessment (SHMA) (December 2013) has identified a figure for unmet need (backlog) of 130 dwellings. It is appropriate to add this figure to the dwelling requirement generated by this scenario (4,739) in order to get a full picture of the housing market requirements. A total of 4,869 dwellings is therefore achieved.

- 3.14 To conclude, Scenario 1 is a forecast based on nationally consistent assumptions, for **determining the 'starting point' for the number of dwellings that will be required over the plan period 2011 to 2030 in Fylde**, using demographic projections alone with adjustments to reflect reasonable assumptions in household formation beyond 2016. It is, however, underpinned by short term trend-based population projections, which (as set out in the Housing and Economic Needs PPG **ID 2a-015**) provide household levels and structures that would result if assumptions based on previous demographic trends in population were realised in practice. As identified above the past trends cover a five year period which was heavily influenced by the recession.
- 3.15 Repercussions of the recession had detrimental social and economic consequences for the population, households and economy of Fylde, which included historic under performance of housing delivery. Indeed, prior to this a housing moratorium was imposed by the Council, further restricting growth and suppressing migration. By projecting trends based on such constraints, such an assessment of need would be contrary to the sentiments of paragraph **ID 2a-004** of the PPG which sets out that ***'plan makers should not apply constraints to the overall assessment of need, such as limitations imposed by the supply of land for new development, historic under performance, viability, infrastructure or environmental constraints.'*** This scenario is not therefore an objective assessment of need for the purposes of meeting the requirements of the NPPF and the guidance in the PPG.
- 3.16 In accordance with the PPG, it is appropriate to assess development needs proportionately and consider only future scenarios that could reasonably be expected to occur. It is therefore considered appropriate to test longer term trends as these reflect both economic prosperity and recession and are more likely to be reflective of future circumstances over the duration of the plan period.

Scenario 2

Validation of the 2012-based SNPP (as in the previous scenario) with a net migration adjustment (749 net migrants per annum post 2011) to reflect long term trends (based on previous 10 years 2002 to 2012)

- 3.17 This scenario forecasts the population, household and dwelling growth following the methodology identified above. In addition to this, net migration has been adjusted to reflect long term trends. The figure of 749 net migrants per annum has been determined by taking the average level of net migration that took place over the last 10 years between 2002 and 2012. This level has been applied to the whole plan period.
- 3.18 These long term trends include periods of both economic growth and recession and therefore better reflect a more balanced level of average growth to project forward. It could be argued, however, that this level of migration is conservative for two reasons: migration prior to 2004 does not include international migrants as a result of EU Accession and the recession recently experienced was one of the most severe ever to take place and it is not anticipated it will be replicated again in the near future.
- 3.19 The key figures from the model output sheet, specifically the growth in population, labour force, household and dwellings between 2011 and 2030, are summarised in Table 6 below. The model output sheets are enclosed as **Appendix C**.

Table 6: Analysis of Scenario 2

2011 - 2030	2011	2016	2021	2026	2030	Difference 2011-2030
<i>Population Growth</i>	76,098	78,948	82,196	84,947	87,086	10,988
<i>Labour Force Growth</i>	36,349	36,959	36,983	36,653	36,972	623
<i>Household Growth</i>	34,566	36,125	38,024	39,907	41,351	6,749
<i>Dwelling Growth</i>	37,087	38,761	40,798	42,819	44,329	7,242

- 3.20 The projected dwelling growth, between 2011 and 2030 is 7,242 for Fylde Borough.
- 3.21 In terms of the economic impact of this scenario, the projected labour force growth levels identified in Table 6 are broadly consistent with those identified in Table 7 below provided by Experian (i.e. a labour force growth of circa 600). Full detail in relation to the economic forecast provided by Experian is provided in the Chelmer Housing and Demographic Review Paper March 2014. It should be noted, however, that the Experian Model is constrained by demographic population projections. Guidance projected by the Planning

Advisory Service in conjunction with Peter Brett Associates¹ recognises that *"From Inspector's advice, for example in Bath and North East Somerset (BANES)², "it is clear that future labour market requirements cannot be used to cap demographic projections. In other words, if demographic projections do not provide enough resident workers to fill the expected workplace jobs they should be adjusted upwards until they do... If both a job-led projection and a trend led demographic projection have been prepared, the higher of the two resulting housing numbers is the objectively assessed need"*. Unconstrained economic projections are considered in Scenario 3.

Table 7: Experian Labour Force Total Growth (000's), December 2013

	2011	2016	2021	2026	2030	Difference 2011-2030
Fylde Borough	36.85 (R)	36.83	37.12	37.24	37.42	0.57

- 3.22 Clearly, by increasing net migration to reflect long term trends, the population has grown (10,988) in excess of the figure identified in Scenario 1 (5,262). The number of dwellings required to provide for the population increase is 7,242, which is 2,503 dwellings more than that identified in Scenario 1. It is considered that in accordance with the sustainable development principles of the NPPF, which requires the planning system to perform an economic, social and environmental role, this scenario is more consistent with achieving a planning balance.
- 3.23 In terms of the impact on population change, within the forecast period it is projected that there is to be an increase in population for the 0-15 age category (1,378), an increase in population for the 16-64 age categories (632), which is effectively the working population, and an increase in population for the 65 to 85+ age categories (8,978). This projection, however, does result in a better population balance than that identified previously. Given that there remains a greater proportion of population above 64 as a result of a projection which seeks to increase migration in line with economic forecasts, the Council may chose to introduce policies to encourage a more balanced population. Any such approach would need to incorporate additional housing (above that suggested by this projection) to provide for the migrants anticipated as a result of such policies.
- 3.24 As identified in the planning policy context, household projections do not reflect unmet housing need and that a view should be taken to account for this. The Fylde Coast Strategic Housing Market Assessment (SHMA) (December 2013) has identified a figure for unmet need (backlog) of 130 dwellings. It is appropriate to add this figure to the dwelling requirement generated by this scenario (7,242) in order to get a full picture of the housing market requirements. A total of 7,372 dwellings is therefore achieved.

¹ Objectively Assessed Need and Housing Targets, Technical Advice Note (June 2014).

² BANES Core Strategy Examination, Inspector's Preliminary Conclusions on strategic matters and way forward – June 2012

- 3.25 To conclude in relation to Scenario 2, it is considered that this approach is more consistent with the NPPF and PPG provisions **in providing a 'starting point'** for determining the full, objectively assessed need for Fylde. It is not only more consistent with the NPPF in that it meets household and population projections, taking account of migration and economic change (paragraph 159), it also achieves a better planning balance in respect of performing an economic, social and environmental role (paragraph 7) in meeting all needs of society in sustainable development terms. It should be noted, however, that the economic target is rather conservative when reviewing growth levels achieved prior to the recession. This scenario alone is not therefore considered a full objective assessment of need for the purposes of meeting the requirements of the NPPF or guidance in the PPG.

Scenario 3

Validation of the 2012-based SNPP (as in the previous scenario) with additional migration (850 net migrants per annum post 2011) in order to increase labour force broadly in line with Cambridge Econometrics future work place employment projections

- 3.26 This scenario forecasts the population, household and dwelling growth following the methodology identified above. In addition to this, additional net migration has been included in order to increase the population and therefore total labour force population to be broadly in line with future work place population projections. Data from Cambridge Econometrics (CE), a reputable economic forecaster, has been utilised, and is included as **Appendix D**. This scenario therefore identifies dwelling requirements based on unconstrained economic growth projections for the authorities. A summary of the methodology is set out below.

Cambridge Econometrics Methodology

- 3.27 The employment projections produced by CE are baseline economic projections consistent with their UK regional forecasts and are based on the assumption that historical relationships between growth in the local area relative to the Region or UK (depending on which area that industry has the strongest relationship with), on an industry-by-industry basis, continue into the future. Thus, if an industry in the local area outperformed the industry in the region (or UK) as a whole in the past, then it will be assumed to do so in the future. Similarly, if it underperformed the region (or UK) in the past then it will be assumed to underperform the region (or UK) in the future. The estimation period over which the projections are based on is 1994-2012. They further assume that economic growth in the local area is not constrained by supply-side factors, including the supply of labour.
- 3.28 The measure of employment is workplace based jobs, which include full-time, part-time and self-employed. CE use data from the Business Register and Employment Survey (BRES) for the historical data to make estimates of employees and apply regional estimates of self-employment to employment ratios to make estimates for local area self-employment. The figures are made consistent with more recently-published estimates of jobs at a regional level published by ONS, which include people in the armed forces but do not include people on government training schemes.
- 3.29 The employment growth projection over the period of 2011 to 2031 for Fylde (dated November 2013) is set out in Table 8 below.

Table 8: Cambridge Econometrics Workplace Growth (000's), November 2013

	2011	2016	2021	2026	2031	Difference 2011 - 2031
Fylde Borough	45.3	45.7	46.4	46.9	47.1	1.7

Source: Cambridge Econometrics

- 3.30 The data in Table 8 identifies a forecast work place growth of 1,700 for the Borough within the period of 2011 to 2031. In order to identify the position at 2030, based on average level of growth of 40 per annum the projected figure at 2030 would remain at 47.1 due to rounding and therefore it is appropriate to model the implications of delivering an increase in work place population of 1,700 over the plan period of 2011 to 2030. This increase is a projected growth in the labour force of 3.8%.
- 3.31 It should be noted that the term labour force, which is one of the key outputs/inputs of the Chelmer Model, is inclusive of unemployed people and therefore in order to achieve workplace population growth of 1,700 an additional allowance to reflect unemployment in the labour force would need to be factored in. Logically, additional dwellings on top of those identified by this scenario would be required in order to achieve employment growth of 1,700.
- 3.32 In order to achieve the forecast level of growth in the workplace population of 1,700 in a sustainable manor, the model increases the level of migration by 850 migrants per annum in order to match the increased level of labour force anticipated. In the event that in-migration does not increase, commuting from outside the HMA is likely to occur or potentially economic growth will be stifled and employment may not achieve the levels projected. When comparing the forecast level of labour force growth in Scenario 1, it is clear that the labour force growth derived from demographic trends is projected to be considerably lower, some 4,058 less, than labour force identified from targeting work place growth in accordance with the projection by Cambridge Econometrics.
- 3.33 The key figures from the model output sheet, specifically the growth in population, labour force, households and dwellings between 2011 and 2030, are summarised in Table 9 below. The model output sheets are enclosed as **Appendix E**.

Table 9: Analysis of Scenario 3

2011 - 2030	2011	2016	2021	2026	2030	Difference 2011-2030
Population Growth	76,098	79,453	83,242	86,656	89,179	13,081
Labour Force Growth	36,349	37,246	37,560	37,519	38,071	1,722
Household Growth	34,566	36,316	38,434	40,556	42,166	7,600
Dwelling Growth	37,087	38,966	41,238	43,515	45,424	8,155



- 3.34 The projected labour force growth level identified in Table 9 is broadly consistent with a workplace growth of circa 1,700. Clearly, by increasing migration, the population has grown (13,081) in excess of the figure identified in Scenario 1 (5,262) for the Borough. The number of dwellings required to provide for the population increase is 8,155, which is 3,416 dwellings more than that identified in Scenario 1. It is considered that in accordance with the sustainable development principles of the NPPF, which requires the planning system to perform an economic, social and environmental role, this scenario is more consistent with achieving a planning balance.
- 3.35 In terms of the impact on population change, within the forecast period it is projected that there is to be an increase in population for the 0-15 age category (1,378), a increase in population for the 16-64 age categories (1,987), which is effectively the working population, and an increase in population for the 65 to 85+ age categories (9,269). In light of the population projected, there is a more balanced population profile than Scenarios 1 and 2; however, the majority of growth consists of people that are not economically active. This is due to the model replicating population age distribution on past trends. It should be noted that, although the Council may introduce policies to encourage a more balanced population, it cannot prevent in migration of non-economically active people.
- 3.36 As identified in the planning policy context, household projections do not reflect unmet housing need and that a view should be taken to account for this. The Fylde Coast Strategic Housing Market Assessment (SHMA) (December 2013) has identified a figure for unmet need (backlog) of 130 dwellings. It is appropriate to add this figure to the dwelling requirement generated by this scenario (8,155) in order to get a full picture of the housing market requirements. A total of circa 8,285 dwellings is therefore achieved.
- 3.37 To conclude in relation to Scenario 3, it is considered that this approach does achieve an increase in economic growth and a more balanced population growth across age categories. In addition, as a result of extra migrants which boosts population, it is anticipated that the labour force will grow in line with the projections provided by Cambridge Econometrics. There still remains, however, a predominantly ageing population. This scenario is considered to be an objective assessment of need for the purposes of meeting the requirements of the NPPF and the guidance in PPG.



4. CONCLUSION

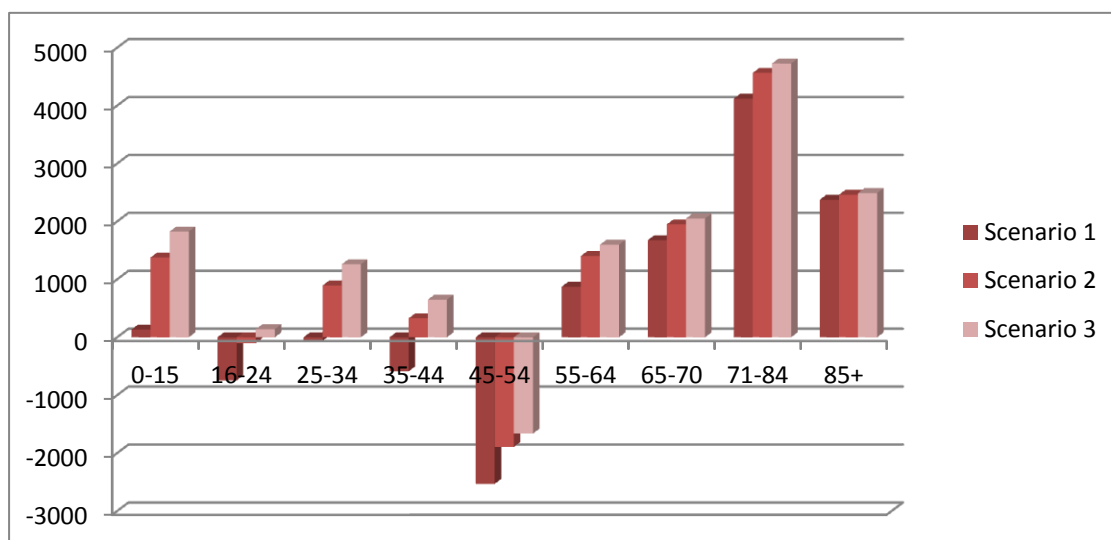
- 4.1 The figures included in this Chelmer Model report illustrate the growth in dwellings forecast by three scenarios over the plan period 2011 to 2030. In our view Scenario 1 projects the number of dwellings that will be required over the plan period 2011 to 2030 in Fylde Borough based on demographic projections alone that replicate short term trends which reflect a period of recession. As a result of the recession based trends, migration is suppressed and as a consequence negative labour force growth is projected to take place. As identified in the PPG relating to assessing housing needs, *“where the supply of working age population that is economically active (labour force supply) is less than the projected job growth, this could result in unsustainable commuting patterns (depending on public transport accessibility or other sustainable options such as walking or cycling) and could reduce the resilience of local businesses”*. Clearly, such consequences are considered to be undesirable and appropriate action, in terms of planning positively to address the problems.
- 4.2 Scenario 1 makes reasonable assumptions as to the headship rates which should be applied in the period 2016 to 2030 on the basis that the headship rates derived from the 2011 Census and Labour Force Survey included in the 2011-based interim Sub-National Household Projections have been produced in the context of the severe recession and financial crisis. These factors must, in the view of most commentators, have been the principle driver of the reduction in headship rates which itself is the main cause of reduced household projections in circumstances where the household population is rising. It is therefore reasonable to suggest that as Scenario 1 does not assume any change in headship rates before 2016, this is a reasonable assumption as a basis for determining the dwelling requirement the Council should make provision for over the plan period. When adding unmet need (130) to the dwelling figure generated by the model a total dwelling requirement of 4,869 is achieved. It is not considered, however, that this is an appropriate basis for projecting housing need over the plan period. This scenario is not therefore an objective assessment of need for the purposes of meeting the requirements of the NPPF and the guidance in PPG.
- 4.3 Scenario 2, however, whilst following the method identified in Scenario 1, includes additional net migration based on longer term trends of 10 years (749 net migrants per annum). This scenario includes a periods of both economic growth and recession and therefore better reflects a more balanced level of average growth to project. It could be argued, however, that this level of migration is conservative for two reasons: migration prior to 2004 does not include international migrants as a result of EU Accession; and the recession recently experienced was one of the most severe ever to take place and it is not anticipated to be replicated again in the near future. When adding unmet need (130) to dwelling figure generated by the model a total dwelling requirement of 7,372 is achieved.

- 4.4 The labour force growth projected as part of Scenario 2 totals 628 and is therefore consistent with the level of population growth required in order to achieve employment growth projections produced by Experian, as utilised in the Fylde Coast SHMA 2013. It is considered that this approach is more consistent with the NPPF in that it meets household and population projections, taking account of migration and economic change (paragraph 159), and achieves a better planning balance in respect of performing an economic, social and environmental role (paragraph 7) in meeting all needs of society in sustainable development terms. It should be noted, however, that the economic target is rather conservative when reviewing growth levels achieved prior to the recession. This is explained in part because the Experian forecasts use as an input projected population levels and therefore reflect past constrained rather than future unconstrained employment growth. This scenario alone is not, therefore, considered a full objective assessment of need for the purposes of meeting the requirements of the NPPF and the guidance in PPG.
- 4.5 Scenario 3 follows the base method identified by Scenario 1, however, includes additional net migration in order for labour force growth to be broadly consistent with work place population projections of 1,700 between 2011 and 2030 identified by Cambridge Econometrics using an unconstrained model. It should be noted that the term labour force is inclusive of unemployed people and therefore in order to achieve employment growth of 1,700 an additional allowance to reflect unemployment in the labour force would need to be factored in. When adding unmet need (130) to dwelling figure generated by the model a total dwelling requirement of 8,285 is achieved. As with Scenario 2, it is considered that this approach is not only consistent with the NPPF in that it meets household and population projections, taking account of migration and economic change (paragraph 159), it also achieves a better planning balance in respect of performing an economic, social and environmental role (paragraph 7) in meeting all needs of society in sustainable development terms. This scenario is considered to be a full objective assessment of need for the purposes of meeting the requirements of the NPPF.
- 4.6 Figure 1 compares the impact on the population profile of each scenario tested. It is clear that for the 45-55 age group all scenarios project a decrease in population and for all age groups over 55 all scenarios project an increase in population. For younger age categories, however, there are varied results.

Table 9: Comparison of the three Chelmer Model scenarios

2011-2030	Population Growth	Labour Force Growth	Households Growth	Dwellings Growth	Dwelling Growth with Unmet Need	Dwelling Growth PA
Scenario 1	5,262	-2,358	4,417	4,739	4,869	256
Scenario 2	10,988	623	6,749	7,242	7,372	388
Scenario 3	13,081	1,722	7,600	8,155	8,285	436

Figure 1: Comparison of Population Profile Changes for each Scenario



Recommendation

- 4.7 Using the robust methodology of the Chelmer Model it is considered that a starting point for determining the housing requirement for Fylde Borough is a figure of circa **7,400 dwellings** (rounded) over the plan period 2011 to 2030 from Scenario 2, based on the most up to date demographic information and long term trends.
- 4.8 In order, however, to fulfil economic potential and to provide for projected employment growth as forecast by Cambridge Econometrics, in the plan period 2011-2030, a higher housing requirement of circa **8,300 dwellings** (rounded) is projected. This approach would be consistent with the NPPF, which **expects the planning system to do "everything it can to support sustainable economic growth"** and that significant weight should be placed on the need to support economic growth through the planning system (Para 19).
- 4.9 There is concern, however, that as identified in all scenarios, the projected growth in population is unbalanced resulting in a small increase in working age population and a

large increase in those at retirement age and above (some more balanced than others).
Such circumstances could lead to negative consequences in economic and social terms.

- 4.10 The overall recommendation is, therefore, that the full, objectively assessed need for housing over the period 2011-2030 for Fylde Borough is in the range **7,400 – 8,300 dwellings, 389 – 437 dwellings per annum.**

19. Hallam Land Management - Pegasus Planning

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Project Title
Clifton House Farm, Warton

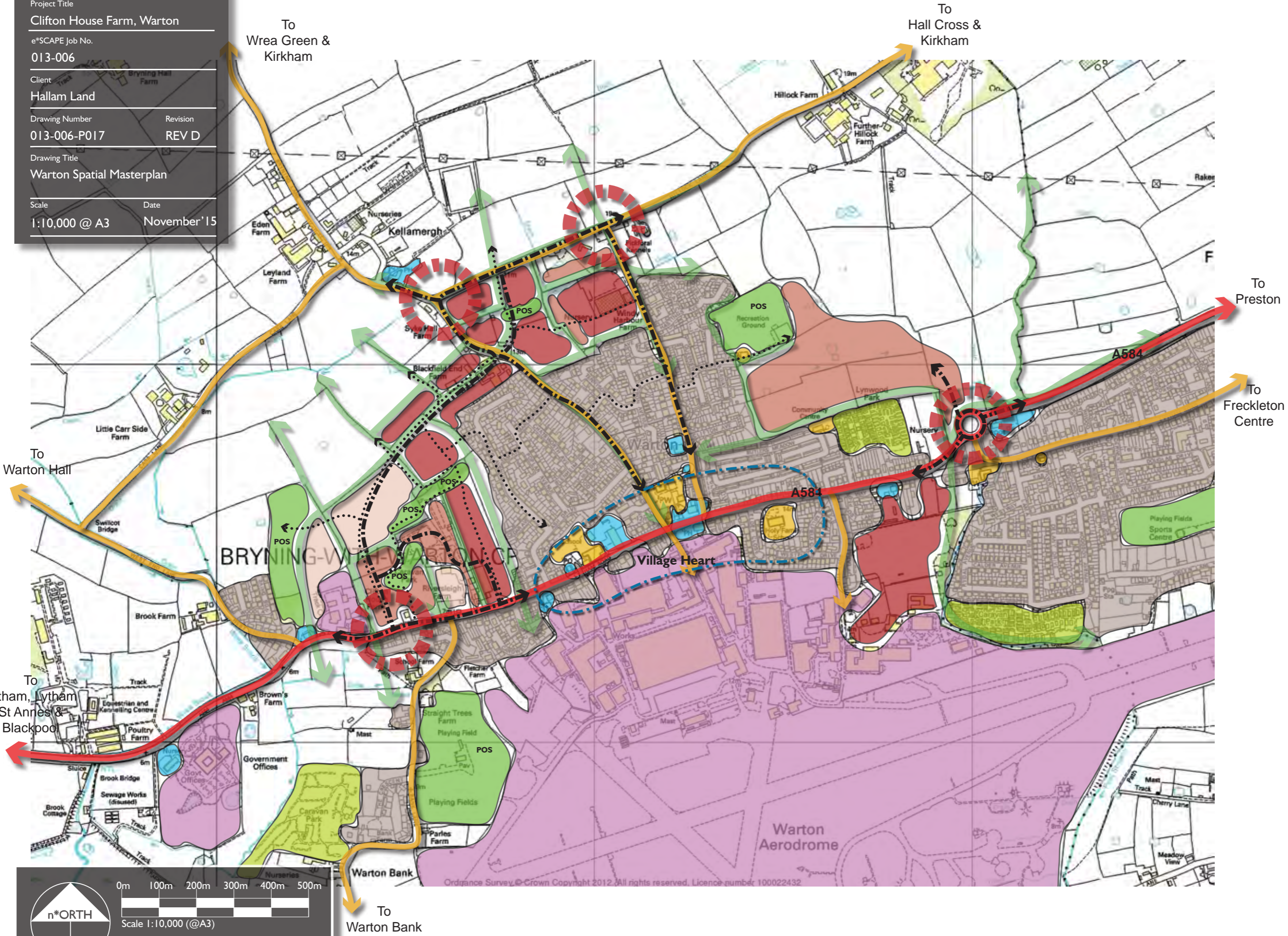
e*SCAPE Job No.
013-006

Client
Hallam Land

Drawing Number Revision
013-006-P017 REV D

Drawing Title
Warton Spatial Masterplan

Scale Date
1:10,000 @ A3 November '15



Key

- Development Parcels
- Community Uses
- Employment Uses
- Retail & Services
- Established Residential Areas
- Caravan Parks
- Recreation & Leisure
- Village Heart
- Local Distribution Network
- Strategic Pedestrian/Cycleway Network
- Village Gateways
- Green Infrastructure Network
- Approved/Committed Development
- Currently Proposed Development
- Potential Future Development

0m 100m 200m 300m 400m 500m




Scale 1:10,000 (@A3)

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n*ORTH


19. Hallam Land Management - Pegasus Planning

Key

-  Application Site Boundary
-  Wider Ownership Boundary
-  Indicative Green Infrastructure Network
-  Location of significant existing Trees/Tree Groups
-  Location of existing Hedgerows
-  Indicative location of proposed Trees & Hedgerows
-  Proposed Residential Parcels
-  Village Street (Indicative route)
-  Village Lane (Indicative route)
-  Shared Lane (Indicative route)
-  Service Lane (Indicative route)
-  Footpath/ Cycleways (Indicative route)

Warton Western Gateway
Shared Surface Village threshold
announcing arrival and calming traffic
speeds through Warton.

Potential vehicular link
between developments to
replace Oaklands direct access
onto Lytham Road.

0m 20m 40m 60m 80m 100m

Scale 1:2500 (@A3)

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Project Title
Clifton House Farm, Warton

e*SCAPE Job No.
013-006

Client
Hallam Land

Drawing Number Revision
013-006-P008 REV B

Drawing Title
Warton West Spatial Masterplan

Scale Date
1:2,500 @ A3 June '15

19. Hallam Land Management - Pegasus Planning

Hallam Land Management Appendix 10 is not included, as it relates entirely to the separate PDCS consultation.

FYLDE LOCAL PLAN TO 2032: PUBLICATION CONSULTATION

REPRESENTATION BY HALLAM LAND MANAGEMENT

TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING AND COMPULSORY PURCHASE ACT 2004

22 September 2016

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PLANNING | **DESIGN** | **ENVIRONMENT** | **ECONOMICS**

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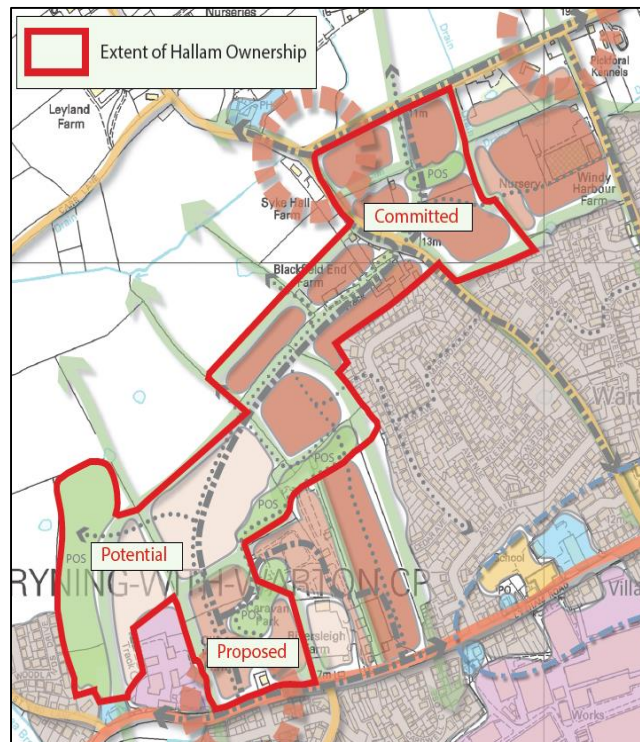
1. INTRODUCTION

- 1.1 Pegasus Group are instructed by Hallam Land Management Ltd (HLM) to make representations to the 'Fylde Local Plan to 2032: **Publication Version**' consultation, which ran between 11th August and 22nd September 2016.
- 1.2 These representations should be read alongside those submitted to the Revised Preferred Options in December 2015, and documents submitted to support the Clifton House Farm Inquiry (Ref: APP/M2325/W/15/3141398) which sat in July 2016.

HLM's Land Interests

- 1.3 HLM have held land interests in two associated land holdings to the north and west of Warton for some considerable amount of years which have been promoted through the various stages of the plan process. The sites are known as Blackfield End Farm, and Clifton House Farm. **HLM's overall** land control in Warton extends to 31.8 ha as illustrated on the plan at Appendix 1.
- 1.4 Blackfield End Farm, which comprises two parcels of land either side of Church Road, to the north of Warton, totals 18.4 Ha. A large section of this site, amounting to 13.2 Ha and defined by the red edge on the plan at Appendix 2, was the subject of an appeal for residential development of up to 360 dwellings (Ref: APP/M2325/A/14/2217060), which went to Public Inquiry in October 2014 and was approved by the Secretary of State on 24th September 2015 (decision letter attached at Appendix 3). Kier Living are preparing a Reserved Matters application which will be submitted within the next month.
- 1.5 Clifton House Farm, which comprises a 13.4 Ha parcel of land, to the west of Warton, beyond the existing caravan park and is accessed off Lytham Road. A 3.74 Ha section of this site, as defined by the red edge on the plan at Appendix 4, is currently subject of an appeal for up to 115 dwellings with details of access provided but all other matters reserved (Ref: APP/M2325/W/15/3141398). The appeal went to a Public Inquiry in July 2016, with the Inspector due to issue his report to the Secretary of State by October 2016 and a final decision due after that.

Figure 1.1 – Extent of Hallam Ownership



Representation Structure

1.6 The structure of these representations takes the following form:

- In Section 2 we describe Warton and the surrounding area;
- In Section 3 we comment on the introductory sections in Chapter 1, which includes comments on the Duty to Cooperate;
- In Sections 4 and 5 we comment on the overarching housing requirement (Policy DLF1) and development strategy in Chapter 6, which also cover parts of Chapter 10;
- In Section 6 we comment on the Warton Strategic Location for Development (Policy SL3) and related masterplanning issues (Policy M1) within Chapter 7;
- In Section 7 we address the general development policies within Chapter 8;
- In Section 8 we address the remaining housing policies in Chapter 10;
- In Section 9 we deal with all other relevant policies;
- In Section 10 we comment on the supporting Technical Assessments including the Sustainability Appraisal; and
- In Section 11 we summarise and conclude our representations.

2. WARTON AND SURROUNDING AREA

- 2.1 Warton is a settlement with a population of approximately 3,600 people. It is adjacent to the settlement of Freckleton, which is located to the east and connected via the A584 Lytham Road, which is the main route through Warton running east to west. The combined urban area of Freckleton and Warton has a residential population of approximately 9,500 people (according to the 2011 Census).

Figure 2.1 – Aerial of Warton and Freckleton



- 2.2 Warton is home to a large BAE site, which includes areas of land that are identified as part of the **Lancashire Enterprise Zone alongside BAE's operations at Samlesbury**. Other large employers in the area include the Land Registry, which occupies offices located to the west of Warton.
- 2.3 Warton includes a number of day-to-day services and facilities including:
- Education- 2 x Primary Schools, 2 x day nurseries;
 - Social- 2 x Churches, Village Hall, Scout Hut, 2 x Public Houses, Social Club;
 - Recreational- Bridges Playing Fields, Play Area, BAE Sports and Social Club; and
 - Retail- Tesco/ Subway and parade of shops on Lytham Road, Coop Harbour Lane, Petrol Station.
- 2.4 Freckleton also has a medical surgery and dentist, and a range of shops and other services.
- 2.5 Lytham is located 3.5 miles to the west of the application site and is separated from Warton by Green Belt land. Kirkham is located approximately 3.5 miles to the north and is also largely separated by Green Belt land.
- 2.6 This description of Warton is taken from the Planning SoCG agreed with the Council for the Clifton House Farm Inquiry, and this document is attached at Appendix 5.

3. DUTY TO COOPERATE ISSUES (CHAPTER 1)
- 3.1 We object on the basis that the Council has not discharged its requirements under the duty to cooperate.
- 3.2 We welcome the fact that Blackpool, Fylde and Wyre have signed a memorandum of understanding to indicate how they will continue work together on strategic issues. This has resulted in Fylde **agreeing to accommodate 14 Ha of employment land to meet Blackpool's requirements** (noted in para 9.11), which is evidence that the plan has been positively prepared in respect of employment land.
- 3.3 However, **Council's must also provide evidence of joint working in respect of housing delivery**, in accordance with paragraph 178 of the NPPF. This is particularly important in the context of Fylde given that it forms part of a wider Housing Market Area (HMA) with the adjoining local authorities of Blackpool and Wyre, and has been subject of a full Strategic Housing Market Assessment, the Fylde Coast SHMA (first published in February 2014, with 2 subsequent addendums).
- 3.4 Blackpool acknowledge this on-going duty in their Core Strategy, which was adopted in January 2016, with paragraph 5.23 confirming they will **"continue to work with the neighbouring authorities of Fylde and Wyre through the Duty to Co-operate to ensure the overall housing needs of the housing market area are met in full."** This is particularly relevant as Blackpool is a physically constrained area due to its coastal location, with limited land for growth and history of under delivery, therefore there is a good possibility that Fylde may have to accommodate some of **Blackpool's future need if this trend** of under delivery continues.
- 3.5 Furthermore, as noted in paragraph 1.24, Wyre Council wrote to Fylde in May 2016 and requested **Fylde's assistance** in meeting their OAN as they have major deliverability concerns due to highway capacity, flood risk and green belt constraints. Wyre have identified an OAN figure of 479 dpa based on the findings of the Fylde Coast SHMA, but they have yet to confirm the precise level of unmet need that will need to be delivered outside Wyre as a result of these constraints.
- 3.6 Fylde acknowledge that this issue is important, but note that they cannot afford it to delay their plan, so they propose to address this at a later date through joint-working, once Wyre have completed the relevant evidence to confirm the level and apportionment of unmet need.
- 3.7 We raise serious concerns with this approach, as the clear deliverability constraints in Wyre and Blackpool suggest that Fylde will have to accommodate the majority if not all of the unmet need arising from the wider HMA, which will have a major bearing on the housing strategy in the Fylde Local Plan, and therefore we do not consider that the plan has been positively prepared in this respect.
- 3.8 It is therefore recommended that the Local Plan address this matter as soon as possible, ideally by **incorporating Wyre's unmet need** into the submitted plan, either by adopting a working estimate or by waiting for the precise level of need to be confirmed, which is likely to be early 2017 (the two

key pieces of evidence base work are due to be complete in November 2016 and January 2017 respectively).

- 3.9 If this is not considered practical, then it is suggested that, at the very least, Fylde Council provide a detailed statement of co-operation on this matter with a clear timetable and mechanism for early review of the Fylde Local Plan.
- 3.10 In deciding on the most suitable approach, we would refer to the Inspectors Preliminary Findings (Part 1) from the West Oxfordshire Local Plan, dated 15th December 2015 (Ref: IN-015), attached at Appendix 6). In section 7 of this document, the Inspector discusses the apportionment of **Oxford City's unmet need to the** four remaining authorities in the Oxfordshire HMA, and asserts (at para 7.7) that if a plan were to proceed to adoption without having regard to any apportionment that had been made, it would immediately be out of date. **This suggests that if Fylde's apportionment of Wyre's unmet need is confirmed before the Plan is adopted**, which seems likely, then it should include provision for this now.
- 3.11 We also take issue with the overall housing requirement in Fylde (which we address in section 4) and the wider HMA and how this aligns with the Lancashire Enterprise Partnership (LEP) ambitions to create 50,000 new jobs over the period 2015 to 2025, as set out in LEP's Strategic Economic Plan. Therefore, it is also recommended that the Council provide a statement regarding the co-operation on these matters and how the plan responds to the wider housing requirements for the HMA and LEP ambitions to create 50,000 new jobs.

4. OVERALL HOUSING REQUIREMENT (CHAPTER 6)

4.1 We object to the overall housing requirement and consider that it should be increased.

Development Locations in Fylde (Policy DLF1)

4.2 Policy DLF1 set a 'minimum' overall housing requirement of 7,768 across the plan period from 2011 to 2032 which equates to 370 dwellings per annum (dpa). This figure is also set out in Policy H1 in Chapter 10. Whilst we welcome the reference to this being a minimum target we would also recommend that this is confirmed as a net rather than gross figure, to ensure that the plan will 'boost significantly' the supply of housing. This will also align with the Blackpool Core Strategy, where reference to a net housing requirement was added as a main modification to Policy CS2 before adoption.

4.3 This target of 370 represents a 21% increase from the previous draft figure of 306 dpa, which was based on the former RSS target, and is derived from evidence within the Fylde Coast SHMA and its subsequent Addendums. The Council set out their approach to this within paragraphs 10.6 - 10.14 of Chapter 10. However, this target is not consistent with this evidence and does not reflect the Full Objectively Assessed Need (FOAN) of the area the reasons given below.

4.4 The current Fylde Coast Strategic Housing Market Assessment was prepared by Turley in February 2014 and endorsed by the Council on 29th April 2014. The 2014 SHMA was based on the 2011 sub national population projections and 2011 interim household projections, and listed a range of demographic and economic scenarios which suggested a need figure ranging from 130 up to 470 dwellings per annum. Ultimately, the SHMA recommended a range of between 300-420 dwellings per annum, noting that **the Council's final figure** needed to consider economic and affordable housing requirements (which they estimated at 207 dwellings per annum).

4.5 **Council Officers reported the findings of the SHMA to Cabinet in April 2014, in the 'draft Fylde Housing Requirement Paper 2014' which suggested that a housing growth figure of 366 dwellings per annum was the most appropriate; although this paper also acknowledged that 404 dwellings per annum would be required to meet the Council's employment aspirations.**

4.6 An update of the SHMA was commissioned in May 2014 following the release of new 2012 sub national population projections (SNPP) by DCLG which was reported to the Local Plan Steering Group Meeting on 17th November 2014. This SHMA Addendum 1 confirmed that the new population projections did not materially affect housing requirements in Fylde with objectively assessed need remaining within the 300-420 dwellings per annum range. It did note however, that affordable need had increased from 207 to 249 dwellings per annum (an increase of 18%).

4.7 This is significant, as this level of affordable need is over two thirds of the total identified housing requirement. Paragraph 47 of the NPPF requires local authorities to meet the objectively assessed needs for both market and affordable housing; however it is clearly unviable for such

levels to be met within the proposed housing requirement. In such instances the NPPG advises that:

'...An increase in the total housing figures included in the local plan should be considered where it could help deliver the required number of affordable homes.' (para 2a-029-20140306)

4.8 A further update to the SHMA was commissioned to take account of the 2012 sub national household projections (SNHP), which were released on 27th February 2015; and the revised plan period up to 2032, rather than 2030. This Addendum 2 was published alongside the Revised Preferred Options document that went to Development Management Policy Committee on 17th June 2015.

4.9 The Fylde Addendum 2 concluded that the lower end of the recommended range (300) was no longer appropriate and that figure of 370 would represent a base level of demographic need, consistent with the approach the Council had taken previously (when they adopted a figure of 366).

4.10 However, paragraph 5.27 states that a figure of 440–450 dwellings per annum would be **required to support the level of economic growth forecast in the Council's employment** evidence for the Local Plan.

4.11 It follows that this elevated level of housing would be required to support the strategic vision of the plan which confirms (at Chapter 3, page 26) that by 2032:

"Fylde will have continued to develop as a dynamic prosperous place to live and work through boosting the delivery of sustainable homes and employment growth."

4.12 National guidance confirms that housing strategies within Local Plan must take account of economic aspirations, with paragraph 158 of the NPPF stating that:

"Local Planning Authorities should ensure that their assessment of and strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic signals."

4.13 The NPPG also states at paragraph 2a-018-20140306:

*"where the supply of working age population that is economically active (labour force supply) is less than the projected job growth, this could result in unsustainable commuting patterns (depending on public transport accessibility or other sustainable options such as walking or cycling) and could reduce the **resilience of local businesses.**"*

4.14 Indeed, the economic projections in the SHMA addendum were given considerable weight when considering the Blackpool Core Strategy, and particularly the Oxford Economic projections, which in the case of Fylde, equate to a dwelling requirement at the higher end of 440-450 range (see table 4.16 below).

Figure 4.16: Population and Household Projections Application of Headship Rate Sensitivity: Fylde 2011 – 2032

Scenario	Change 2011–2032				Average per year	
	Population Change	Population Change %	Households Change	Households Change %	Dwellings – Headship Rate Sensitivity	Dwellings – 2012 SNHP Headship Rates
Employment -led (Oxford Economics)	14,437	19.0%	8,770	25.0%	447	437
Employment -led (AECOM Policy On)	14,135	18.6%	8,625	24.6%	440	429
Migration-led 10 Year (X)	9,879	13.0%	7,250	20.7%	370	360
Migration-led 10 Year	8,775	11.5%	6,215	17.7%	317	307
Employment -led (Experian)	8,461	11.1%	6,116	17.5%	312	303
SNPP-2012	5,667	7.4%	4,815	13.7%	246	237

Source: Edge Analytics, 2015

- 4.15 Therefore, whilst the Council’s proposed target represents an increase from the previous Preferred Option Local Plan, and is consistent with the approach they have taken through the SHMA process, it is significantly lower than the figure now recommended by Turley, based on the latest projections and the revised plan period.
- 4.16 Turley conclude that a figure of 440 to 450 dwelling per annum would be required to **meet the economic growth aspirations in the Council’s employment** evidence for the Local Plan, and it is our view that this represents an accurate FOAN figure for Fylde for the reasons set out above.
- 4.17 We provided more detailed evidence on this matter to the Clifton House Farm Inquiry (‘Objectively Assessed Housing Need Paper’, June 2016, attached at Appendix 7), which concluded:
- “the most robust evidence as to the OAN for housing is set in the Council’s own evidence, contained in the SHMA 2014 and the two Addenda published in October 2014 and May 2015. This conclusion of this evidence, with which I agree, is that the OAN for housing in Fylde Borough over the period 2011-2032 is within a range of 440 to 450 dwellings per annum.”*
- 4.18 Further housing need evidence submitted to the same Inquiry by NLP on behalf of Warton East Developments Ltd¹, came to similar conclusions, although they advocated an even higher OAN figure of 460 dpa, by including an additional affordable uplift to the SHMA findings. We understand

¹ Who were the appellant on an adjacent site to the East of Warton (Ref: APP/M2325/W/15/3004502), which formed a conjoined Inquiry with Clifton House Farm.

this paper has already been submitted with representations from Warton East Developments Ltd so we have not included as an appendix here, but can provide if required.

- 4.19 It must be noted that the population and household projections that this evidence was based on have been updated, with the 2014 SNPP published on 25th May 2016 and the 2014 SNHP on 12th July 2016. **In Fylde's case these show an increase in** the rate of population and household growth, with the 2014 SNPP showing an 7.1% increase in growth compared to 2012 (across the comparable period 2014-2037); and the 2014 SNHP showing a 9.9% increase compared to 2012 across the same period.
- 4.20 Whilst this increase is not considered a meaningful change that would undermine the SHMA findings in the context of the NPPG (para 2a-016-20150227), particularly given that these latest projections have yet to be referenced in the guidance (paragraph 16 still refers to the 2012 SNHP); it does give further support to an OAN figure at the higher end of the SHMA range, as it shows that the demographic starting point is increasing.
- 4.21 As a final point, we also note from paragraph 10.11 of the Turley SHMA that it did not model housing needs for the elderly (i.e. those that would need care home accommodation) and that these needs would have to be assessed separately. As such, any future housing land requirements set out in the Local Plan will need to account for such needs. At present, it cannot be assumed that such demand will be met within the current housing allocations set out in the Local Plan, which have been limited to an assessment that does not account for these needs, and on the basis of a strategy that does not even meet the FOAN of standard C3 housing.

5. OVERALL DISTRIBUTION STRATEGY (CHAPTER 6)

5.1 **We object to the overall distribution strategy and particularly Warton’s apportionment of the total housing requirement. We also object to the Council’s claimed supply.**

Broad Distribution of Development (Table 2)

5.2 Below we have set out the proportion of housing allocated to each area, compared to the proportions within the Preferred Option Local Plan from 2013.

Figure 5.1 – Proposed Distribution of Development (Comparison with 2013 Preferred Option)

Development Location/ Type	2016 Publication Plan		2013 Preferred Option		Difference
	No	%	No	%	%
SL1 – Lytham and St Annes SLD	2,311	29.3%	1,675	24.5%	+ 4.8%
SL2 – Fylde-Blackpool Periphery SLD	2,310	29.2%	1,085	15.9%	+ 13.3%
SL3 – Warton SLD	840	10.6%	1,160	17%	- 6.4%
SL4 – Kirkham and Wesham SLD	1,141	14.5%	775	11.4%	+ 4.1%
Non-Strategic Locations for Development	762	9.7%	2,131	31.2%	- 8.9%
Allowances and unallocated sites	998	12.6%			
TOTAL	7,891		6,826		

5.3 This demonstrates that the distribution strategy has changed significantly since 2013, with a notable decrease in the proportion of development allocated in the Warton Strategic Location for Development, and increases across the other three SLDS, something we address in more detail in section 6.

5 Year Housing Land Supply Position

5.4 Paragraph 10.15 confirms that if the Council are unable to demonstrate a 5 year supply, the presumption in favour of sustainable development is engaged, as set out in Policy NP1, which reflects paragraph 14 of the NPPF.

5.5 **Fylde’s latest 5 year supply statement**, which was published on 18th May 2016, with a base date of 31st March 2016, states that they have a 4.8 year supply.

5.6 This position is based on the proposed requirement figure of 370 dpa, using the Sedgefield approach to under-delivery, and a 20% buffer, which acknowledges that they have suffered persistent under delivery in the past.

5.7 As such, Fylde Council are unable to demonstrate a 5 year supply of deliverable housing sites based on their proposed requirement figure, and it follows that this shortfall will be greater if the housing

requirement is increased in line with Turley's recommendations. Indeed, the Planning SoCG for the Clifton House Farm Appeal (Appendix 5)

- 5.8 confirmed that Fylde would have a 3.74 year supply based on a requirement of 445 dpa, and as little as 3.2 years based on our own housing supply evidence submitted to the Inquiry.
- 5.9 We do comment further on delivery on individual sites in section 6, and the trajectory in Appendix 2 of the Plan, and given that this supply position is constantly evolving, we reserve the right to make further comments on this matter at a later date.
- 5.10 To ensure that the plan is found sound and that paragraph 49 of the NPPF is not invoked upon adoption it is paramount that the plan seeks to address this at the earliest possible opportunity. This will require a pro-active approach to housing delivery within the plan and the inclusion of sufficient sites which are attractive to the market in current economic conditions.
- 5.11 Numerous policies throughout the plan are unlikely to ensure that a 5 year housing supply will be achieved on adoption. These issues are addressed in greater detail against individual policies.

Total Housing Supply

- 5.12 In respect of the total supply figure of 7,891, whilst this has risen by almost 16% since the 2013 Preferred Option, it has actually decreased slightly (3.6% from 8,188) since the 2015 Revised Preferred Option in October 2015, and is well below the level required to support the FOAN endorsed by Turley in the SHMA Addendum 2 (440-450 dpa), as this would require a minimum delivery of 9,240 – 9,450 dwellings over the plan period.
- 5.13 However, this figure does identify a greater supply of housing than the proposed requirement (7,768) and we fully support this approach. Firstly, this approach acknowledges that the housing requirement is a minimum figure in accordance with the NPPF, which Local Plans should seek to surpass. Secondly, this builds in a buffer to account for under-delivery or non-delivery on existing commitments and proposed allocations which is inevitable, and we provide more detailed comments on individual sites within the next section.
- 5.14 The plan seeks to provide a housing supply equivalent to 376 dpa, which is 6 dpa greater than the proposed requirement, giving a buffer of 1.6 (referred to as a '**small amount of headroom**' in para 10.17), however this is clearly insufficient.
- 5.15 Our past experience suggests that a buffer of at least 10% should be applied, and this approach has been endorsed in paragraph 8.55 of the Droitwich Spa decision (Ref: APP/H1840/A/13/2199085 & APP/H1840/A/13/2199426), where a number of other relevant appeal decisions are referred to where the same approach has been applied and accepted (Moreton in Marsh, Marston Green, Honeybourne and Tetbury). Applying a 10% buffer to the correct FOAN figure of 440-450 dpa would mean that the plan would need to identify a total supply of between 10,164 and 10,395.

- 5.16 However, we also note that the Home Builders Federation (HBF) advocated a buffer of around 20%, in their representations to the 2015 Revised Preferred Options, due to poor levels of past delivery and the consistent lack of a 5 year supply in Fylde; **as well as concerns with Blackpool’s ability to meet its own needs going forward, due to physical constraints and historic under delivery there; which we refer to in section 3, and this situation has now been magnified by Wyre stating that they cannot meet their own needs going forward (also discussed in section 3).**
- 5.17 As such, we conclude that a 20% buffer is justifiable in this instance, which would require the plan to identify a total supply of between 11,088 and 11,340.
- 5.18 This would require land to be identified to accommodate an additional 3,197 and 3,449 dwellings, over and above the allocations in the current document.

Windfall Development

- 5.19 We welcome the fact that the proportion of windfall and smaller/ non-strategic sites has reduced from 31% to 22% of the total supply since the 2013 Preferred Option, as this introduces more certainty into the process, with less reliance on unplanned development.
- 5.20 The table identifies 12.6% (998 dwellings/ 48 dpa) **as coming through ‘allowances and unallocated sites’.** The breakdown of this figure is set out within the trajectory at Appendix 2 of the document which comprises:

Figure 5.2 - Small Site Allowances in Housing Trajectory (Appendix 2):

Allowances	Total		Trajectory timeframe
Small site completions	125 ²	25 dpa	2011/12-2015/16 (Years 1-5)
Small site commitment and Minded to Approve (Unallocated sites)	383	77 dpa	2015/16-2019/20 (Years 6-10)
Small sites and Windfall Allowance (Unallocated sites)	440	40 dpa	2021/22-2031/32 (Years 11-21)
Long term empty homes re-entering market	50	10 dpa	2016/17-2020/21 (Years 6-10)
TOTAL	998		

- 5.21 However, this breakdown is not made clear within the policies or supporting text to DLF1 or H1, therefore we would ask for greater clarity on this matter.
- 5.22 Paragraph 48 of the NPPF does permit an allowance for windfalls:

“if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply”.

² There is a discrepancy in the completions figures, as the individual totals equate to 132, rather than 125, taking the small site allowances total to 1,005.

- 5.23 The proposed windfall delivery rate of 40 dpa from year 11 onwards does reflect the quoted level of windfall since 2011, with residual completions and committed small sites expected within years 1-10 averaging over 50 dpa, although it is unclear exactly where these sites have come from as the SHLAA has not been updated since 2012. Therefore, there is some evidence of past windfall and we welcome the fact that the proposed allowance is only applied from year 11 onwards as this removes any double counting.
- 5.24 However, there is no compelling evidence that this past rate of windfall will continue through the plan period. Firstly, the current windfall total includes 57 **units that are 'minded to approve'**, meaning they are not yet committed. Secondly, it predicts a delivery rate of 77 dpa in years 6-10, which is reflective of the committed/ minded to approve pipeline, but it is significantly higher than the projected delivery rates within the 2012 SHLAA (14 dpa, rising to 35 if conversions are included) and 2013 Preferred Option (30 dpa); and the actual rate of completions in years 1-5 (25 dpa), suggesting that this may be unrealistic and may need to be spread across more years, or have a discount for non-delivery built in.
- 5.25 Thirdly, windfall rates should fall as a new plan progresses to adoption as more sites are allocated or picked up through the SHLAA process. In this case, given the limitations of the previous Local Plan, which was adopted in October 2005 with an extremely restrictive approach to housing, comprising a residual requirement of just 1 dwelling between 2005 and 2016, it is entirely reasonable to assume that the vast majority **of the Council's housing supply** in recent years has been through windfall development. As such, development opportunities of this scale and nature will have been partly exhausted over the last 5 years and there is no evidence to indicate that windfall development could continue at the same rate and scale.
- 5.26 Failure to deliver against windfall targets will hinder delivery of the plan and the ability to demonstrate a 5 year housing land supply, which Fylde have struggled to do in recent years anyway. It is recommended that the windfall allowance is not used as a mechanism to reduce the number of allocated sites, and could instead be used to provide the buffer (see para 5.14), as recommended in the Inspector's report on the Selby Core Strategy.
- 5.27 **It's equally important that the delivery of windfall sites is closely monitored through** the AMR process. Failure to achieve the windfall assumptions will require the Council to consider releasing other sites, or review its plan, to ensure a 5 year housing supply and that the full housing requirements of the plan are met.

6. STRATEGIC LOCATIONS FOR DEVELOPMENT (CHAPTER 7)

6.1 We object to the housing requirement and extent of allocations within the Warton Strategic Location for Development.

6.2 This section addresses the Strategic Locations for Development, covered under Policies SL1 to SL4, in particular the Warton Strategic Location for Development (Policy SL3) where the proposed housing requirement has reduced from 1,160 (17%) in the 2013 Preferred Options document, to just 840 (10.6%) within the current Publication document.

Warton Strategic Location for Development (Policy SL3)

6.3 Policy SL3 sets out the strategic allocations and policy approach proposed for the Warton Strategic Location for Development to 2032, for the completion of 840 homes.

6.4 This wording does not accord with the NPPF nor reflect the wording policies DLF1 and H1 which clearly state that the 370 dpa requirement is a minimum; and therefore the wording should be updated to state '*at least*' or '*a minimum of*' x homes.

6.5 The evidence indicates that the 840 figure should be increased, firstly to reflect the total required supply figure, which we consider to be between 11,088 and 11,340, and to align with the level of and proportion of development set out in the previous Preferred Option document, as this has reduced significantly since 2013, with insufficient justification.

6.6 Indeed, there is no justification at all to support Policy SL3 and the allocations included within it.

6.7 To give an idea, if Warton were to be allocated 17% of this increased supply requirement, this would equate to between 1,885 and 1,928 dwellings, which would require land for an additional 1,088 to 1,045 dwellings. Even if Warton were to retain the proportions in the current plan, the increased requirement would equate to 1,175 to 1,202, which would require land for 335 to 362 additional dwellings.

Reduced Housing Requirement in Warton

6.8 The reduction in numbers in Warton (from 1,160 to 650 in the 2015 Revised Preferred Options and now 840 in the current plan), was first recommended by the Council within the Responses Report to the 2013 Preferred Options, issued in July 2014. A requirement of 638 dwellings was also put forward in the draft Warton Neighbourhood Plan (BWNP) which went on consultation through July and August 2014, and this was then rounded up to 650 in the Submission BWNP which went on consultation in October/ November 2014.

6.9 No local needs assessment was carried out by the Neighbourhood Planning Steering Group. There is no conclusive evidence to indicate that a higher housing growth figure could not be achieved (due to physical constraints for instance), and the Sustainability Appraisal that supported the NP did not include an assessment of any alternative options. We made detailed representations to the

Neighbourhood Plan during 2014, which included objections on the evidential basis for the housing target.

6.10 Fylde Council also raised concerns with this approach in their representations; however it is important to note that they themselves have not provided a Sustainability Appraisal or any other evidence to support draft plans and committee reports through which this 650 target was agreed.

6.11 The Blackfield End Farm SoS decision, issued in September 2015 (Appendix 3), also makes reference to this matter; with paragraphs 129 - 131 of the Inspectors report stating:

"It is recommended that the number of dwellings put forward at Warton under Policy SL3 should be reduced from 1,160 to 650, however there is no reference to a change in the role of Warton as a strategic location for development. Indeed the report explains that unlike other strategic development locations, Warton is not tightly constrained by Green Belt, flooding, infrastructure constraints or environmental designations, and that housing allocations are intended to complement the jobs to be created in the Enterprise Zone (para 129)"

"At this stage the housing figures in the ELP, both for the Borough as a whole and for Warton, carry only limited weight (para 130)"

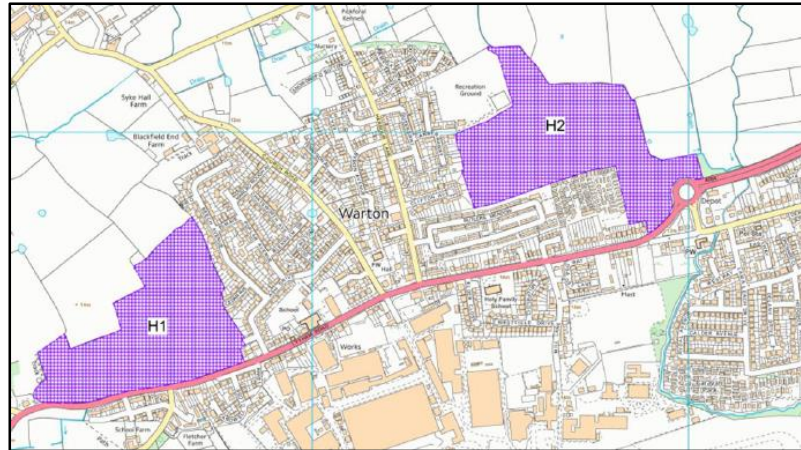
"Insofar as Warton is concerned, there is no clear explanation in the Responses Report to justify the reduction in housing numbers indicated therein (para 131)."

Warton Neighbourhood Plan Submission and Examination

6.12 There were two allocations proposed in the Submission BWNP, H1 and H2, which were intended to accommodate the remainder of the 650 dwelling target that hadn't already been granted permission:

- H1 West – which includes part of Allocation H8 from the 2013 Preferred Option. This also includes part of the Clifton House Farm site controlled by HLM and subject of an undetermined appeal for up to 115 dwellings, as described in Section 1 (with the red line shown on Appendix 4).
- H2 East – which includes a large part of Allocation H10 from the Preferred Options. This covers the Land off Lytham Road site controlled by Warton East Developments Ltd, and subject of an undetermined appeal for up to 350 dwellings (Ref: APP/M2325/W/15/3004502).

Figure 6.1 – Submitted Neighbourhood Plan Housing Allocations (Figure 6)



- 6.13 The BWNP was examined in early 2016 on the basis of the written representations received (rather than through a Hearing), with the Inspector Nigel McGurk issuing his final report in April 2016. This recommended that the plan should proceed to a Referendum subject to a number of modifications.
- 6.14 The key modification was the removal of all policies and text relating to the quantum and location of housing development and the entire section on housing³. As such, the 650 housing figure has been deleted, as have the proposed housing allocations. This was on the basis that the BWNP did not meet basic conditions relating to necessary environmental (SEA) screening requirements⁴, rather than any assessment of the proposed housing sites not being suitable or appropriate in general.

Proposed Allocations in Warton

- 6.15 The 2015 Revised Preferred Options had suggested that the 650 target be allocated and delivered through the Neighbourhood Plan; but in light of BWNP Examiner's recommendations, the Publication Version is more prescriptive with a target of 840 dwellings across 6 allocated sites shown on the proposals map.
- 6.16 However, Policy SL3 simply reflects existing planning consents in Warton and does not seek to allocate any additional land, and we raise the following issues with this approach.
- 6.17 Firstly, the planning position has changed in respect of some of these allocations:
- HSS2- Blackfield End Farm- A Reserved Matters is due to be submitted imminently, and is likely to propose between 330 and 340 dwellings, leading to a reduction from the outline total of 360.
 - HS24- Riversleigh Farm- Has consent for 83 dwellings rather than 82.

3 Pages 54 to 66 of Submission Neighbourhood Plan to be deleted
 4 Page 10 of the Inspector's Report

- HS25- Nine Acres Nursery- A further 9 dwellings were approved on this site in August 2016 (Ref: 15/0505), taking the total to 84.
- HS27- Oaklands Caravan Park- This site has a resolution to grant consent for 53 dwellings from January 2016 (Ref: 15/0194), however the S106 agreement remains unsigned. The owner has since gained consent to vary an existing permission relating to **the site's use as a caravan park (Ref: 16/0364)**, which was granted in July 2016; and we have received correspondence from the owner suggesting that residential use is unlikely to come forward. As such these 53 units should be removed.

6.18 As such, it is our view that existed committed development in Warton stands at 797, and is likely to reduce to between 770 and 780, once the Reserved Matters at Blackfield End Farm are submitted.

6.19 Secondly, the plan does not include the full extent of the allocations proposed as part of the Neighbourhood Plan (H1 and H2, as shown in Figure 6.1, although sites HS26 and HS27 do cover much of allocation H1), and does not provide any explanation for their omission. We acknowledge that these were recommended for removal from the BWNP by the Examiner, however this was due to wider issues around environmental (SEA) requirements, rather than their suitability for development; and these were clearly the sites that were considered the most suitable for development by the NPSG and local people.

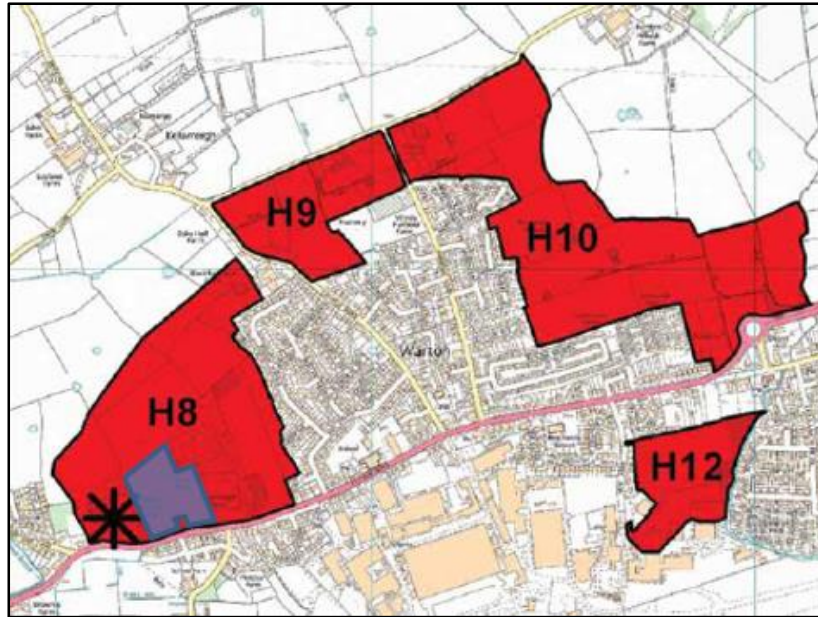
6.20 Fylde Borough Council have also accepted that these allocations are suitable for development, by withdrawing their opposition to the appeal schemes at Clifton House Farm and Land off Lytham Road, before the conjoined Inquiry on 12th July. Indeed, the Signed Planning SocG for Clifton House Farm (Appendix 5) states at paragraph 9.1:

"It is anticipated that the submission of an appropriately worded Unilateral Undertaking and imposition of appropriate planning conditions will address all the matters arising from the development referred to in this Statement and that relating separately to highway matters. If this is the case then there are no matters of principle that are in dispute between the main parties, and it is agreed that the appeal should be allowed."

6.21 A Unilateral Agreement has now been signed thus confirming the Councils support for 115 dwellings on this site. It is understood that a similar agreement was reached on the Land off Lytham Road, and whilst both these decisions are now with the Secretary of State for determination it is our view that the Clifton House Farm site should be allocated, or at, least referred in the supporting text for Policy SL3; and we understand that Warton East Developments are advocating the same for their site.

6.22 Thirdly, the plan does not include the remaining land proposed for allocation within the 2013 Preferred Options (shown below), again, without justification.

Figure 6.2 – Map of Warton Strategic Location for Development in 2013 Preferred Options



6.23 A Strategic Environmental Assessment and Sustainability Appraisal (dated 3rd August 2016) has been produced to support the current document; however this fails to address the impacts of the reduction in numbers, nor does it properly assess any reasonable alternatives, beyond a cursory review of the original strategy options put forward in 2012.

6.24 As such, the findings of the earlier Sustainability Appraisal that supported the 2013 Preferred Options consultation are still robust and are not superseded by the current document. In respect of the 1,160 dwellings proposed for Warton the 2013 SA noted (at page 55):

"Although Warton currently performs the role of a Local Service Centre, utilising the potential for development on previously developed land at BAE Systems, the establishment of the Enterprise Zone, the prospect of improved road access to a new junction 2 of the M55 and the proximity to wastewater treatment facilities, means that this is a sustainable location for new development."

6.25 This document also assessed the 1,160 dwelling target against 16 sustainability criteria in Appendix D (pages 48-69) and **did not identify any impacts that couldn't be** adequately mitigated. In addition, the 4 allocations put forward within this document were also considered suitable and deliverable within the 2012 SHLAA.

6.26 In conclusion, there is no evidence to suggest that Warton could not accommodate at least the 1,160 homes as proposed across 4 allocations within the 2013 Preferred Options, and given that the Council are supportive of the 2 pending appeal schemes at Clifton House Farm and Land off Lytham Road, which would take the consented figure towards 1,300; there is no reason why this target **couldn't be increased** further towards the potential requirement set out within paragraph 6.6 (1,885 to 1,928 dwellings).

Increased requirement in other locations

- 6.27 This reduction in numbers in Warton has led to increased delivery targets elsewhere, most notably within the Fylde-Blackpool Periphery Strategic Location for Development (Policy SL2), where numbers have increased from 1,085 in the 2013 Preferred Options, to 2,310 in the current document, spread across 7 allocations. These include the site at Whyndyke Farm (MUS2) which is expected to deliver 810 dwellings by 2032 (up from 500 by 2030 within the 2013 Preferred Options) which equates to an average delivery rate of approximately 60 per year starting in 2018.
- 6.28 This level and timescale of delivery is considered to be optimistic, particularly given that the site has only recently gained outline consent (October 2015), is a complex mixed use development, which is being marketed as both a Garden Village and demonstrator site in the NHS Heathy New Towns Initiative), and also has significant infrastructure and drainage constraints. Furthermore, a **build rate of 60 dpa suggests that 2 developers will be involved (in line with Fylde's housing supply methodology)**, but we have yet to see any evidence of this.
- 6.29 As such, we object to the level of delivery proposed for this site and think that this should be reduced to 500 units anticipated within the previous version of the Preferred Options in 2013, which is a more realistic assessment (at 35 dpa beginning in 2018), which reduces total supply by 310.
- 6.30 Optimistic delivery rates are also assumed in other locations, including the Queensway development in Lytham and St Annes (Policy SL1) which is expected to deliver 930 dwellings between 2016 and 2032, equating to 58 dpa, a delivery rate which is likely to rise given that there have been no completions to date on the site.
- 6.31 Furthermore, whilst the outline consent granted 1,150 dwellings, the only Reserved Matters scheme to currently have consent (Ref: 13/0257) is for 110 dwellings, which is just 10% of this total, whilst a further Reserved Matters for 898 dwellings (Ref: 15/0400) was registered in June 2015 but remains undetermined. **This confirms Kensington's intention is to build out the site in 4 phases**, with no suggestion that another developer will be brought onto the site, which brings the 60 dpa build rate into question (as per Whyndyke Farm). Finally, it is understood that there is some uncertainty around the future of the developer.
- 6.32 On this basis we also object to the level of proposed delivery at this site, and suggest a figure of around 450 would be more realistic, based on delivery beginning in 2017/2018 at a rate of 30 dpa, which reduces total supply by 480.

Conclusions on Warton Housing Requirement

- 6.33 Based on the conclusions in Section 5, it is likely that the Fylde Local Plan is going to need to identify sites to deliver up to 3,450 more homes than currently proposed if it wants to meet its objectively assessed needs in full, with sufficient headroom for non-delivery, which is considered highly likely in this instance given the extremely optimistic delivery rates anticipated for the Whyndyke Farm and Queensway sites.

- 6.34 The Sustainability Appraisal from the Preferred Options document has already demonstrated that Warton can support at least 1,160 dwellings (or an additional 320 from the total currently proposed), which would take up approximately 15% of this additional need.
- 6.35 However, given the green belt, drainage and infrastructure constraints present within other parts of the Borough and the hugely optimistic delivery rates on existing allocations; coupled with the fact that Warton is a sustainable location with an Enterprise Zone and links to the Preston West Distributor Road, it is our strong view that Warton should accommodate an even larger proportion of this increased requirement and the following section assesses how this might be delivered and masterplanned.

Masterplanning Warton (Policy M1 & SL3)

- 6.36 Moving on to how such development might be accommodated within Warton, we refer back to HLM's existing proposals within Warton and compare them against the requirements of Policy M1 and Policy SL3.
- 6.37 Policy M1 stipulates that masterplans and design codes will be prepared by prospective developers for each allocation site in Strategic Locations for Development, in line with a number of criteria, which will then become Supplementary Planning Documents (SPDs) following approval by the Council.
- 6.38 **It is highly questionable if SPD's are necessary for any of the Strategic Locations for Development for several reasons. Firstly, the requirements of these documents can be achieved through the detailed development management criteria set out within this document. Secondly, SPD's form an additional layer of policy and complexity, which will inevitably lead to delays in implementation, particularly if they are required for every allocation, as there are 57 separate allocations proposed over the 4 SLD's, which is clearly unworkable. Thirdly, given that Fylde cannot currently demonstrate a 5 year supply then these policies would not be applicable to housing delivery anyway, in accordance with paragraphs 14 and 49 of the NPPF.**
- 6.39 As such, it is recommended that references to SPDs are removed and far greater clarity is provided as to the nature and type of masterplanning required for each of the different SLDs and individual allocations.
- 6.40 Policy SL3 also mentions of developing a new local retail centre, with paragraph 6.19 noting that this will be developed in consultation with Bryning with Warton Parish Council, on previously developed land owned by BAE Systems on Lytham Road. However, the proposals map does not show the extent of the intended centre (instead it is defined by a small blue triangle), whilst the submitted BWNP sought to focus development on the existing centre and did not include any additional land within the centre boundary.
- 6.41 As such if there is a genuine aspiration to create an enhanced Local Centre then the land to made available should be clearly marked out and agreed with the NPSG/ Parish Council, particularly if the

new centre is to support the level of housing and employment growth (1,160+ dwellings and the Enterprise Zone) that is likely to be required by 2032.

Warton Spatial Masterplan

6.42 With the approval of Blackfield End Farm development and the Clifton House Farm appeal scheme awaiting determination, the following developments to the north and west of Warton could be combined to provide a coordinated masterplan across Warton, including improved links and permeability, and an example of this is set out on the Warton Spatial Masterplan (annotated extract over the page and attached in full at Appendix 8). These comprise:

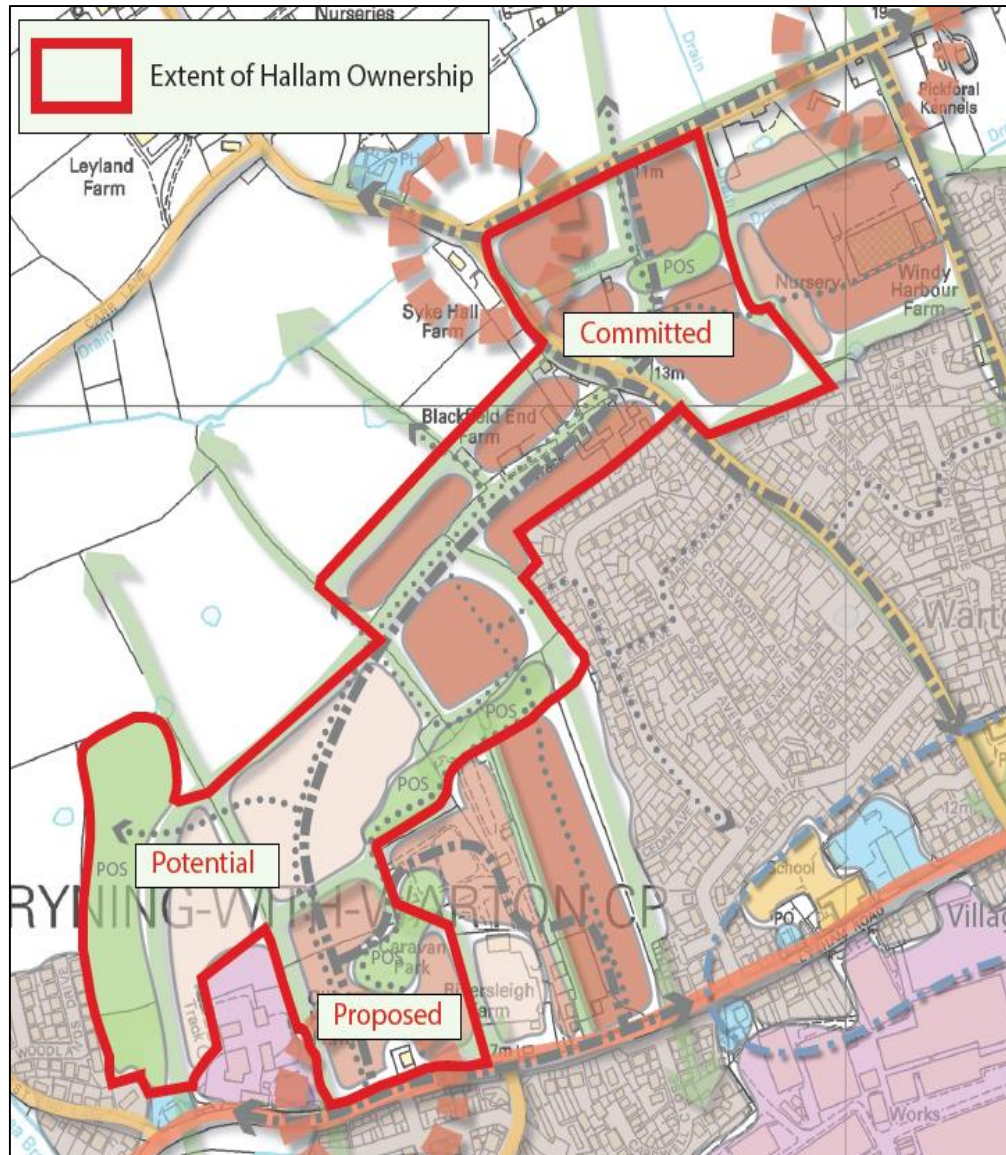
- Permitted developments at Blackfield End Farm (up to 360 dwellings), Riversleigh Farm (83 dwellings) and Oaklands Caravan Park (53 dwellings), shown in detail on Warton West Spatial Masterplan at Appendix 9, albeit it now looks likely that Oaklands Caravan Park may not come forward for residential development;
- Proposed development at Clifton House Farm (up to 115 dwellings), appeal awaiting determination by Secretary of State.
- Potential future development on the remainder of the site at Clifton House Farm (approximately 165 additional dwellings, taking total to 280).

6.43 Potential future development at Clifton House Farm would link the current proposals with Blackfield End Farm and would provide the opportunity for a complete link road through from Lytham Road in the south west of Warton to Church Road to the north.

6.44 When combined with the other commitments to the east and south of Warton, this would take the total level of development across the plan period to approximately 1,050 - 1,130 dwellings (depending on whether Oaklands Caravan Park comes forward and the final numbers proposed at Blackfield End Farm); which is still within the 2013 Preferred Option requirement for Warton, which was considered sustainable in the SA and deliverable in the SHLAA.

6.45 It is our view that the combination of these proposals to the north and west of Warton aligns closely with the requirements of draft policies SL3 and M1, or as closely as practicable given the stage of **the plan, the outline nature of the developments and the limitations of HLM's land interests (to the Blackfield End Farm and Clifton House Farm sites).**

Figure 6.3- Warton Spatial Masterplan



- 6.46 This must also be viewed in the context that Fylde Council are unable to demonstrate a 5 year supply, and therefore individual proposals are not currently required to meet any wider masterplan requirements and must only demonstrate that any adverse impacts would not significantly and demonstrably outweigh the benefits in accordance with paragraph 14 of the NPPF.

Requirements of Policy M1

- 6.47 The 24 individual criteria listed in this policy seem excessive, as there is a large amount of duplication and overlap between the criteria themselves, with the other development management policies within the plan (Chapters 9-14), and national guidance (NPPF and NPPG). As such it is suggested this is revisited and that some criteria are removed, including criteria (b), which simply reinforces policies H2 and H4; and criteria (u) as the SuDs hierarchy is included within the NPPG at paragraph 7-080-20150323 and within Policy CL2. We would also request that the criteria (m) and (n) relating to encouraging public transport to reduce reliance on the private car.

Conclusions on Warton Strategic Location for Development

- 6.48 It is clear that that significant additional housing land for as much as 3,450 dwellings will need to be made available within Fylde by 2032 for them to meet their full housing needs and economic growth aspirations.
- 6.49 Much of this additional housing will need to be accommodated within the four Strategic Locations for Development, with particular pressure on Warton, given the green belt and drainage constraint in other strategic locations, and the evidence supporting the 2013 Preferred Options document has already confirmed that Warton could accommodate at least 1,160 dwellings. This represents an uplift of 320 from the 840 currently proposed in the plan, which equates to 15% of the additional 3,450 required, and it likely that Warton may be required to support even higher provision, with Officers already supportive of developments that would take the total towards 1,300.
- 6.50 In summary, this section and the supporting plans have demonstrated that a minimum of 320 additional dwellings (including up to 280 within the Clifton House Farm site) could be accommodated within Warton as part of a masterplanned approach that meets the requirements and criteria of Policies M1 and SL3, whilst also protecting against the speculative development that has been allowed in Fylde in recent years due to the Council's inability to demonstrate a 5 year supply.
- 6.51 Therefore, we strongly object to the allocation of just 840 homes within the Warton Strategic Location for Development, and suggest this is increased to a minimum of 1,160, with the whole of the Clifton House Farm site/ Allocation H8 included, in line with previous evidence from the 2013 Preferred Options, to help meet the total level of supply **required to meet the borough's needs to 2032.**

7. GENERAL DEVELOPMENT POLICIES (CHAPTER 8)

7.1 We object to some of the wording and content within General Development Policy 7.

Settlement Boundaries (Policy GD1)

7.2 We would ask that the Settlement boundaries for Warton are revised in line with our comments in the previous section, particularly in respect to the Clifton House Farm landholding.

Achieving Good Design in Development (Policy GD7)

7.3 HLM fully support good design, although it is considered that this policy includes some unjustified elements which are discussed below.

National technical standards (Part n)

7.4 This element of the policy requires new homes to comply with the relevant design and quality codes in the National Technical Standards. These standards came in as part of Government Housing Standards Review (March 2015), which streamlined local housing standards by placing them within the Building Regulations regime, with **Council's given** the option to set additional requirements in respect of access and water, and a nationally described space standard. This is now enshrined within the NPPG in section 56, 'Housing- Optional Technical Standards'.

7.5 However, the policy is unclear exactly which optional standards it is seeking to apply. It mentions the optional accessibility and wheelchair housing standard M4(3A), and that the nationally described space standard may be imposed by condition (in supporting paragraph 8.28), but fails to confirm the position with the optional water efficiency standard, and this should be clarified.

7.6 More importantly, section 56 of the NPPG clearly explains that specific evidence must be provided and examined prior to the implementation of any of these optional standards. Imposition of the space standard requires evidence on need, viability and timing (NPPG para: 56-020-20150327), and whilst the Council have factored this into their Viability Assessment, they have yet to demonstrate a need or any transitional timescales for implementing this.

7.7 In respect of accessibility, the Council have provided some evidence (at paras 10.40-10.48) to support Policy H2 on the need for elderly accommodation across different house types, and do factor an uplift of £2,650 per dwelling into their Viability Assessment, however they do not properly address the adaptability of existing stock, or the needs across different tenures as required by NPPG para 56-007-20150327.

7.8 The optional water standard also requires clear evidence of need (NPPG para 56-015-20150327), which has not been provided, albeit part (n) does not directly request this.

7.9 Therefore, given the lack of supporting evidence, it is recommended that part n is removed until such time that the relevant evidence is provided.

Climate Change (Part r)

- 7.10 This element of the policy relates to energy and water efficiency measures in new development. In reference to water efficiency I refer to the comments made above on Part (n). In relation to energy efficiency the Council will be aware that the Housing Standards Review and Ministerial Statement dated 25th March 2015 clearly identify that, in relation to housing, energy efficiency measures will be solely dealt with through the Building Regulations and optional standards do not apply. The Council cannot, therefore, require developers to go beyond the Building Regulations.

Public Open Space (The Green Infrastructure Network) (Part v)

- 7.11 Whilst we agree with this policy in principle, we suggest that the words '**where possible**' should be added in respect of a single central useable facility to provide flexibility as there are occasions where this is not achievable (which can happen on narrow irregularly shaped sites) or desirable (such as when an area at the edge of a site would tie into a wider area of open space or green infrastructure network). An alternative would be to add the words '**or in a non-central location**' to the end of the sentence.

8. HOUSING POLICIES (CHAPTER 10)

8.1 We object to the overall housing requirement as noted, and also object to the wording within the remaining housing policies and the supporting evidence base.

8.2 The policies and supporting text relating to the overall housing requirement and distribution strategy have been largely covered within section 5; however we make more specific comments below on the wording and mechanisms proposed in chapter 10.

Housing Delivery and Allocation of Housing Land (Policy H1)

8.3 In terms of the overall housing requirement set out in part (a) of policy H1 we would refer to our comments in section 5, where we object to the proposed housing requirement figure of 370 dpa and recommend that this is increased to 440-450 dpa to reflect the latest evidence and to comply with national guidance.

8.4 Parts (b), (c) and (d) of the policy relate to monitoring and phasing, and whilst HLM fully support the monitoring of the housing delivery against the plan trajectory, we would stress that if the plan is failing then rather than simply persist with the plan the Council should also consider triggers for an early plan review.

8.5 In respect of Part (d) we would again refer to our comments in section 5, where we consider that the delivery of developable sites should provide a total of 11,088- 11,340 rather than 7,891; as it is important that the plan has a wide portfolio of sites with sufficient headroom to ensure delivery in varying market conditions. This is particularly important given that the Council cannot currently demonstrate a five year supply.

Density and Mix of New Residential Development (Policy H2)

8.6 The policy is split into separate elements relating to density, mix, specialist needs etc. The following response considers each of these elements separately, as appropriate.

Density

8.7 The policy identifies a minimum density of 30 dph. Paragraph 47 of the NPPF allows Council's to set their own approach to housing density to reflect local circumstances; however this should be based upon evidence and we are not aware of any evidence having been provided at this stage.

8.8 It is also suggested that the policy includes an element of flexibility to allow lower densities in some cases (potentially by adding the word 'normally', as per the wording in previous 2015 Revised Preferred Options version) as individual developments will need to respond to both site characteristics and market conditions.

8.9 **The desirability for 'executive style' housing to attract and retain employers and employees within the area should also be considered in the context of this policy and we would stress that this is particularly relevant in the context of Warton, given the presence of the BAE Systems complex and**

Enterprise Zone, as their future success is reliant on their ability to attract high proportions of **skilled 'executive' staff**.

- 8.10 It should also be noted that the imposition of the national minimum space standards within Policy GD7 will have an impact upon density. As such we would refer to our comments on that policy and ask that this is given further consideration by the Council.

Mix

- 8.11 HLM fully support the provision of a mix of dwellings within sites both to reflect local needs but also to maximise the market for the site, and we welcome the note that this will need to be updated as the plan progresses in line with future Housing Needs Assessments.
- 8.12 However, as with the density policy, we recommend that some flexibility is built in to the requirement for 50% of dwellings to be 1-3 bed, to allow individual developments to respond to site characteristics and market conditions, which will again be relevant in Warton, in terms of the provision of executive housing for skilled workers.

Specialist Accommodation for the Elderly

- 8.13 HLM fully supports the provision of housing for older people. The policy requires that at least 20% of homes on all sites of 20 units or more are designed specifically to accommodate the elderly, including compliance with the optional wheelchair access standard M4(3A), unless it can be demonstrated that this would render the development unviable.
- 8.14 Whilst we welcome the flexibility regarding viability, we would refer to our comments on Policy GD7 part n (sections 7.3-7.8), which note that Fylde have not provided sufficient evidence to justify the imposition of this policy, and therefore we recommend that reference to M4(3A) is removed until sufficient evidence is provided.
- 8.15 In the interim we would recommend that further clarity is provided on what would constitute elderly accommodation, and suggest that it includes dwellings that are adaptable to elderly needs, rather than ready adapted, to provide additional flexibility.

Affordable Housing (Policy H4)

- 8.16 As noted in Section 5, the 2014 SHMA addendum identifies a net annual need for 249 affordable dwellings per annum; however the requirement to meet this need must be balanced against the impacts that the policy requirement has upon the viability of development. It is noted that the policy does include flexibility by referring to viability. Whilst this is supported it is imperative that the policy requirement is set at a level which is deliverable in the majority of cases.
- 8.17 The Councils evidence upon viability is contained within the Fylde Local Plan Economic Viability Assessment (EVA), February 2016, which is on consultation alongside this Publication Local Plan document. Within the EVA it is evident that the cumulative impact of policies renders some of the

tested sites either marginal or unviable, particularly apartment and PDL developments within the lower value zones.

- 8.18 HLM have made separate representations to this EVA consultation, which conclude that base land values have been underestimated within the low value areas, and build costs have also been underestimated, and the combination of these factors further undermine site viability within Fylde.
- 8.19 Furthermore, whilst we welcome the reference to Starter Homes in the text as a proportion of rather than an addition to the 30% affordable requirement, we note that Starter Homes have not been factored into the Viability Assessment, which undermines it and the wider policy further.
- 8.20 Whilst this may be based on the assumption that Starter Homes would have less impact on viability than affordable products as they achieve closer to market value (80%), this is not explained, and neither does not take account of the negative impact that Starter Homes are likely to have on the sale prices achieved on adjacent market housing (i.e. non-first time buyers may not be willing to pay 20% more for the same product).
- 8.21 The Council will be aware that the NPPG is clear that (para 23b-005-20140306):

*'Plan makers should not plan to the margin of viability but should allow for a buffer to respond to changing markets and to avoid the need for frequent plan updating. Current costs and values should be considered when assessing the viability of plan policy. Policies should be deliverable and should not be based on an expectation of future rises in values at least for the first five years of the plan period. This will help to ensure realism and avoid complicating the assessment with uncertain judgements about the future. Where any relevant future change to regulation or policy (either national or local) is known, any likely **impact on current costs should be considered**' (our emphasis paragraph 10-08) and 'Planning obligations must be fully justified and evidenced. Where affordable housing contributions are being sought, planning obligations should not prevent development from going **forward**' (our emphasis)*

- 8.22 In respect of tenure, whilst we welcome the flexible case by case approach, this must be supported by up to date evidence and regular correspondence between Council Officers and Registered Providers to ensure that each scheme properly reflects the local market and requirements of the affordable housing providers; and can be agreed in a timely fashion, as the current process for negotiating housing tenure within Fylde has led to delays. As such we would ask that this section includes a reference to this.

9. OTHER POLICIES

9.1 We make some more general comments and wording suggestions on the following policies.

Lancashire AEM Enterprise Zone at BAE Systems Warton (Chapter 9, Policy EC2)

9.2 **HLM welcome the Council's support for the delivery** of the Lancashire Enterprise Zone and its associated Local Development Order and Phase 1 Masterplan, which is currently being implemented.

9.3 The Enterprise Zone represents a significant opportunity for Warton in terms of job creation and economic gain. It is therefore necessary to plan accordingly in terms of housing opportunities and appropriate infrastructure. The proposed housing requirement for Warton fails to do this and will need to be increased significantly to truly support the Enterprise Zone. Additional housing development will also help to fund the additional infrastructure required in Warton, through developer contributions towards highways, public realm and education.

Developer Contributions (Chapter 12, Policy INF2)

9.4 HLM welcome the use of the words '*subject to viability*' and '*normally*' in this policy requesting planning obligations as this builds in flexibility which should help marginal sites to come forward which may otherwise have been rendered unviable by the combined requirements of the listed obligations.

9.5 **With regard to the matter of viability and the Council's Draft Charging Schedule, it should be noted** that Hallam Land Management have submitted separate representations to this through Richard Heathcote (MRICS) from Moorside Homes Limited. These representations are included at Appendix 10 for ease of reference

9.6 We welcome the reference in paragraph 12.19 to the CIL regulations on pooled contributions (Regulation 123) which came into force in April 2015, but think it would be useful to emphasise in the main policy wording, by clearly stating that obligations will be sought for specific projects, as this will also ensure that the Regulation 122 tests are met in terms of the obligation being necessary, directly related, and fairly and reasonably related in scale and kind to the development.

Landscape (Chapter 14, Policy ENV1)

9.7 Whilst we agree with the principles of this policy, we would request that wording of part (b) is revised to accurately reflect the NPPF, as one of the core principles in paragraph 17 states that the intrinsic character and beauty of the countryside should be '*recognised*'; whereas paragraph 109 states that only valued landscapes need to be '*protected and enhanced*'.

Appendix 8- Performance Monitoring Framework

-
- 9.8 This section notes that Annual Monitoring Reports are a key component for monitoring the Local Plans throughout its plan which we completely agree with. Fylde did produce AMRs in 2015 and **2014, however there was a gap of two years before that where they didn't, and whilst we** acknowledge that this was likely due to resourcing issues or duplication in other documents (such as the Housing Land Availability Schedule), we think there should be a specific policy requiring this for all indicators, and not just for housing delivery (as set out in Policy H1).

10. CONCLUSIONS

- 10.1 In summary, HLM strongly object to the proposed housing requirement and distribution strategy set out in this Revised Preferred Option.
- 10.2 Firstly, we consider that the plan has underestimated the total annual housing requirement within Fylde by approximately 20% and that a figure of 440 to 450 dwelling per annum would be **required to meet Fylde's** economic growth aspirations and affordable housing obligations, as recommended in the 2014 SHMA Addendum 2.
- 10.3 This has major implications on the distribution strategy within the plan, and indicates that the plan would need to identify a total supply of between 11,088 and 11,340 dwellings to be able to deliver this requirement with a suitable buffer for non-delivery, which represents an increase of up to 3,450 dwellings (44%) from the current identified supply.
- 10.4 Much of this additional housing will need to be accommodated within the four Strategic Locations for Development, with particular pressure on Warton, given constraints elsewhere and evidence from an earlier version of the Local Plan confirming that Warton is a sustainable location that could support 1,160 dwellings.
- 10.5 Accommodating this 1,160 figure would require an uplift of 320 from the 840 dwellings currently proposed in Warton, which is not considered unreasonable, as it equates to just 15% of the 3,150 additional dwellings required; and it is our strong view that Warton could support much greater levels of development, with Officers already supporting two developments in Warton that would take total commitments over 1,250.
- 10.6 These representations along with the supporting plans and appendices have demonstrated that this additional development could be accommodated within Warton as part of a masterplanned approach led by HLM, including delivery of up to 280 dwellings across the wider Clifton House Farm site; which meets the requirements and criteria of Policies M1 and SL3.
- 10.7 There are also serious concerns about the soundness of the plan on the basis that it fails to take account of unmet need across the Housing Market Area, whilst the supporting Sustainability Appraisal fails to properly assess the chosen option and reasonable alternatives.
- 10.8 Finally, we wish to be kept informed of any further consultations on the Local Plan to 2032 and any associated documents.

APPENDIX 1 - HLM FULL LAND OWNERSHIP IN WARTON

APPENDIX 2 – BLACKFIELD END FARM RED LINE PLAN (APPROVED SCHEME)

APPENDIX 3 – BLACKFIELD END FARM APPEAL DECISION

APPENDIX 4- CLIFTON HOUSE FARM RED LINE PLAN (PENDING SCHEME)

APPENDIX 5 – CLIFTON HOUSE FARM SIGNED PLANNING SOCG

APPENDIX 6 – INSPECTORS PRELIMINARY FINDINGS, WEST OX EXAMINATION

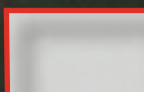
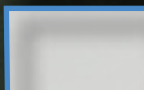
APPENDIX 7 - OBJECTIVELY ASSESSED HOUSING NEED PAPER, JUNE 2016

APPENDIX 8 – WARTON SPATIAL MASTERPLAN

APPENDIX 9 – WEST WARTON DETAILED MASTERPLAN

APPENDIX 10 – MOORSIDE HOMES LIMITED REPRESENTATIONS

Key

-  Clifton House Farm Ownership
-  Blackfield End Farm Ownership



Cartmell Court

Blackfield End Farm

Harbour Lane

Blackfield End Farm

Clifton House Farm

Riversleigh Farm

e*SCAPE
urbanists

Project Title
Clifton Fields, Warton

e*SCAPE Job No.
013-006

Client
Hallam Land


Drawing Number
013-006-P001

Revision
REV -

Drawing Title
Site Boundaries Plan

Scale
1:2,500 @ A2

Date
November '14

 n*ORTH

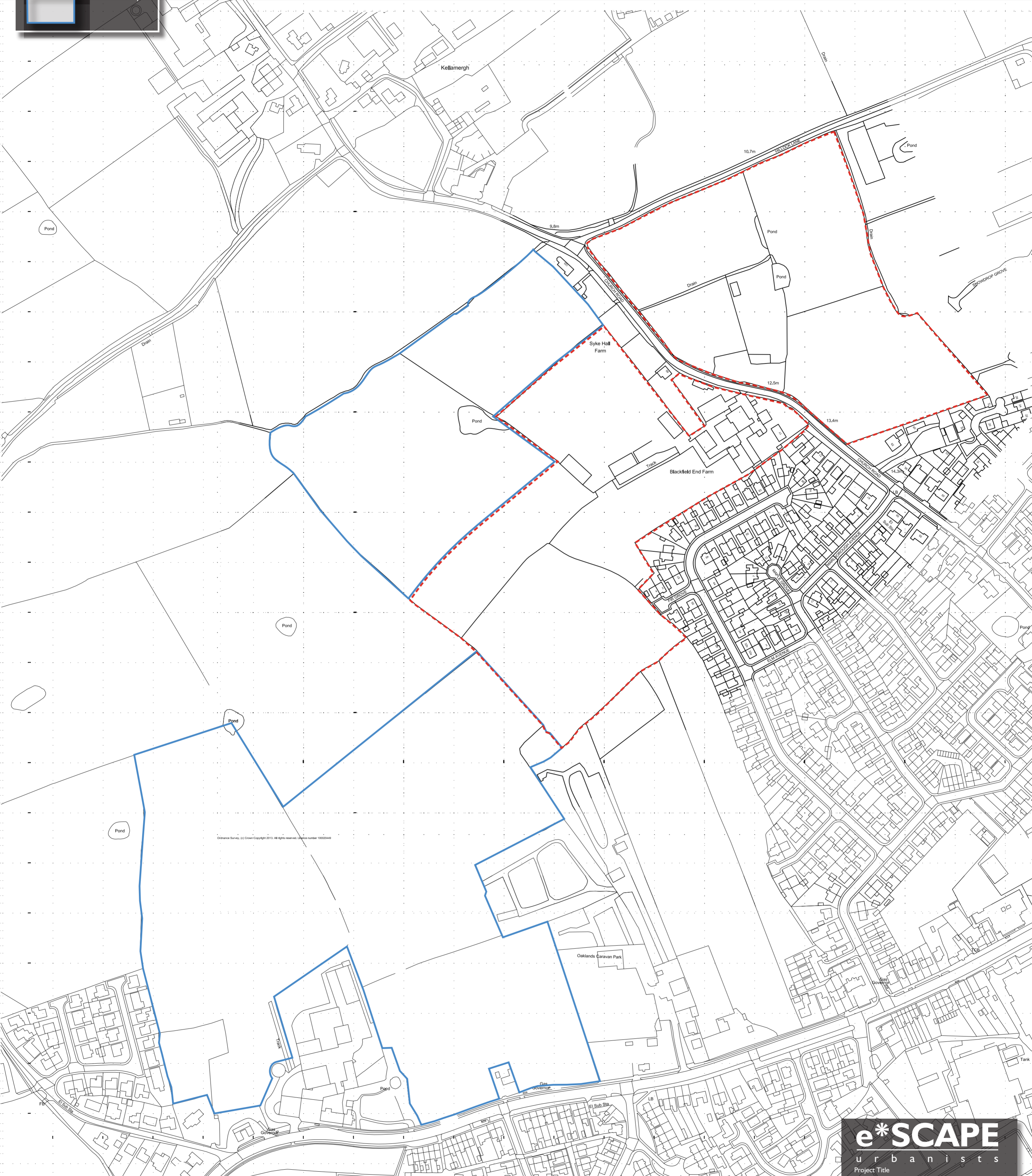
0m 20m 40m 60m 80m 100m

Scale 1:2,500 (@A2)

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Key

- Application Site Boundary
- Wider Ownership



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e*SCAPE
urbanists

Project Title
Blackfield Green, Warton

e*SCAPE Job No.
013-006

Client
Hallam Land

Drawing Number
013-006-P001

Revision
REV B

Drawing Title
Site Location Plan

Scale
1:2,500 @ A2

Date
March '14

0m 20m 40m 60m 80m 100m

nORTH

Scale 1:2,500 (@A2)

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Sebastian Tibenham
Pegasus Group
Barnett House
53 Fountain Street
Manchester
M2 2AN

Our ref: APP/M2325/A/14/2217060

Your ref: 13/0674

24 September 2015

Dear Sir

**TOWN AND COUNTRY PLANNING ACT 1990 (SECTION 78)
APPEAL BY HALLAM LAND MANAGEMENT LTD
LAND AT BLACKFIELD END FARM, CHURCH ROAD, WARTON
APPLICATION REF: 13/0674**

1. I am directed by the Secretary of State to say that consideration has been given to the report of the Inspector, Richard Clegg BA(Hons) DMS MRTPI, who held a public local inquiry which opened on 21 October 2014 and sat for 7 days, with site visits on 14 and 26 November, into your client's application to Fylde Borough Council ("the Council") for the demolition of existing buildings and the erection of up to 360 residential dwellings, including details of access, open space and any other necessary works, dated 29 October 2013, in accordance with application ref: 13/0674.
2. The appeal was recovered for the Secretary of State's determination on 1 May 2014, in pursuance of section 79 of, and paragraph 3 of Schedule 6 to, the Town and Country Planning Act 1990, because it involves proposals for residential development of over 150 units or on sites of over 5 ha, which would significantly impact on the Government's objective to secure a better balance between housing demand and supply and create high quality, sustainable, mixed and inclusive communities.

Inspector's recommendation

3. The Inspector recommended that the appeal be allowed and planning permission granted subject to conditions. For the reasons given below, the Secretary of State agrees with the Inspector's conclusions and recommendation. A copy of the Inspector's report (IR) is enclosed. All references to paragraph numbers, unless otherwise stated, are to that report.

Procedural matters

4. The Secretary of State has noted the agreed change to the description of the appeal site as "land at Blackfield End Farm, Church Road, Warton" (IR2); the

19. Hallam Land Management - Pegasus Planning

various changes to access arrangements described at IR3-IR6; and the agreement of the parties that all options should be treated as illustrative (IR7). He is satisfied that no interests have been prejudiced by these minor changes.

Matters arising after the close of the inquiry

5. The Secretary of State has had regard to the correspondence which was submitted after the close of the inquiry, as listed in Annex 1 to this letter. This includes the responses to his letter of 16 June 2015, and the completed S106 Undertaking dated 31 July 2015 (and received from the appellants on 4 August) which is dealt with in paragraphs 18 and 21 below. The Secretary of State has carefully considered the representations received, and is satisfied that they do not raise matters which would require him to refer back to parties again prior to reaching his decision. Copies of these representations can be made available on written request to the address at the foot of the previous page.

Policy and Statutory Considerations

6. In deciding the appeal, the Secretary of State has had regard to section 38(6) of the Planning and Compulsory Purchase Act 2004 which requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan comprises the saved policies of the *Fylde Borough Local Plan as altered – October 2005* (LP) as described at IR18-19. The Secretary of State has also taken account of the emerging Local Plan (ELP) (IR20-21); and he agrees with the Inspector and the main parties to the appeal (IR21) that, as it is at a relatively early stage in its preparation, it carries only limited weight. Similarly, the Secretary of State also agrees with the Inspector (IR22) that the provisions of the emerging Neighbourhood Plan (ENP) can carry only limited weight at this stage.
7. Other material considerations which the Secretary of State has taken into account include the National Planning Policy Framework (“the Framework”) along with the associated planning guidance published in March 2014; the Community Infrastructure (CIL) Regulations 2010 as amended; and the documents referred to by the Inspector at IR23-24.

Main issues

8. The Secretary of State agrees with the Inspector that the main considerations are those set out at IR98.

Character and appearance

9. For the reasons given at IR 99-105, the Secretary of State agrees with the Inspector that the proposed development would have a minor effect on the surrounding landscape, but that moderate harm would be caused in respect of the site itself and from nearby viewpoints. The Secretary of State agrees that, as a consequence, there would be conflict with Policies HL2, HL6 and EP11 of the Local Plan, to which he gives moderate weight in the overall balance.

Highway safety and traffic movement

10. Having carefully considered the Inspector's discussion on the Lytham Road/Church Road/Highgate Lane junction at IR107-121, the Lytham Road/Mill Lane/Ribble View Close junction at IR122, the Lytham Road/GEC junction at IR123, and the site accesses and Church Road at IR124, the Secretary of State agrees with his conclusions within those paragraphs and at IR125 that there would be significant adverse effects for traffic movements at the Lytham Road/Church

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Road/Highgate Lane junction, a limited adverse effect on highway safety and, as a consequence, conflict with criterion 9 in Policy HL2 of the Local Plan. However, the Secretary of State also agrees with the Inspector at IR125 that, taking account of the overall implications of the appeal proposal on the local highway network, the residual cumulative effects would not be severe. The Secretary of State therefore gives them only moderate weight in the overall balance.

Prematurity in the context of a Masterplan and the emerging Neighbourhood Plan

11. For the reasons given at IR126-131, the Secretary of State agrees with the Inspector's conclusion at IR132 that the proposed development would not be premature having regard to the preparation of the ELP and the ENP (including the masterplanning exercise referred to at IR128).

Sustainability of the site's location

12. Taking account of the Inspector's findings on the sustainability of the site's location at IR133-137, the Secretary of State agrees with his conclusion at IR137 that the appeal site would be a sustainable location for residential development.

Housing land supply

13. Having carefully considered the Inspector's discussion on housing land supply at IR138-141, the Secretary of State agrees with his conclusion at IR142 that there is not a five years' supply of housing land. The Secretary of State therefore also agrees with the Inspector that the contribution of the appeal site towards making such a provision carries considerable weight in support of the appeal proposal.

Affordable housing

14. The Secretary of State agrees with the Inspector at IR143 that the proposed development would make a significant contribution to meeting the need for affordable housing but that a flexible approach to the tenure of that housing is appropriate in the context of granting outline consent.

The Green Belt

15. The Secretary of State notes that part of the western parcel of the appeal site lies within the Green Belt but that no built development is proposed there (IR144). He agrees with the Inspector (IR145) that the beneficial use of this part of the appeal site as open space would clearly outweigh the definitional harm of conflict with Green Belt policy as expressed in the Framework, and that very special circumstances justify use of the land as open space if it is not retained in agricultural use (as indicated in Options 3 and 4 – see IR144). However, the Secretary of State also agrees with the Inspector (IR146) that the appeal proposal does not provide a benefit in terms of a more defensible Green Belt boundary.

Nature conservation

16. The Secretary of State agrees with the Inspector's conclusion that, as explained at IR147-148, appropriate mitigation measures can be secured by condition (see Conditions 10-15 at Annex 2 to this letter) to ensure that the proposed development would not have an adverse material effect on nature conservation interests.

Open space

19. Hallam Land Management - Pegasus Planning

17. The Secretary of State is satisfied that, as the main parties agree (IR149), the requirements of LP Policy TREC17, concerning open space provision, can be met by the appeal proposal.

Education

18. As the Inspector explains at IR150, the unilateral undertaking by the landowners and the Appellant submitted at the inquiry (IR10) included provision for the payment of an education contribution to secure the additional places required by the appeal proposal. However, as he also explains, the transitional period under Regulation 123(3) of the CIL Regulations has since ended and pooled contributions in respect of an infrastructure project may now only be taken into account from five obligations in the period from 6 April 2010. Accordingly, as suggested by the Inspector, the Secretary of State wrote to you and the Council on 25 June 2015 and, following your respective replies of 7 and 9 July, wrote again on 20 July 2015. In that letter, he accepted the suggestion that, in consultation with the County Council, a more specific Undertaking should be prepared setting out the schools for which the funding towards primary school provision would be targeted, and this was executed on 31 July 2015 (see paragraph 5 above).

Other matters

19. The Secretary of State has carefully considered the various matters referred to by the Inspector at IR151-152, and sees no reason to disagree with any of his conclusions.

Conditions

20. The Secretary of State has considered the Inspector's reasoning and conclusions on conditions, as set out at IR95-97, and the conditions which he proposes as set out in the Annex to the IR. The Secretary of State is satisfied that the conditions set out at Annex 2 to this letter are reasonable and necessary and would meet the tests of the Framework and the guidance.

Planning obligation

21. The Secretary of State has considered the terms of the planning obligation dated 31 July 2015, and he is satisfied that, in this revised form, it meets the Framework tests and complies with the CIL Regulations.

Overall balance and conclusions

22. As the policies in the LP concerning housing land, including the limits of development shown on the Proposals Map, are out-of-date, the presumption in the Framework in favour of sustainable development applies unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole. Within that presumption, the provision of additional housing to contribute to the land supply in Fylde is a matter of considerable weight in favour of the proposal, as is the provision of affordable housing; and there is no reason why the development should be resisted for Green Belt reasons given the open uses proposed for that part of the site within the Green Belt.

23. Against these factors, only limited weight can be given to the provisions of the ELP and the ENP given their current state of progress. Furthermore, the relatively limited adverse effects for traffic movement and on highway safety, as well as the moderate harm to the character and appearance of the area, are insufficient either individually or cumulatively to outweigh the benefits in terms of housing provision.

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24. Overall, the Secretary of State considers that, although the proposed development would represent an extension of the built-up area, it represents a sustainable form of development which will provide much needed housing and which accords with the policies of the Framework taken as a whole

Formal Decision

25. Accordingly, for the reasons given above, the Secretary of State agrees with the Inspector's recommendation. He hereby allows the appeal and grants planning permission for the demolition of existing buildings and the erection of up to 360 residential dwellings, including details of access, open space and any other necessary works, dated 29 October 2013, in accordance with application ref: 13/0674, subject to the imposition of the conditions set out at Annex 2 to this letter.

26. An applicant for any consent, agreement or approval required by a condition of this permission for agreement of reserved matters has a statutory right of appeal to the Secretary of State if consent, agreement or approval is refused or granted conditionally or if the Local Planning Authority fail to give notice of their decision within the prescribed period.

27. This letter does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than section 57 of the Town and Country Planning Act 1990.

Right to challenge the decision

28. A separate note is attached setting out the circumstances in which the validity of the Secretary of State's decision may be challenged by making an application to the High Court within six weeks from the date of this letter.

29. A copy of this letter has been sent to Fylde Borough Council. A notification letter has been sent to all other parties who asked to be informed of the decision.

Yours faithfully

Jean Nowak

Authorised by the Secretary of State to sign in that behalf

Church Road, Warton, Fylde**Responses to Reference back letter (as revised on 25 June 2015)**

Name of Party	Date of response
Fylde Council	7 July 2015
Pegasus Group on behalf of appellants	9 July 2015 4 August 2015
Tony Guest	9 July 2015
Bryning-with-Warnton PC Neighbourhood Steering Group	1 July 2015 9 July 2015 13 July 2015
Sebastian Heeley, Development Manager, Redwaters	28 July 2015 25 August 2015

Other responses received too late to be considered by the Inspector

Name of Party	Date of response
Bryning-with-Warnton PC Neighbourhood Steering Group	9 June 2015

Conditions

1. Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved. The details of the reserved matters shall be consistent with illustrative masterplans refs 013-006-P008 Rev K or 013-006-P008 Rev L and proposed access arrangements refs 401-F01/D or 0401-F05.
2. Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
3. The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.
4. The development hereby permitted shall be carried out in accordance with the approved location plan ref 013-006-P001 Rev B.
5. Phasing plans for that part of the site on the west of Church Road and on the east of Church Road shall be submitted to the local planning authority as part of the first application for reserved matters approval. The phasing plans shall include highways, pedestrian and cycle routes, and green infrastructure. No development shall take place until the phasing plans have been approved in writing by the local planning authority, and it shall thereafter be carried out in accordance with the approved phasing plans.
6. The details of the reserved matters for each phase shall include:
 - i) Dwellings in a range of scales and designs, none of which shall exceed 2.5 storeys in height, and
 - ii) The provision of public open space, together with a programme for the maintenance thereof.
7. No development shall take place until a scheme of measures for the protection of retained trees and hedgerows has been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in respect of each phase prior to the commencement of development on that part of the site, and it shall be retained for the duration of the construction period.
8. That part of the site designated as Green Belt on the Proposals Map of the Fylde Borough Local Plan as Altered shall be retained as open land.
9. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the NPPF or any future policy that replaces it. The scheme shall include:
 - i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of 30% of the dwellings in each phase;
 - ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
 - iii) the arrangements for the transfer of the affordable housing to an affordable housing provider, or for the management of the affordable housing if no registered provider is involved;
 - iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and

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- v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.
10. No development shall take place until a biodiversity scheme has been submitted to and approved in writing by the local planning authority. The scheme shall include measures to prevent disturbance to areas of natural habitat by people and domestic animals, the provision of bird boxes, a programme for implementation, and arrangements for maintenance. The scheme shall be implemented in accordance with the approved programme.
 11. No development shall take place until an updated water vole survey has been carried out and the results submitted to the local planning authority. If any water voles are found on the site, no development shall take place until a mitigation strategy, including a programme for implementation has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved programme.
 12. No development shall take place until an updated great crested newt survey has been carried out and the results submitted to the local planning authority, together with a scheme of great crested newt mitigation measures, prepared in accordance with the report entitled *Great Crested Newt Survey – Blackfield End Farm, Warton, Lancashire – 2013* by Rachel Hacking Ecology (CD7.9), and including a programme for implementation. The mitigation measures shall be implemented in accordance with the approved programmes.
 13. No trees shall be felled, no vegetation shall be cleared and no demolition shall take place during the bird nesting season (1 March – 31 August inclusive) unless the absence of nesting birds has been confirmed by a survey, which has been submitted to the local planning authority, and such works have been approved in writing beforehand by the local planning authority.
 14. In each phase, no development shall take place until a scheme of external lighting, including a programme for implementation, has been submitted to and approved by the local planning authority. The scheme shall be designed to minimise light spillage and to avoid the illumination of bat roosting opportunities. The development shall be carried out in accordance with the approved scheme, which shall be retained thereafter.
 15. In each phase, no development shall take place until a scheme for green infrastructure, including a 5m buffer zone alongside watercourses, ponds and ditches, and a programme for implementation, has been submitted to and approved by the local planning authority. The development shall be carried out in accordance with the approved scheme, which shall be retained thereafter.
 16. No development shall take place until details of carriageway surfacing, footways, street furniture, landscaping, the upgrading of two bus stops, and traffic signals for drivers emerging from Highgate Lane, all within the area edged red on plan ref 0401-F02/G *Proposed A584 Lytham Road/ Church Road Improvement Scheme*¹, have been submitted to and approved by the local planning authority.
 17. No more than 119 dwellings shall be occupied until carriageway surfacing, footways, street furniture, landscaping, the upgrading of two bus stops, and traffic signals for drivers emerging from Highgate Lane have been implemented in accordance with the approved details required by condition No 16, and until the other alterations to the signalised junction of Lytham Road/ Church Road/ Highgate Lane and the priority junction of Lytham Road/ Harbour Lane have been implemented in accordance with plan ref 0401-F02/G.

¹ The reference in the title of plan ref 0401-F02/G to the A548 is incorrect.

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18. No development shall take place until a scheme to provide an hourly bus service between Lytham and Kirkham via the site at Backfield End Farm has been submitted to and approved by the local planning authority. The scheme shall include a bus turning facility within the site and a bus stop to quality bus corridor standard. The scheme shall include arrangements for the delivery of the scheme prior to the occupation of the 26th dwelling for a period of at least five years.
19. No development shall take place on the phase of the site adjacent to the site of the residential development proposed at Riversleigh Farm until a scheme to provide a pedestrian and cycle link to that development has been submitted to and approved by the local planning authority. None of the dwellings in that phase shall be occupied until the pedestrian and cycle link has been constructed in accordance with the approved scheme.
20. None of the dwellings shall be occupied until a travel plan, prepared in accordance with the travel plan framework and including a programme for its implementation, has been submitted to and approved in writing by the local planning authority, and until a travel plan coordinator has been appointed, and notification of that appointment shall be given to the local planning authority. The travel plan shall be implemented in accordance with the approved programme.
21. In each phase, no development shall take place until a scheme for surface water drainage, based on sustainable drainage principles and including a programme for implementation and arrangements for management, designed in accordance with the outflow rates set out on plan ref TPIN1017-100B *Drainage Strategy – General Arrangement* (in CD7.18), and no surface water shall discharge to the public sewerage system other than as shown on plan ref TPIN1017-100B. The surface water drainage system shall be constructed in accordance with the approved scheme and programme, and maintained thereafter in accordance with the approved management arrangements.
22. In each phase, no development shall take place until a programme for implementation of the foul drainage system shown on plan ref TPIN1017-100B *Drainage Strategy – General Arrangement* (in CD7.18), and arrangements for its management, have been submitted to and approved by the local planning authority. The foul water drainage system shall be constructed in accordance with plan ref TPIN1017-100B and the approved programme, and maintained thereafter in accordance with the approved management arrangements.
23. No development shall take place until a contamination investigation has been carried out on that part of the site within the limits of development defined on the Proposals Map of the Fylde Borough Local Plan as Altered, in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before development begins. Upon completion of remediation, a validation report shall be submitted to and approved by the local planning authority confirming that the site has been remediated in accordance with the approved measures and that the site is suitable for the development hereby permitted.

If, during the course of development, any contamination is found which has not been identified in the site investigation, then additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

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24. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- i) hours of construction and demolition work, and of trips to and from the site by construction and delivery vehicles
 - ii) the identification of safe access for construction vehicles
 - iii) the parking of vehicles of site operatives and visitors
 - iv) loading and unloading of plant and materials
 - v) storage of plant and materials used in constructing the development
 - vi) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - vi) wheel washing facilities
 - vii) measures to control the emission of dust and dirt during construction and demolition
 - viii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

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Report to the Secretary of State for Communities and Local Government

by Richard Clegg BA(Hons) DMS MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Date: 30 April 2015

TOWN AND COUNTRY PLANNING ACT 1990

FYLDE BOROUGH COUNCIL

APPEAL BY

HALLAM LAND MANAGEMENT LTD

19. Hallam Land Management - Pegasus Planning

File Ref: APP/M2325/A/14/2217060

Land at Blackfield End Farm, Church Road, Warton

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
- The appeal is made by Hallam Land Management Ltd against Fylde Borough Council.
- The application, Ref 13/0674, is dated 29 October 2013.
- The development proposed is described as 'the demolition of existing buildings and the erection of up to 360 residential dwellings (C3 use class), including details of access, open space and any other necessary works'.
- The inquiry sat for seven days, on 21-24 and 28-30 October 2014.
- Site visits took place on 14 and 26 November 2014.

Summary of Recommendation: The appeal be allowed, and planning permission granted subject to conditions.

Procedural Matters

1. The appeal was recovered for decision by the Secretary of State for Communities and Local Government by letters dated 1 May 2014, as it involves proposals for residential development of over 150 units or on sites of over 5ha, which would significantly impact on the Government's objective to secure a better balance between housing demand and supply and create high quality, sustainable, mixed, and inclusive communities.
2. On the application form, the location of the site is given as land east and west of Church Road, Warton. At the inquiry, the main parties agreed that it is more clearly referred to as land at Blackfield End Farm, Church Road, Warton. I have identified the site accordingly in the appeal details above.
3. The planning application was submitted in outline form, with approval sought for the means of access. The original submission showed access taken from staggered junctions on Church Road (Option 1, Plans B1-B3). In response to comments from the Highway Authority, amended drawings were prepared which show an additional access from Hillock Lane (Option 2, Plans C1-C3), and this is the form in which the scheme was considered by the Council.
4. Subsequently, in response to comments from the Council concerning vehicular access onto Hillock Lane and layout, and from the Highway Authority concerning the form of the junction on Church Road, a further set of amended drawings were prepared (Option 3, Plans D1-D3). In this version, vehicular access is shown from Church Road only, where it would be taken by means of a signalised crossroads junction. In advance of the inquiry, the Appellant requested that access be considered as a reserved matter, and that Options 1-3 be considered as alternatives as part of the appeal. The Council expressed the view that the points of access should be identified and that there should be further consultation should these differ from those previously considered.
5. In letters from The Planning Inspectorate dated 1 September 2014 (Core Document (CD) 6.14), I advised that the exclusion of access as a matter for detailed determination could be dealt with as an amendment, subject to consultation with interested parties. I also advised that the principle of the intended access arrangements should be made clear. Consultation on the treatment of access as a reserved matter and on the plans comprising Option 3

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was undertaken by the Council prior to the opening of the inquiry, and the Appellant made it clear that it no longer sought to pursue the option of vehicular access from Hillock Lane as part of the appeal proposal.

6. Further amended drawings have been prepared to allow for the retention of the farmhouse (due to the presence of a bat roost), a green link to the 'pocket park' depicted in the eastern part of the development and a bus turning facility (Option 4, Plans E1 & E2). These do not represent significant alterations to the scheme, and, in particular, Option 4 does not introduce any further changes to the intended access arrangements.
7. In the statement of common ground (Document G3), the main parties agree that the appeal should be considered with regard to the plans submitted in respect of Options 1, 3 and 4, all of which should be treated as illustrative. I agree with this approach. The plans in Options 1, 3 and 4 make clear that the development would involve the principle of vehicular access being taken from Church Road, and consultation has taken place on the treatment of access as a reserved matter and on drawings showing a signalised crossroads junction on Church Road. I am satisfied that no prejudice would be caused to the interests of any parties by consideration of the proposal as an outline scheme with all matters reserved for future consideration, and in accordance with the plans submitted in respect of Options 1, 3 or 4: I have dealt with the appeal on this basis. Accordingly the main parties agreed that the proposed development is more clearly described as the demolition of existing buildings, the erection of up to 360 dwellings, and the provision of open space.
8. The appeal was made against the failure of the Council to give notice of its decision on the planning application within the prescribed period. When the application was subsequently reported to the Development Management Committee, it resolved that if it had been able to determine the application, planning permission would have been refused for the following reasons:
 1. *The proposal would be contrary to Policy SP2 of the Adopted Fylde Borough Local Plan and the NPPF (paras 57, 58 & 61) as the scale, density and illustrative layout of the proposed development would have a significant adverse impact on the character and appearance of the countryside due to the lack of landscaping on the site perimeter and the urbanising nature of the development, particularly the removal of established hedgerow along the Hillock Lane boundary.*
 2. *The proposal would be contrary to Policy HL2 of the Adopted Fylde Borough Local Plan and the NPPF (paras 29, 30, 32 & 35) as the development proposal has failed to demonstrate:*
 - (i) *That the traffic generated by the development could be safely accommodated within the highway network.*
 - (ii) *That the proposal delivers sustainable transport as the site is sufficiently accessible to public transport, and sufficiently accessible for pedestrians and cyclists to education, retail and employment infrastructure.*
 - (iii) *That the proposal makes provision for adequate vehicular connectivity and integration with the local and wider network as part of a master planning approach.*

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When taken in combination, the residual impacts of the failure to provide for the above as part of the proposal are severe.

3. *The site has low accessibility due to its location on the edge of Warton and is remote from public transport. The Applicant has failed to demonstrate how public transport needs arising from this development can be integrated into the network. The proposal represents piecemeal development of land identified within the Warton Strategic Location for Development and as such does not deliver adequate east-west vehicular penetration, or connectivity for pedestrians and cyclists between this site and neighbouring land. The proposal does not deliver sustainable transport and is contrary to Policies TR5 and HL2 of the Adopted Fylde Borough Local Plan and the NPPF (paras 29, 30, 32, & 35).*
4. *The proposed vehicular access onto Hillock Lane would result in conflicting traffic movements which would be detrimental to highway safety. In addition, the multiple points of access onto this road would harm the appearance of this narrow, rural road and be detrimental to the character of the rural area, therefore the proposal is contrary to Policies HL2 and SP2 of the Adopted Fylde Borough Local Plan and the NPPF (paras 32, 58 & 61).*
5. *The proposed development does not make adequate provision for the delivery of additional school places that would be generated as a result of the proposed development. Accordingly the proposal is contrary to Policy CF2 of the Adopted Fylde Borough Local Plan and the NPPF (para 72).*
6. *The proposed development fails to deliver any certainty over the provision of affordable housing as part of the development contrary to the NPPF. Accordingly, the requirements relating to the provision of affordable housing contained in the NPPF (para 50) and as included in Fylde Borough Council's Interim Housing Policy are not satisfied.*
7. *The proposed development fails to deliver any certainty over the provision of improvements to the public open space facilities available in the village that are appropriately related to the development in their scale and location. This is contrary to the NPPF (para 69), the requirements of Fylde Borough Council's Interim Housing Policy and Policy TREC17 of the Fylde Borough Local Plan.*
8. *The proposed development fails to deliver any certainty over the provision of improvements to the public realm of the village of Warton. This is contrary to the NPPF (para 70), the requirements of Fylde Borough Council's Interim Housing Policy and Policy EP1 of the Fylde Borough Local Plan.*
9. *The statement of common ground explained that the Council would not be pursuing reasons Nos 1, 4-6 and 8, which concern the effect on the character and appearance of the area, the formation of vehicular access to Hillock Lane, the delivery of school places, affordable housing, and public realm improvements respectively. At the inquiry, the Council argued that, whilst it was not considered that the effect of the development on the character and appearance of the area was in itself a reason to withhold planning permission, there was nevertheless an adverse effect which weighed negatively in the balance.*

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10. A planning obligation in the form of a unilateral undertaking by the landowners and the Appellant was submitted at the inquiry (Document A21). Its provisions concern contributions to primary school places and a travel plan.
11. On 27 February 2015 the Government released the 2012-based household projections 2012-2037. The main parties and the Fylde District Group of the Campaign to Protect Rural England (CPRE), (which had assessed the need for housing land using the 2011-based interim household projections) were invited to comment on the implications of the projections. Comments were received from each of these parties (Documents L24, A22 & O17).
12. This report contains a description of the site and its surroundings, an explanation of the proposal, identification of relevant planning policies, details of agreed matters, and the gist of the submissions made at the inquiry and in writing, followed by my conclusions and recommendation. Lists of appearances and inquiry documents are appended. The main parties prepared a set of core documents¹ (Document G1): those documents not submitted as hard copies are available in electronic format. The written closing submissions on behalf of the Council and the Appellant are included as inquiry documents: in delivery they were subject to a number of detailed alterations.

The Site and Surroundings

13. The appeal site includes land on each side of Church Road which abuts the northern edge of the built-up area of Warton. The adjacent part of the settlement is predominantly residential in nature. There are several local facilities and services along Lytham Road (the A584), which runs through Warton about 0.7km south of Blackfield End Farm. On the far side of Lytham Road is the extensive aircraft manufacturing works of BAE Systems. There is farmland to the north, west and south-west of the western part of the appeal site, part of which is within the Appellant's control². The site extends around the north-west edge of the built-up area: between this part of the site and Lytham Road is a parcel of land known as Riversleigh Farm, on which the Council has resolved to grant outline planning permission for housing subject to the conclusion of a planning obligation³. Hillock Lane forms the north-western boundary of the eastern part of the site. There is farmland on the opposite side of the road, beyond which is the football ground of AFC Fylde. Between the eastern boundary of this part of the site and Harbour Lane, a development of 66 houses known as Meadow View was nearing completion at the time of the inquiry. At this time also, an application for a further 13 houses at Meadow View adjacent to the appeal site had not been determined, and the Council had resolved that planning permission for 13 houses on land to the north of Meadow View be granted under delegated powers subject to a satisfactory response from Natural England on the question of a European Protected Species licence. At the northern end of Harbour Lane is a couple of dwellings with associated open land.
14. The appeal site comprises two irregular parcels of land, amounting to about 13.2ha. The western parcel, of about 7.05ha, contains the farm buildings, which

¹ The list of core documents includes sections covering the Appellant's and Council's proofs and plans. These documents are listed separately at the end of this report.

² The land outside the appeal site but within the Appellant's control is shown edged blue on Plan A.

³ Details of development proposals in Warton are given in Document L13, and Plan G shows the location of several proposed development sites.

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are situated in a group close to Church Road and to housing in the built-up area, together with several fields. There are two dwellings in the group of buildings, a traditional farmhouse and a bungalow. Within the eastern parcel are several fields: this part of the site is about 6.15ha in size. The fields are generally contained by hedgerows: there are a few trees on a field boundary within the eastern parcel and a line of tall trees alongside the northern part of the eastern boundary. An ash tree close to the farmhouse is covered by a tree preservation order (TPO)⁴. The statement of common ground records that the agricultural land is predominantly of moderate and low quality, with 10% falling within subgrade 3a and constituting the best and most versatile land⁵.

Planning History

15. The submitted documentation records no relevant planning history prior to the appeal proposal.

The Proposal

16. It is proposed to construct up to 360 dwellings at Blackfield End Farm, and the statement of common ground refers to the provision of family houses. The illustrative masterplan for Option 1 shows about 350 dwellings, that for Option 3 shows about 340 dwellings, and there would be a similar number in Option 4. Areas of open space would be included within both the western and eastern parts of the development: land at the edge of the site to the north-west of the farm buildings is shown as open space with a play area and an orchard in Option 1, but as being retained in agricultural use in Options 3 and 4. Vehicular access would be taken from Church Road, and it is intended that this would be by means of either staggered junctions or a signalised crossroads junction (above, paras 3 & 4). The masterplans also show certain footway/ cycleway links to the proposed Riversleigh development and to the new housing on Harbour Lane: I consider below (para 125) the extent to which such links could be achieved.
17. The scheme involves alterations to the Lytham Road/ Church Road/ Highgate Lane junction (Plan F). These works would include the provision of islands on the Church Road and Lytham Road (west) approaches and controlled pedestrian crossing facilities. A third new island would be constructed in the widened bellmouth of the junction of Lytham Road with Harbour Lane, a short distance to the east. In addition it is intended that two bus stops on Lytham Road would be upgraded to quality bus standard, and that the Lytham – Kirkham bus service would be diverted to the site on an hourly basis.

Planning Policy

The Local Plan

18. The Development Plan comprises the saved policies of the Fylde Borough Local Plan as Altered (CD1.1), which is an amalgamation of the continuing policies of the Fylde Borough Local Plan and the Fylde Borough Local Plan Alterations Review. In this report the term Local Plan is used to refer to the combined document. On the Proposals Map⁶, the area occupied by the farm buildings is

⁴ The plan attached to TPO 1981 No 5 (Warton) shows four trees between the farmhouse and Church Road (Document G8). The Council explained that only the ash tree (T4) remains.

⁵ Paragraph 3.1 of Document G3.

⁶ An extract from the Proposals Map is at Plan H.

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within the limits of development of Warton and part of a nearby field is in the Green Belt. The remainder of the appeal site is designated as part of a countryside area. Policy SP1 provides that, subject to other policies of the Local Plan, development will be permitted within the limits of development of specified settlements, including Warton, which is included in the second level of the hierarchy. Development in countryside areas is the subject of Policy SP2, which seeks to restrict development to that required for agriculture or other uses appropriate to a rural area; the re-use of buildings; the re-use, refurbishment or redevelopment of large developed sites; minor extensions; and development needed for an existing operation. Within the Green Belt, Policy SP3 explains that permission will not be given, except in very special circumstances, for new buildings other than for agriculture, forestry, essential facilities for outdoor sport and recreation, for cemeteries and for other uses which preserve the openness of the Green Belt, and which do not conflict with the purposes of including land therein.

19. Policy HL2 sets out a series of criteria against which housing proposals should be assessed. Amongst other matters, the development should be acceptable in principle and compatible with nearby uses, in keeping with the character of the locality, be in a sustainable location having regard to the availability of employment sources, public transport and community facilities, and avoid an adverse effect on the safe and efficient operation of the highway network. Specific support for well-designed housing schemes which respect the character of an area is given by Policy HL6, and in rural areas Policy EP11 requires that development proposals should be sited in keeping with the distinct landscape character types in the Landscape Strategy for Lancashire and the characteristic landscape features of Fylde. Large scale housing developments of over 100 dwellings or 3ha should only be permitted where there would be a satisfactory level of public transport, and adequate bus stopping, waiting and turning facilities (Policy TR5). Policy EP19 explains that development which would have an adverse effect on protected species should not be permitted. Where development which would affect protected species is permitted, conditions or planning obligations should be used to provide mitigation. Under Policy CF2, planning obligations will be sought to ensure the provision of additional school places needed as a result of new housing development. Amenity open space requirements within housing developments are set out in Policy TREC17.

The emerging Local Plan

20. The Council is preparing the Fylde Local Plan to 2030, which will comprise two parts. Part 1 will contain strategic and development management policies, including strategic housing allocations. The Preferred Options document for Part 1 of the emerging Local Plan (ELP) was published in 2013 (CD2.3): following consultation a Revised Preferred Options document is expected to be produced during 2015, with adoption anticipated in 2016⁷. At the date of the inquiry, work had not commenced on Part 2 of the ELP, which will deal with non-strategic allocations.

⁷ Miss Riley's proof of evidence gives the expected date of adoption of Part 1 of the ELP as late 2015, and the planning statement of common ground refers to publication of the Revised Preferred Options later in 2014. These dates were revised by Miss Riley in oral evidence to the inquiry.

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21. Policy SD1 of the ELP is concerned with the spatial development framework. As a local service centre, Warton is included in the second tier of the settlement hierarchy. New development is expected to contribute towards sustainable communities by its location, accessibility, and its use of resources and construction materials. Warton is one of four strategic locations for development included in this policy. Four strategic sites for housing development at Warton are put forward under Policy SL3⁸, which it is expected would provide about 1,160 dwellings. With the exception of the farm buildings and the land within the Green Belt, the western part of the land subject of the appeal forms part of site H8. The eastern parcel is included within strategic site H9. In the Responses Report to the Preferred Options consultation⁹, the Council has recommended that the number of new dwellings at Warton be reduced to 650. Policy H3 seeks the provision of a minimum level of 30% affordable housing in urban market housing schemes of 15 or more dwellings: the majority of the affordable housing should be in the form of social rented or affordable rented homes. The ELP has yet to be submitted for examination, and, as it is at a relatively early stage in its preparation, I agree with the main parties that it carries only limited weight.

The emerging Neighbourhood Plan

22. The submission version of the Bryning with Warton Neighbourhood Plan was published in September 2014, and was subject to consultation at the time of the inquiry (CD2.35). Policy BWH1 is concerned with managing housing growth in Warton. Housing growth should be appropriate in size and scale to Warton's village character. Within the settlement boundary (figure 5 of CD2.35), 650 new homes are proposed up to 2030: the majority of these dwellings would be provided on sites H1 - Warton West and H2 - Warton East (figure 6). The appeal site, including the farm buildings, lies outside the settlement boundary. Policy BWNE2 requires, amongst other considerations, that the general character, scale, mass and layout of proposals fits in with the grain of the surrounding area, and that the distinctive character and countryside setting of the rural landscape is enhanced. The emerging Neighbourhood Plan (ENP) has yet to proceed to examination and a referendum: I agree with the main parties that its provisions carry limited weight.

Enterprise Zone Masterplan

23. Warton Aerodrome, where BAE Systems is based (above, para 12), is part of the Lancashire Advanced Engineering and Manufacturing Enterprise Zone¹⁰. A consultation masterplan has been prepared for part of the North Enterprise Zone area at Warton, known as the Phase 1 site (CD4.2), and this was adopted by the Council for development management purposes in October 2014 (Document L20). Certain of the access provisions are of relevance in this appeal. The main access to the Phase 1 site would be from the new road on the eastern side of Warton¹¹. This access would also serve BAE Systems and the firm's gatehouse would be relocated from Mill Lane to a position on the southern side of the Phase 1 site¹².

⁸ The location of the sites is shown on the Map of Warton Strategic Location for Development in Document CD2.3.

⁹ Appendix 23 in Document L8.

¹⁰ The Enterprise Zone also includes Salmesbury Aerodrome.

¹¹ Referred to in the Masterplan as the GEC eastern access road.

¹² The new eastern access road and the gatehouse positions are shown on the access strategy plan in CD4.2.

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Other policy documents

24. A revised version of its Interim Housing Policy (IHP) was approved by the Council in 2013 (CD1.8). The main reason for producing the IHP was an increased dwelling requirement in the then emerging Regional Spatial Strategy (RSS). The RSS has been revoked and the IHP carries limited weight. It does, however, make reference to the provision of affordable housing. Warton is included in the urban option of the IHP, where, in respect of proposals for 15 or more dwellings, a proportion of 30% of affordable dwellings is sought. The IHP also refers to the provision of public open space for housing developments. The Landscape Strategy for Lancashire includes a landscape character assessment (CD1.14): in this assessment the appeal site lies within character area 15d – The Fylde Coastal Plain. The Planning Obligations in Lancashire Policy is of relevance (Document G11), and I have also had regard to national planning policy and guidance, in particular that contained in the National Planning Policy Framework (NPPF), and the Planning Practice Guidance (PPG).

Agreed Matters

25. A planning statement of common ground (Document G3) covers the following matters:

- A description of the site and its surroundings.
- The original proposal and subsequent revisions.
- Planning policy and guidance. Limited weight can be afforded to the ELP due to its early stage in the plan-making process. Limited weight can be afforded to the ENP due to its early stage in the plan-making process and the receipt of objections.
- Fylde does not currently have a five years supply of housing sites; therefore paragraph 49 and the relevant provisions of paragraph 14 of the NPPF are engaged.
- The Council has accepted, in the ELP Preferred Options Responses Report and in Miss Riley's evidence, that a 20% buffer should be applied to the housing land requirement. The buffer should be added to the entire requirement, including historic shortfall.
- A base date of 31 March 2014 is appropriate for assessing housing land, as this is the latest date for which there is accurate data on completions and supply. The Council has produced several scenarios with this base date. Although the Appellant does not accept the level of supply, none of the scenarios would give a five years supply of housing land.
- Warton is identified as a second tier settlement in the Local Plan and as a strategic development location in the ELP. Whilst the Preferred Options of the ELP is subject to review, some greenfield sites on the periphery of Warton will need to be released for housing development over the plan period.
- The masterplans for Options 3 and 4, which show retention of the hedgerow along Hillock Lane, address the Council's concerns in respect of landscaping on the site perimeter. These options do not include a vehicular access or

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individual drives onto Hillock Lane, and the Council is not pursuing the fourth reason for objection to the scheme.

- The delivery of additional school places can be secured by a planning obligation. This requirement would be compliant with the Community Infrastructure Levy (CIL) Regulations.
 - 30% of the dwellings would be affordable housing in accordance with the Interim Housing Policy. This provision could be secured through a condition or a planning obligation, which would be CIL compliant.
 - The required level of open space could be provided for Options 1, 3 and 4. If the 'pocket park' cannot be used for open space and newt mitigation, an alternative area of open space would be needed.
 - Public realm improvements are not required. The Council's Regeneration Framework includes a public realm scheme for Warton, which is fully funded by an existing planning obligation.
26. A highways statement of common ground (Document G4) covers the following matters:
- Vehicular access to the site from Church Road is acceptable in principle: appropriate forms of access include a staggered junction or a signalised crossroads.
 - The committed development to be included within the transport assessment.
 - The junctions to be considered in assessing the appeal proposal.
 - Traffic count data included in the transport assessment are a reasonable basis for assessment traffic figures for the local traffic network.
 - The traffic impact of the proposal would be greatest during the morning and afternoon peak hours.
 - Modelling assessment years are 2019 and 2024.
 - The estimates of peak hour generated traffic in the transport assessment are a suitable basis for the modelling and analysis of the traffic impact at the study junctions.
 - The Lytham Road/ Church Road/ Highgate Lane junction is the focus of the Highway Authority's concern.
 - The trip distribution adopted in the transport assessment for assigning the generated traffic to the local highway network reflects the pattern that could be expected for vehicular trips from the appeal site.
 - The distance from the centre of the eastern part of the appeal site to the nearest bus stops on Lytham Road is slightly less than 800m. From the centre of the western part the distance is slightly less than 900m if a route via the Riversleigh site is available. Otherwise the distance increases by about 100m.
 - The travel plan is acceptable.

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27. A housing supply statement of common ground (Document G5) covers the following matters:

- For the purpose of the inquiry, the Council's figure of 366 dwellings per annum (2011 to 2030) is the starting point for calculation of the five year housing supply position.
- The number of completions for 2011-12 to 2013-14 is 537.
- There has been a shortfall of 562 dwellings since 2011-12.
- The five years requirement with the backlog and a 20% buffer added is 2,875 dwellings, and the annual requirement is, therefore, 575 dwellings.
- For the purpose of the inquiry, the supply of housing land is sufficient for between 3.5 and 4.1 years.

The Case for the Appellant (Documents A1-A14, A16, A22)

The material points are:

The approach to determination

28. The planning statement of common ground confirms that there is not a five years supply of housing land in Fylde (above, para 25). The main parties agree that paragraph 49 and the relevant provisions of paragraph 14 of the NPPF are engaged. The Parish Council's planning consultant also accepts that paragraph 14 is engaged. Thus, the agreed approach to the determination of this appeal means granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. This position is not altered by the 2012-based household projections. The projections should be treated with caution since they are informed by recent trends covering a period of recession, which resulted in limited economic growth, low levels of house building, and suppressed rates of household formation. Furthermore, when allowance is made for second homes, empty dwellings and shared homes, the figure of 222 households forming annually does not represent a lower level of dwellings than the figure of 237 derived from the 2012-based sub-national population projections. The Analysis of Housing Need in Light of the 2012 Sub-National Population Projections¹³ indicates that an objectively assessed need in the range of 300-420 dwellings per annum (dpa) remains appropriate.

29. Insofar as that part of the proposal within the Green Belt is concerned, no development is proposed save for any open space provision required by the Local Planning Authority, and/ or any potential ecological mitigation measures. The appropriateness of those uses within the Green Belt is not disputed.

Impact on the highway network

30. Traffic flow has been assessed for 2019, which may coincide with the completion of the proposed housing development on the appeal site, and 2024. The focus of the Highway Authority's concern is the effect of the development on the Lytham Road/ Church Road/ Highgate Lane junction. Whilst a level of 90% degree of

¹³ This document is referred to as the Strategic Housing Market Assessment (SHMA) Addendum.

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saturation leads to queuing, it was acknowledged that it becomes significant at levels over 100%. The impacts on the Lytham Road/ GEC access and the Lytham Road/ Mill Lane junctions would not be unreasonable.

31. The transport assessment includes robust assumptions about committed development including the other proposals for Warton and the 1200 jobs expected to be created in the enterprise zone in the short to medium term. A spatial masterplan prepared on behalf of the Appellant¹⁴ indicates that an east-west link road could be delivered by the grant of permissions for the allocations proposed in the ELP.
32. There is not clear evidence to support the Highway Authority's concern about the effect on the Lytham Road/ Church Road/ Highgate Lane junction. Whilst some further improvements might be expected at some stage of the development in the enterprise zone, nothing suggests that the timing of such improvements would have a bearing on this case. Moreover significant changes will result from the expected construction of the Preston Western Distributor Road by 2021, for which funding has been announced¹⁵.
33. There are differences in the modelling of storage at the junction. The eastbound difference of 10 or 12 passenger car units (pcus) is relatively minor. The difference of 7 or 12 pcus in the westbound carriageway is more significant, but vehicles turning into Harbour Lane should not encroach into the storage capacity since there is a 3m width for the right turn lane. There is no reason to depart from the recommended delay based assignment methodology: the LINSIG manual explains that this method is preferred for assigning flows to routes in most cases.
34. The Lytham Road/ Church Road/ Highgate Lane junction has two lane gap acceptance as do many in the Preston area which operate with typical accident rates for signalised junctions. Two lane gap acceptance does not appear to be identified as a concern in the Highway Authority's Network Management Plan. Traffic Advisory Leaflet (TAL) 2/03 (Document L17) recommends that gap acceptance should not be pursued where the 85th percentile approach speed exceeds 45mph: survey results give the 85th percentile eastbound and westbound approach speeds at the Church Road junction as 25.5mph and 26.5mph respectively. There is no accident problem associated with the existing two lane gap acceptance at this junction.
35. A closely associated signal can be provided for drivers emerging from Highgate Lane. Whilst this could be positioned satisfactorily without the need for an island, the overall width of the highway would enable an island to be provided.
36. Opposite to Harbour Lane, the overall crossing width would only be increased by 0.7m, and there would be a fully controlled crossing on the nearby eastern arm of the Church Road junction. There would be no material increase in the risk of accidents at Harbour Lane. The westbound cycle lane could be retained. Although the width is not ideal, the proposed junction scheme would not worsen the situation.

¹⁴ In Appendix B in Document A3.

¹⁵ Mr Stevens informed the inquiry that funding was in place for the Preston Western Distributor Road and that it was expected to be constructed by about 2021. A plan of the proposed route is at Appendix 10 in Document A12.

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37. The Appellant's highway consultant commissioned an independent road safety audit of the junction works. None of the concerns raised by the Highway Authority were identified. Furthermore, a review of accident data in cross-examination of the Council's highway witness revealed that the accidents which had occurred within the vicinity of the junction (as denoted by the red line on Plan F) would either be made less likely or would be unaffected by the scheme.

Sustainability

38. An overall judgment on sustainability would involve an analysis on a much broader range of topics than accessibility. It is considered that the proposed allocations in the ELP which include the appeal site scored well in the strategic environmental assessment and sustainability appraisal (SA, CD2.42). The site is accessible to the A584, and there is the potential for relief from congestion through the proposed Preston Western Distributor Road. The SA also highlights the close proximity to a large number of employment opportunities: the benefit of locating jobs and homes together is an important reason behind ELP Policy SL3.
39. The starting point for consideration of accessibility is Warton's position in the settlement hierarchy. From the early 1990's the Structure Plan identified Warton as a second tier settlement, which would accept growth appropriate to its size and form. Although the Joint Lancashire Structure Plan gave Warton a lower status, the Local Plan maintained its position as a second tier settlement¹⁶. The ELP indicates that the likely intention is for Warton to be a local service centre status. Even at this tier in the hierarchy, growth is intended. The Responses Report indicates that Policy SL3 is to be maintained.
40. From the appeal site to the bus services and amenities in the centre of Warton would involve a level walk of about ten minutes, which is considered to be acceptable. The operator of the No 78 bus service between Lytham St Annes and Wesham would be prepared to divert one service per hour in each direction to serve the appeal site, and a bus turning area is included in the Option 4 illustrative masterplan. A new length of footway would be provided on Church Road, and a pedestrian/ cycle link can be provided through the Riversleigh scheme. There is also a reasonable prospect of securing a link through new housing development to the east. The cycleway on the north side of Lytham Road would be a benefit, and other measures would be included in the travel plan.

A masterplanned approach

41. The delivery and implementation section of the ENP indicates that the Parish Council will work with developers to deliver appropriate growth. This can be achieved through planning applications such as that which was submitted for the appeal proposal. An aspiration for a west-east link could be accommodated by the development, and there is no evidence that it would prejudice the reasonable options for a masterplan for Warton.

¹⁶ Warton's position in the settlement hierarchy is explained in Document L19.

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The emerging neighbourhood plan

42. Paragraph 21b-014 of the PPG sets out the circumstances in which it would be justifiable to refuse planning permission on the grounds of prematurity. It provides two tests. Firstly, a proposal must be so substantial that to grant permission would undermine the plan making process. Secondly, the emerging plan is at an advanced stage but not yet formally part of the development plan. A refusal of planning permission will seldom be justified in the case of a neighbourhood plan before the end of the local planning authority publicity period.
43. The ELP sets a significant context for the ENP. The Preferred Options document includes Warton as a strategic location for development, with reference made to its role as a local service centre, the potential for development on previously developed land at BAE Systems, the establishment of the enterprise zone, the prospect of improved access to a new motorway junction, and the proximity of wastewater treatment facilities. The aim of transferring plan-making to community level has to be balanced against wider planning considerations. One of those considerations relates to the need to meet strategic and objectively assessed housing requirements.
44. The ENP does not provide a clear basis for the requirement for 650 dwellings, and it assumes that there would be no net increase in jobs over the next ten years. Site selection also appears to lack a sound evidence base: there does not appear to be any SA type analysis of the various alternatives. The ENP was still at draft submission stage, and representations by the Council have to be addressed.

Other matters

45. The proposal would have a minor negative impact on the landscape, but this is necessarily the case when residential development occurs on greenfield land. However the level of harm is not such as to be unacceptable. All parties agree that some greenfield land around Warton will need to be released to meet housing requirements, and the Council accepts that, in general terms, the appeal site is no worse than others.
46. All ecological matters could be addressed and satisfy the relevant tests in the NPPF. Further survey work may be required in relation to water voles. Sustainable drainage features would support mitigation measures for great crested newts, and an ecological management plan could be secured by condition.

The overall balance

47. Chief among the benefits is the provision of new market and affordable homes. Substantial weight should be attached to the lack of a five years supply of housing land. Other benefits of the proposal would include the introduction of safety and accessibility improvements to the Lytham Road/ Church Road/ Highgate Lane junction, enhancement to biodiversity on the site in general and for protected species, additional spending generated by the new population (about £7.9million) part of which will help sustain and serve local services/ shops and wider services in the sub-region, creation of on-site construction jobs and jobs through the supply chain, a new homes bonus of about £2.4million, and a stronger and more defensible Green Belt boundary.

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48. To weigh against the benefits, the Council claims that there would be severe congestion and a significant increase in risk of accidents, partly as a result of the site's poor accessibility. However, the Appellant maintains that the risk of accidents would decrease overall and that congestion would not be so significant as to constitute a severe residual. Impacts on air quality and residential amenity would be respectively, slightly negative and neutral. Overall, the benefits clearly outweigh the harms, even on the basis of the conventional planning balance. Moreover, any adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole.

The Case for the Council (Documents L1-L11, L24)

Housing land supply

49. Notwithstanding appeal decisions that have endorsed the use of the RSS evidence base for the generation of a housing requirement, the approach of the Council is to recognise that the Hunston judgement in the Court of Appeal (CD5.24) and the presence of more up-to-date information in terms of the assessment of objectively assessed need would promote the use of the latter in preference to the revoked RSS evidence base figures. The Council has taken a robust approach in not simply relying on RSS evidence base figures, and, in making use of the objectively assessed need not by reference to the lowest part of the range, but by using a figure of 366dpa, which provides an uplift over demographic-led scenarios and provides for economic growth in using the Sedgefield approach to meeting the backlog, and in accepting the use of a 20% buffer. Initial analysis of the 2012-based household projections suggests that 222 households are forming annually in Fylde over the period 2012-2037. The figure of 237 dwellings derived from the 2012-based sub-national population projections is slightly higher. The implications of these population projections on the range of housing needs were considered in the SHMA Addendum, which indicates that an objectively assessed need in the range of 300-420dpa remains appropriate. Consequently the 2012-based household projections do not materially alter the evidence submitted to the inquiry.
50. The statement of common ground on housing land supply sets out a range of 3.5-4.1 years supply. The Council prefers the top end of that range. The large sites, all with planning permission, have a total capacity of 2553 dwellings, of which only 1130 are included in the supply. The method of assessment is robust: it has involved the development industry locally, has been consulted upon and has been consistently used to inform a policy compliant SHLAA. There is substantive evidence to support the Council's windfall figure. In the context of a recessionary period, the figure has been 173 dwellings in 5 years at 34.6pa, and recent sources of supply such as office conversions show how robust the figure is. Evidence has been submitted to justify the empty homes allowance and the number of units at the GEC Marconi site. The Council's position on supply is robust and it accords with footnote 11 of the NPPF.
51. It is accepted that for decision taking purposes the relevant policies of the Local Plan for the supply of housing (including existing settlement boundaries) are out of date such that paragraph 14 of the NPPF is engaged. However, there are several other points to consider within the balance. Comparison of the Proposals Map (Plan A) with the location plan (Plan H) shows that the limits of development

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have already been breached, and the proposal would involve further development in the open countryside. The position in respect of commitments for housing is improving: in 2012-13 there were 2,434 gross total commitments, and this number had increased to 3,516 in 2013-14¹⁷. Reflecting this, the completions figure is rising and the shortfall is reducing. The position concerning housing land supply is improving.

Highways

52. There is no disagreement that there will be an impact on the Lytham Road/ Church Road/ Highgate Lane junction, and the scheme also gives rise to safety concerns.
53. The correct comparison is that shown between the base conditions and post-alterations in tables 4.9 and 4.10 of the Council's highways witness (in Document L2). The proposal would result in severe congestion, and the length of queues and delay in table 4.10 show an unacceptable impact. It has not been demonstrated that a closely associated secondary signal head can be provided for the Highgate Lane arm. The plan from the traffic signal consultants¹⁸ would not enable drivers who have progressed forward beyond the stop line to see the information on the closely associated signal head beyond the 30 degrees line of sight. This would result in the presence of vehicles beyond the stop line whilst the next phase of east-west movement has commenced, resulting in the junction not serving its purpose. The correct approach would require the provision of an island that includes primary and closely associated secondary signals on Highgate Lane extending from the stop line to a point that does not influence the east - west movement, thus overcoming the line of forward visibility concern. A layout that overcomes these concerns and the constraint of providing both an island and swept path for wider vehicles has not been provided.
54. It is not appropriate to model on the basis of two infinite lanes on the junction approach, when the position on the ground now and as proposed is one short and one infinite lane. This approach distorts the results. The resultant flare length is unrealistic. To the west this means an over estimate of two vehicles. To the east the capacity is over stated to a greater extent. There may be some storage beyond the yellow box (2 pcus) but the other vehicle movements at the Harbour Lane junction mean that it would not be robust to go beyond that point. Moreover, by seeking to introduce storage capacity at peak periods at the same point as the modified island would result in conflict with pedestrian movement. Driver preference for the inside lane supports a 60/40 split. There are good reasons not to employ a delay based assignment in the context of the use of the A584, where there is not the series of choices available which make such an approach appropriate to a wider strategic model. In this context the use of a manual model is both more detailed and more flexible.
55. The proposal relies on a gap acceptance approach, whereby drivers of vehicles turning right from the A584 would be required to judge their manoeuvres across two lanes of approaching traffic in both directions. This is not justified by reference to any existing level of gap acceptance at this or any other junctions,

¹⁷ These figures are from the table of housing completions and commitments between 1991/92 and 2013/14, Appendix 13.1 in Document L8.

¹⁸ Appendix R6 in Document A9.

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and it gives rise to an important safety concern in terms of vehicle masking. There is no guidance to support the view that it should be regarded as good practice or as a safe modern design solution on an A road. Moreover, the guidance in TAL2/03 applies to high speed roads, and the A584 is not a high speed road. To seek to by-pass the locally accepted approach to junction design and introduce an unwelcome technical solution not supported by guidance for roads with lesser speeds is not sound locally based planning.

56. The scheme introduces a complicated arrangement which would not safely support the needs of all users. There would be pedestrians crossing the road at the uncontrolled location to the west of the junction on Lytham Road with potential intervisibility issues arising from a high wall on Highgate Lane. There is no cycle provision west-bound with these users competing for highway space with motorised vehicles, including stopping buses, within a merge area. The retention of the existing sub-standard on-road cycle lane should not be used within the design of a two to one lane merge, in which any redesign should be aimed to meet standards for all users.
57. Pedestrians would be able to cross the A584 at Harbour Lane, making use of a moved and narrowed pedestrian refuge, and walking over two lanes of traffic or between stationary traffic from the signals in one or both lanes, introducing a further safety concern. Four personal injury accidents were identified in the vicinity of the junction and Harbour Lane in just over four years prior to the inquiry (in Document L5).
58. Having regard to the likely redistribution of traffic, there would be a contributory negative impact at the Lytham Road/ GEC junction which weighs against the proposal. It has been accepted that the congestion impacts in respect of the Lytham Road/ Mill Lane junction are relatively minor and only contribute to that extent to the residual impact. However all of the cumulative impacts need to be considered in order to arrive at a view on severity.

Connectivity

59. A master-planned approach is likely to give rise to improved spatial planning for Warton. Whilst the site is included in the ELP, the SA is very high-level, and, in representations on the Preferred Options, the Highway Authority has pointed to the possible need for new road infrastructure to the north of Warton. The appeal proposal does not form part of a master-planned exercise, incorporating the phasing of sites with relevant infrastructure.
60. The letter from Prospect is the only evidence of connectivity through the Riversleigh Farm development, but this has not been presented in the form of a master-plan. Connectivity depends on Riversleigh being provided in advance. It is accepted that the grant of planning permission on this scheme is likely, but the timing of implementation is outside the control of the Appellant and the Council. There is not an equivalent letter with respect to the Meadow View scheme and no connectivity would be provided there. There would be no connectivity through Fir Grove or to the north-east.

Sustainability

61. The ELP identifies Warton as a local service centre which is consistent with the services present. The appeal proposal is for a large scale residential

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development. It is important that such development has strong sustainability credentials, but the appeal scheme does not. The distances to the nearest bus stops are about 800-900m (1000m excluding Riversleigh connection) from the centre of the proposed residential development and would rise to over 1.1km from the furthest dwellings on the site. These distances are well beyond the Institution of Highways & Transportation (IHT) guideline maximum figure of 400m¹⁹. Whilst it is proposed to provide a bus stop to serve the site, to have purpose it should provide a link to suitable transport services, to destinations where travel is required such as Preston, in order to be a realistic alternative to the private car and be viable post any financial pump-priming. However there is no evidence to show that the operator regards the proposed diversion of the No 78 service on an hourly basis as a commercial proposition over the longer term.

62. The IHT guidelines give a desirable walking distance of 400m and an acceptable walking distance of 800m to local services²⁰. There are no facilities within the desirable distance, except the Birley Arms public house, in excess of 300m away. The table at 4.14 in the proof of the Council's highways witness (Document L2) shows that most facilities exceed acceptable walking distances. This includes all health facilities, numerous faith organisations, all major retail outlets, and most schools. The distance to local shops is on the edge of acceptability from the centre of the site.
63. Appeal decisions put forward by the Appellant do not justify the present scheme from the perspective of sustainability and accessibility²¹. This development would perform poorly in terms of access to facilities and would not serve to achieve modal shift. It is a development that would lead to disproportionate reliance on the private car, which is not in accordance with NPPF. This is relevant in the overall balance of sustainability considerations.

Character and appearance

64. If planning permission is granted for significant development at Warton, there would inevitably be an urbanising effect. It is not the Council's case that, in landscape terms, the ENP sites would have significantly less of an urbanising impact. Nevertheless, the landscape and urbanising impacts stand to be weighed in the balance. The landscape and visual impact assessment shows clear effects ranging from slight to substantial in terms of landscape impact as one moves from more general to more localised assessment. It also shows slight to moderate effects in a range of views: what is a pleasant pastoral context will clearly change. It is contended that the document acknowledges that there would be a negative landscape and visual impact which weighs in the balance against the proposal.

School places

65. A contribution is sought in respect of primary schools. Account has been taken of other developments in seeking the contribution for primary places. The

¹⁹ Suggested walking distances to bus stops are given in the IHT publication *Guidelines for Planning for Public Transport in Developments* and are reproduced in table 4.13 of Document L2.

²⁰ Suggested walking distances are given in table 3.2 of the IHT publication *Guidelines for Providing for Journeys on Foot*: Appendix 23 in Document L3. Journeys to local services are not covered by the categories of the first two columns and the Council has, therefore, referred to the distances elsewhere, given in the third column of the table.

²¹ Specific reference is made to the appeal decisions included at Appendices 13 & 14 of Document A7.

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calculation of the precise amount is sensitive to bedroom mix and timing. It is proposed to deal with this by way of the wording of the planning obligation which it is agreed would provide a satisfactory mechanism for the delivery of the justified contribution in respect of primary school places.

Affordable housing

66. The Fylde Coast SHMA (CD2.7) indicates an annual need for 207 affordable dwellings, equivalent to 57% of an annual housing requirement of 366 units. It is agreed that 30% of the proposed residential development should be affordable housing. However, the objective of policy is to meet the affordable housing needs of the community. The SHMA indicates that at least 84% of affordable housing should be social rented accommodation²². Accordingly any conditional grant of planning permission should ensure that the greatest provision is for this type of tenure.

The emerging Neighbourhood Plan and Local Plan

67. Recognition should be given to the aspiration of the local community in responding to the agenda set by the Localism Act by bringing forward a neighbourhood plan. This has hurdles to overcome, but recent decisions of the Secretary of State recognise the importance of neighbourhood planning, and in an appeal decision for development in Malmesbury, the Secretary of State attached greater weight to the emerging neighbourhood plan than the Inspector (CD5.29).
68. The emerging Local Plan is likely to reach adoption in 2016. The direction of travel in respect of Warton is towards a lower growth option, reflecting the aspirations of the local community. The growth may be lower than that consulted upon within the Preferred Options document, but it would nevertheless be significant and not out of step with the place which Warton occupies in the settlement hierarchy. The relationship that housing provision has with the support for the enterprise zone remains an issue which is properly considered within the plan making process.

Ecology

69. It is accepted that the proposal could address requirements in respect of the habitat of the great crested newt subject to suitably worded conditions.

The planning balance

70. In disaggregating the elements of generic economic and social benefits associated with any proposal for housing, such as the new homes bonus, construction jobs, and retail expenditure, the balancing exercise should not overstate what the Council acknowledges is a matter of considerable weight. The delivery of housing, including policy compliant provision of affordable housing, is such a benefit. It is agreed that the presumption in favour of sustainable development is engaged. The wording of the presumption means that for decision taking (unless material considerations indicate otherwise), permission should be granted unless any adverse impacts of doing so would significantly and

²² Figure 9.15 in Appendix 3.1 of Document L8.

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demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

71. Taking into account that the shortfall in housing land is likely to be closer to 0.9 than 1.5 years, and that the proposed development would be delivered in phases over a number of years, the benefit of the provision of housing to address the lack of a five years supply is considerable. The provision of much-needed affordable housing is also a matter of considerable benefit. However there is no current policy basis for considering that the site meets a deficit in public open space in Warton, and this should be seen as a site which simply meets its requirements.
72. The proposal would have negative landscape and visual impacts. Whilst the ENP process can only have limited weight at present, some limited harm should be ascribed to the associated frustration of the aspirations of community planning embodied in the neighbourhood plan process.
73. The off-site highway works proposed as part of the scheme do not limit the significant impacts of the development. They would not acceptably address congestion at the Lytham Road/ Church Road/ Highgate Lane junction in terms of the free flow of traffic or highway safety. Taken together with the other residual cumulative impacts of the development there would be a severe effect, which in itself justifies the refusal of permission.
74. The proposal would generate significant movement and it has not been located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. The development would accordingly promote a car-reliant community, and that is also a significant matter weighing negatively in the balance. For these reasons the appeal should be dismissed.

The Cases for Interested Parties

The material points are:

i) Bryning-with-Warton Parish Council (Documents O2-O4)

75. Neighbourhood plans are a key strand of Government policy, and the Ministerial statement of July 2014 explains that the neighbourhood planning approach should be taken into account in planning appeals. The Bryning-with-Warton Neighbourhood Plan has reached submission stage and it should be given significant weight in this appeal.
76. The ENP sets out a vision for Warton and it also plans for significant growth, whilst ensuring that the essential character and function of the village is maintained. It is widely supported by local residents, and reflects Government policy, supporting economic growth, promoting more house building, and involving local choice and decision-making. The appeal site lies outside the settlement boundary and it is not allocated in the ENP. The appeal should be dismissed, since the granting of permission would seriously undermine the ENP and a key area of Government policy. Should the appeal be successful, much of the ENP would have to be revisited.
77. Development of the appeal site is not sustainable because of concerns relating to highway matters, flooding and drainage, infrastructure, and housing. Traffic problems are experienced on a daily basis, and include parking and traffic flow on

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Church Road. The development would result in a large increase of traffic, not only on the main roads and junctions, but also on the country roads of Bryning Lane and Hillock Lane. Improving the junction of Church Road with Lytham Road would not be sufficient, since Church Road itself would be a congested single carriageway.

78. There are historic problems of surface water flooding and drainage: the existing system is antiquated and in need of major revision. Services and facilities are limited. There is no post office, chemist, health services or bank. Consequently additional car journeys would be generated. It is acknowledged that additional housing should be provided, and the Parish Council has not objected to certain other housing proposals. This development, though, would not be in the right location. Interest in housing proposals has been linked to future employment opportunities in the Enterprise Zone, but it is not considered that the evidence supports such job growth.

ii) Neighbourhood Plan Steering Group (NPSG - Documents O5 & O6)

79. The major works proposed at the junction of Church Road with the A584 would have a detrimental impact, whereas the ENP anticipates significant improvements to the village centre. Given the scale of the proposal there should be a contribution to the improvement of the public realm. There has been extensive consultation with the community, and the ENP has now reached submission stage and it should hold greater weight. This document has become the masterplan for Warton. If the outcome of this appeal ignores the ENP, then the energy and views expended would be lost, contrary to the localism agenda.

80. The ENP supports development of 650 dwellings up to 2030, representing an increase in size of the village of 42%. A comprehensive report on possible sites was produced, and the appeal site was deemed unsuitable due to sustainability and accessibility considerations. There are 5-6,000 people working on the BAE Systems site, with a rationalisation programme recently announced which would remove about 250 management positions over the next 9-12 months. The possibility of job losses at BAE Systems should be considered as well as the job creation potential of the Enterprise Zone. Moreover there have been concerns about job losses at the Land Registry, it was understood that only a few companies had expressed interest in coming to the Enterprise Zone, and a report by the Public Accounts Committee suggested that the number of jobs created in enterprise zones nationally fell short of expectations. It would be better to wait for the M55 link road to open and then assess how the Enterprise Zone fares, rather than prematurely destroying greenfield sites. The judgement of the NPSG is that employment growth will not be on the scale put forward by the Appellant. Building an excessive number of dwellings in Warton with no commensurate growth in employment would be unsustainable.

iii) Campaign to Protect Rural England (CPRE - Documents O7, O8 & O17)

81. The appeal site is predominantly agricultural land in a countryside area outside the limits of development. The proposal would, therefore, conflict with Policy SP2 of the Local Plan. Local facilities and services are inadequate for the cumulative increase of proposed housing. About 10% of the site is categorised as the best and most versatile agricultural land: the effective use of land involves using brownfield land before greenfield land, and certainly before good quality agricultural land. The proposals of the ELP Preferred Options are considered to

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be unsound, so little weight should be given to the inclusion of the appeal site for development. Significant weight should be given to the ENP which has made substantial progress. Its aim that the rural character of the village should be preserved by only proposing development to the west and east is commended.

82. The CPRE has assessed the need for housing land using the 2011-based interim household projections. On this basis there would be a sufficient supply of land for 6.3 years. There are alternative more sustainable sites in the Borough, for example at Whyndye Farm and possibly Blackpool Airport. At Warton, there is 75ha of previously-developed land not required by BAE Systems. It is considered that there is no immediate need to approve this large strategic site before the ELP is examined and adopted. The 2012-based household projections indicate that the annual requirement of 366dpa proposed by the Council is too high: using the 2012-based sub-national population projections the SHMA Addendum had modelled the formation of 237 households per year, whereas the figure from the 2012-based household projections is 225 households per year²³. If 366dpa are not achieved, the shortfall of provision will increase. A realistic annual housing requirement for Fylde should be between 225 and 250 dwellings. An over-ambitious employment growth vision is being promoted, exemplified by the lack of progress at the Enterprise Zone.

iv) Concerned Residents of Warton's Development Group (Documents O9 & O10)

83. The Local Plan was prepared in accordance with the Lancashire Structure Plan. However, at the time of adoption the emerging Joint Lancashire Structure Plan was a material consideration. The housing section of the Local Plan was revised to conform to the emerging Structure Plan, involving a reduction in numbers. In addition, Warton should have been identified as a rural settlement rather than in tier 2, but changes to Policy SP1 and the settlement hierarchy appendix were not made. Whilst the Joint Lancashire Structure Plan took precedence, this has since been abolished, and it is considered that Policy SP1 has been inadvertently saved.

84. Three neighbouring settlements – Freckleton, Kirkham and Lytham - are service centres. If Warton became a service centre it would compromise trade in the existing centres. A role for Warton as a service centre is not an argument to justify development in the countryside. It is not accepted that Fylde has a long history of failing to meet housing targets. For several years a moratorium was in place due to the level of permissions. The insistence of recovering the position in respect of backdated targets leads to swings around the optimum build-rate.

85. In 2006 an employment land study found that the future need for employment land would match the amount of land available. However, it is considered that more employment land was available than was needed, and that there has been an over-allocation of greenfield sites for development.

86. The Preferred Options of the ELP is a consultation document and it should carry little weight. The identification of Warton as a strategic location for development is not considered to represent a progression from the earlier consultation

²³ The Council and the Appellant have referred to a figure of 222 households per year, and that figure is included in addendum 1 of the CPRE's comments.

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process. Moreover the housing requirement in the Preferred Options was based on the former RSS rather than Fylde's estimate of its own housing requirement. Responses to the Preferred Options were strongly opposed to the identification of Warton as a strategic location for development and the level of growth proposed. The Council has now come to the view that a reduced number of dwellings should be put forward, but 650 is still very large, having regard to the number of dwellings built and permitted.

87. Warton's drainage and highway infrastructure needs comprehensive upgrading, which can only be achieved through a masterplan. This should be in place prior to the approval of new developments. Piecemeal developments would lead to a failure to fund and phase the necessary changes. The ENP is increasingly viewed as the basis of a masterplan. A trend for less employment land is continuing. BAE Systems identified surplus land at its Warton and Samlesbury sites which have been declared an Enterprise Zone. However, most interest has been in the Samlesbury part of the Enterprise Zone. Warton offers little in the way of benefits as a location for business, and it sits next to a large brownfield site.

v) Warton Residents against Poor Planning (Document O11)

88. A large number of residents objected to the scale of housing development proposed in the Preferred Options of the ELP. In a parish poll, 98% of participants (712 residents) supported this position. Residents are not opposed to development, but are concerned that it should be commensurate with the scale and size of the village, deliver tangible community benefits, protect the countryside, and be sustainable. Recent permissions would provide 416 dwellings²⁴, representing a 25% increase in the size of the village. The road network is already congested, and local services and amenities are under pressure. The 1,160 dwellings referred to in the ELP would only be deliverable if the necessary investment in infrastructure were forthcoming through a proper masterplanned approach. In reducing the number of dwellings to about 650, the Council has taken consultation responses on board, and the ENP takes account of this lower number. Taking account of 416 permitted dwellings, a further 360 dwellings in the appeal proposal would exceed the number now put forward for Warton. There are reservations about certain information submitted by the Appellant in support of the proposal, including details of facilities and services in Warton.

vi) Residents (Documents O12-O14)

89. Three local residents and another from Wrea Green spoke against the proposal at the inquiry. The preparation of the ENP has been an inclusive exercise: the ENP is regarded as the masterplan for Warton, and it should take precedence when proposals such as that which is the subject of the appeal are considered. The proposal is outside the limits of development. It would have a detrimental visual impact, and it would be damaging to the rural scale and form of this side of the village. Highway improvements are needed for further development in Warton, but the proposed alterations to the Lytham Road/ Church Road/ Highgate Lane junction are not considered satisfactory by the Highway Authority. Church Road

²⁴ The figure of 416 dwellings appears in a plan showing applications in Warton in the Regulation 14 draft of the ENP (also submitted as Plan G). A higher figure of 432 dwellings is derived from the Council's note on development proposals in Warton (Document L13), which includes 16 dwellings at Georges Garage.

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carries traffic to BAE Systems and the Enterprise Zone. The proposal and other housing schemes would adversely affect traffic movement and highway safety. Most local services are not within an acceptable walking distance of the site, and they would be placed under pressure by the development.

90. There are concerns about flooding, drainage and air quality. Construction work would adversely affect wildlife. The appeal site is the wrong place for the proposed development, which would not be sustainable. One resident considered that the need for affordable housing was in the urban areas, and that there was a prospect of oversupply of housing. There is concern about the adequacy of open space provision for the development.

Written Representations

The material points are:

- i) Mr M Menzies MP (in Document O1)

91. The ENP has recently been submitted and the Council is currently preparing the ELP. It would be inappropriate for a decision to be made on the development of the appeal site before the plan-making process is complete.

- ii) Warton East Developments Ltd (in respect of land on the east side of Warton: in Document O1)

92. There is a current planning application for up to 375 houses on land on the east side of Warton. It is anticipated that matters relating to highways and ecology should be capable of resolution, and that consequently there should be a recommendation to grant planning permission. Should planning permission be granted, this may have a bearing on the appeal, particularly with regard to highway matters and housing numbers.

- iii) Warton LLP (in respect of land to the east of the appeal site: in Document O1)

93. Two pedestrian links are shown on the illustrative masterplan for Option 3 which would go over land in which the company has an interest. The northern link would conflict with an application on which the Council has resolved to grant permission, and it is undeliverable. The southern link crosses the site of another application, and there is no certainty that access could be achieved²⁵. Separation of the open space from that on land to the east would be unsatisfactory.

- iv) Other representations (in Document O1)

94. Objections were submitted at appeal stage by five local residents who did not appear at the inquiry. The main concerns raised are: the development would be premature in respect of the ELP and the ENP, pressure on facilities and services, conflict with Local Plan policy in respect of countryside areas, highway safety, drainage, and the arrangement of open space. Reservations were also expressed about the need for the proposed housing. At application stage, over 160 letters of objection were received, in which similar concerns were expressed.

²⁵ Layouts for the sites referred to by Warton LLP are included at Appendices 5 and 4 of Document A12.

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Conditions

95. A list of suggested conditions was put forward by the main parties (Document G10). Conditions concerning landscaping and highway works within the site are unnecessary as these matters would be addressed at reserved matters stage. For the avoidance of doubt and in the interests of proper planning, it is important that the development is carried out in accordance with the specified location plan. Equally, reserved matters should be prepared in accordance with the appropriate illustrative masterplans and proposed access arrangements. Given the size of the site, phasing should be approved to ensure that expansion of the built-up area occurs in a satisfactory manner. The site includes land within the Green Belt, and a condition would be necessary to ensure that this area remains open in accordance with the intentions of Green Belt policy. There is a need for affordable housing, and this should be secured by means of a condition.
96. To ensure that the development would be in keeping with its surroundings, measures for tree protection are required and the height of the proposed dwellings should be limited to 2.5 storeys. Schemes for external lighting and green infrastructure would also be important for this reason and to enhance biodiversity and safeguard bat roosting opportunities. Additionally in the interests of enhancing and of nature conservation, a biodiversity scheme should be submitted for approval, further surveys should be carried out in respect of water voles and great crested newts, and vegetation clearance should be restricted during the bird nesting season. Contamination investigation has been suggested. Most of the site comprises open fields, and, to ensure a satisfactory residential environment, it is sufficient for this work to be carried out in respect of the area of the farmstead. For the same reason, details of open space should be provided at reserved matters stage. A construction management scheme would protect the living conditions of neighbours.
97. In the interest of traffic movement and highway safety, the scheme of works at the junctions of Lytham Road/ Church Road/ Highgate Lane and Lytham Road/ Harbour Lane should be implemented. The Council suggested that the alterations should have been carried out before construction works commence, but a construction management scheme would provide a means to specify the times of construction traffic, avoiding peak hours. Accordingly, I agree with the suggestion that the off-site highway works should be in place prior to occupation of the 120th dwelling. To encourage the use of alternative means of transport to the private car, conditions would be necessary concerning a pedestrian and cycle link to the Riversleigh Farm site, provision of a bus service to the site and the submission of a travel plan. In order to maximise its effectiveness, the travel plan should be in place before any dwellings are occupied. Finally, surface water and foul drainage schemes should be constructed to ensure that the site is satisfactorily drained.

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Conclusions

References are made, where appropriate, to sources of material in earlier parts of the report by indicating the relevant paragraph number thus [8].

Main Considerations

98. I have identified the following main considerations in this case:

- (i) The effect of the proposed development on the character and appearance of the area.
- (ii) The effect of the proposed development on highway safety and traffic movement.
- (iii) Whether any development for the site should be considered in the context of a masterplan for the wider area.
- (iv) Whether the proposed development would be premature having regard to the preparation of the Local Plan and Neighbourhood Plan.
- (v) Whether the site would be a sustainable location for residential development.
- (vi) The effect of other considerations on the overall planning balance.

Character and appearance

99. In the Landscape Character Assessment for Lancashire the appeal site lies within character area 15d – The Fylde Coastal Plain [24]. This landscape type is characterised by gently undulating or flat lowland farmland. The description for the character area itself refers to large fields with boundaries of low clipped hawthorn, the presence of ponds providing important wildlife habitats, and 19th century brick-built farmsteads. These features are characteristic of the countryside to the north of Warton, although the fields on the appeal site are generally smaller in size. The built-up area of Warton and nearby development including the Birley Arms public house and restaurant and the nearby football ground exert an influence on the landscape, and Church Road is a well-used route to Warton from the north. For these reasons I consider that this part of the character area, including the appeal site, is of medium sensitivity.

100. The form of the residential development on the appeal site would be closely related to the existing built-up area. On the western parcel, the new development would wrap around the north-west corner of the built-up area, and that part of the site in the Green Belt, which is furthest from the limits of development, would remain as open land [16]. Housing on the eastern parcel would be partly contained between existing development to the south and new housing under construction at Meadow View to the east [13]. Landscaping and open space would break up the built form, and there is the opportunity to retain lengths of existing hedgerows and ponds. The Option 1 masterplan shows a series of individual drives onto Hillock Lane, and I consider that the punctuation of the hedgerow to this extent would result in a frontage of suburban appearance which would be inappropriate in this location. However the masterplans for Options 3 and 4 simply have gaps in the hedgerow for three footpath connections, and demonstrate that the western parcel could be developed with a layout which would not have an unacceptable effect on the appearance of the

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Hillock Lane frontage. Having regard to the overall form of the development, and the extent of the mitigation proposed in Options 3 and 4, I consider that the adverse effect of the proposal on the landscape of the site would be of no more than moderate significance.

101. The proposal would represent an expansion of Warton into the surrounding open countryside. On the west side of Church Road, the development would only extend for a short distance beyond the farmstead, extending back from the road and around the built-up area to adjoin the committed residential site at Riversleigh Farm [13]. Although development on the other side of the road would project further to the north, it would be defined by the existing firm boundaries of Church Road and Hillock Lane. Perimeter planting is intended, and this is shown more fully on the masterplans for Options 3 and 4. Tree planting along the boundaries within that part of the site in the Green Belt, on adjacent land in the Appellant's control, and at the junction of Church Road and Hillock Lane would lessen the effect of the development and assist in assimilating the development into its the surroundings. Overall, I consider that the proposal would have a minor adverse effect on the surrounding landscape and this part of The Fylde Landscape Character Area.
102. I turn now to consider the visual effects of the development. The proposed housing would be apparent from both Church Road and Hillock Lane which run alongside the site. There would be clear views from the vehicular accesses on Church Road, although these would be limited in extent, and the views through openings for footway links on Hillock Lane would be restricted. From elsewhere, the upper parts of buildings would also be seen above the frontage hedgerows, although as perimeter landscaping became established the physical form of built development would be less distinct. For the most part, I consider that the combination of existing hedgerows and proposed planting would satisfactorily soften the edge of the development. The series of closely-spaced hedgerow gaps for drives on Hillock Lane shown in Option 1 would significantly increase the impact of built development on persons driving, cycling or walking along this rural road. However the illustrative masterplans for Options 3 and 4 indicate the opportunity for construction of housing on this location without causing unacceptable intrusion on Hillock Lane.
103. The development would result in the loss of open aspects across the appeal site from the adjacent road, although their extent is limited at present by internal field boundaries and the proximity of the built-up area. To the north of Hillock Lane and to the west of its junction with Church Road, views of the open Fylde landscape would remain. There would be a moderate adverse impact from the vantage points available on adjacent roads.
104. From positions further away, on the public footpath to the north of Hillock Lane, and from Carr Lane to the north-west, the development would not appear prominent in the landscape. Even before the establishment of landscaping at Blackfield End Farm, intervening hedgerows and tree cover would restrict views over these greater distances, and I do not consider that there would be any harm to visual amenity from these positions.
105. Existing housing in Warton abuts the appeal site, and there would be views of the development from properties on both sides of Church Road. As dwellings in an edge of settlement location, other housing already forms part of their setting,

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and the proposed development would cause moderate harm to the outlook for occupiers.

106. I conclude that the proposed development would have a minor adverse effect on the surrounding landscape, but that moderate harm would be caused in respect of the site itself and from nearby viewpoints. In consequence there would be conflict with Policies HL2, HL6 and EP11 of the Local Plan.

Highway safety and traffic movement

The Lytham Road/ Church Road/ Highgate Lane junction

107. The junction of Church Road with Lytham Road and Highgate Lane is about 0.7km from the position of the intended accesses to the site, and it is the focus of the Highway Authority's concern on traffic and safety matters [26]. The junction is a signalised crossroads. Lytham Road is the A584 which runs between Lytham and Preston, and the junction would provide the closest point for traffic travelling to and from the site to leave and join the main road network. To the north of Hillock Lane, Church Road continues as Bryning Lane, and provides a route to Wrea Green. Highgate Lane is a short road which provides an access to the premises of BAE Systems.
108. Both the Appellant's highway consultant and the Highway Authority (on behalf of the Council) have undertaken modelling exercises of traffic movement at this junction. Revised and supplementary modelling details were submitted during the course of the inquiry. Although there is common ground between the main parties concerning the inclusion of committed development in the transport assessment, the use of peak hour generated traffic in the transport assessment as a basis for modelling the impact at junctions, and that the trip distribution in the transport assessment reflects the expected pattern of vehicular movement [26], there is disagreement about the modelling exercises themselves.
109. Modelling assessment years in the transport assessment are 2019 and 2024 [26]. Although the Appellant's highway consultant considers that the development may be completed by 2019, this would involve an overall build-out rate of about 90dpa. If two developers were involved, the individual build-out rates of about 45dpa would still be markedly higher than the 20 or 30dpa used in the Council's five year housing supply assessment²⁶. Given the size of the site and possible build-out rates, I consider that the most relevant comparisons are between the base and with development scenarios for 2024.
110. At the inquiry, the Appellant's highway consultant contended that the most appropriate comparison is between the base and with development data given in table 2.6 of his rebuttal proof and tables 1 and 2 of his supplementary note²⁷. Table 2.6 records several situations at peak times where, with development, the degree of saturation would exceed 90%, identified by the Council as the point at which queuing builds up [30]. However, with the exception of Lytham Road (East) and Highgate Lane in the afternoon peak, these figures represent improvements on the base situation. On the Lytham Road (East) arm the degree of saturation would increase from 98.7% to 103.4% and on Highgate Lane from

²⁶ Appendix 10 in Document L8.

²⁷ Documents A8 and A10. Table 2.6 is consistent with table 1, table 3 of Document A10 includes a further comparison.

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100.8% to 101.2%, with mean maximum queue lengths increasing from 32 to 68 passenger car units (pcus) and from 27 to 28pcus respectively. Table 1 gives average delays of 37.1 seconds and 137.5 seconds on these arms in the afternoon peak increasing to 128.5 and 142 seconds. This modelling has been undertaken on the basis of two full entry lanes on the western arm, whereas it is the Council's position that the correct approach would include one short and one full entry lane [54]. This position is introduced in table 2, with the consequence of increases in the degree of saturation on the western arm in both peak periods. In the morning the increase would be from 108% to 110.1% with development, and in the afternoon from 100.1% to 105%. During the latter peak period, table 2 shows increases in mean maximum queues from 52 to 66pcus and in average delay times from 83.3 to 153.8 seconds. In addition, delays and queuing would increase to a greater extent on the Lytham Road (East) and Highgate Lane arms in the afternoon peak than in the table 1 scenario. Table 3 gives the results of a further adjustment, in which the pedestrian phase would only be called on alternate cycles of the signals. In most situations there would be a reduction in queuing, with lower levels of increase on the Lytham Road (East) arm.

111. The Highway Authority produced its own versions of the Appellant's modelling to address the difference between treatment of the lanes in the west arm of the junction (Document L5). However, as this exercise does not include a set of base figures, a meaningful assessment of the effect of traffic arising from the appeal proposal cannot be made.
112. Data for comparison purposes is included in tables 4.9 and 4.10 of the proof of evidence of the Council's highways witness. Whereas table 4.9 is consistent with table 2.6 of the Appellant's highways witness, modelling of the "with development" scenario included certain differences in respect of the improvement scheme. This exercise gives marked increases in the degree of saturation, delays and length of queues on Lytham Road. For example, it predicts an increase in average delays on the west arm from 133.4 and 54.6 seconds in the morning and afternoon peaks to 389.4 and 526.7 seconds. There would be a reduced impact on the Church Road arm in the afternoon peak, but the degree of saturation would increase from 104% to 109.5% in the morning peak. The Appellant's highway consultant acknowledged that these figures indicated a significant effect.
113. I have considered the detailed differences between the main parties in the modelling of the junction. The Council expressed concern about the safety implications of the early cut-off of the green signal for Highgate Lane traffic, and used an early start for Church Road. This matter could be addressed by the inclusion of a closely associated secondary signal for drivers emerging for Highgate Lane. It was agreed that in the arrangement shown on the Appellant's supplementary plan²⁸, drivers would lose their view of the signal as they moved forward [53]. Whilst the Appellant was confident that this situation could be addressed by detailed design, with the provision of an island if necessary [33], this is not clear from the information before me.
114. Insofar as short lane storage is concerned, the Appellant considers that the west arm on Lytham Road could accommodate 12pcus, two more than the Council [31]. The Council acknowledged that a width of 4.1m would

²⁸ Appendix R6 in Document A9.

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accommodate two cars, and there is sufficient length back from the stop line to the point where there is a width of 4.1m for 12pcus in the flare length. On the east arm, narrowing of the island would allow the extension of two lanes beyond the yellow box. There is a separate lane for vehicles turning right into Harbour Lane, which should not encroach on the forward lanes [31]. Consequently there is sufficient capacity for 12pcus in the short lane, rather than the lower figure of 7pcus suggested by the Council. That said, it is clear that Lytham Road (west) does not have, and would not have, two full entry arms. Notwithstanding previous work, modelling on the basis of one full and one short entry lane reflects the situation on the ground, and this approach would, therefore, contribute to robustness.

115. The Appellant prefers a 50/50 split in terms of lane usage on Lytham Road, whereas the Council considers that a 60/40 split between the nearside and offside lanes would be more appropriate. I appreciate the point advanced by the Council that most drivers tend to use the nearside lane, but the presence of bus stops and turning movements of other traffic into and out of premises on each side of the junction are likely to encourage greater use of the outside lane.
116. It seems to me that the true position in terms of future operation of the junction lies between those advanced by the main parties. Bearing in mind the extent of queuing and delay indicated by the Appellant's figures in table 2 (above, para 110), this would indicate significant adverse effects to traffic movement. I am also mindful of the planned Preston Western Distributor Road, for which funding is in place [32]. The inquiry heard that this road, which would provide a route from a new junction on the M55 to the A583 to the east of Warton, would reduce traffic levels on Church Road (disregarding the appeal proposal), and it should, therefore, lessen the impact at the junction.
117. Several specific safety concerns have been raised about the future operation of the junction. Right turns from Lytham Road would involve gap acceptance across two opposing lanes. I note that TAL2/03 strongly recommends that where the 85thile approach speed is greater than 45mph opposing right turns should be separately signalled [34]. Here a speed survey gives 85thile wet weather speeds of 25.5mph eastbound and 26.5mph westbound [32]. TAL2/03 provides guidance on signal control at junctions on high-speed roads. It is common ground that Lytham Road is not such a road, but its content may be of assistance in assessing the approach to be used at signalised junctions on other roads. In this case the approach speeds are well below the level at which separate signalling should be considered, and the Appellant referred to examples of such junctions in Preston where the accident record was not untypical. Two lane gap acceptance already exists at the junction, and I do not consider that the retention of this movement would appreciably reduce highway safety.
118. I have already referred to the signal control at Highgate Lane (above, para 113). If drivers lose their view of the signal as they move forward, there is the potential for an element of uncertainty and conflict between traffic entering the junction from different directions. The submitted details do not demonstrate that a scheme with adequate signal visibility can be achieved, and further details of the junction alterations are required to address this matter.
119. To the east of the junction, the island close to Harbour Lane would be reduced in width. However at 2m wide it would exceed the minimum width for

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pedestrians of 1.2m specified in Manual for Streets 2, and meet the minimum width for cyclists and passing wheelchair users²⁹. I am satisfied that the island would be of sufficient size to provide a refuge. The reduced width would enable the formation of two lanes on the approach to the traffic signals. Crossing two lanes would increase the prospect of conflict between pedestrians and vehicles. Controlled pedestrian crossing facilities would be introduced at the crossroads on the Church Road and Lytham Road (east) arms [17], but the Lytham Road crossing would be about 60m away, and it would not represent a convenient alternative for people whose journeys do not extend far to the west of the island. The Council identified four personal injury accidents in the vicinity of the junction and Harbour Lane in a period of just over four years prior to the inquiry [57]. The details available indicate that the one serious accident was due to failure of a cyclist to look properly when crossing Lytham Road, and that none of the others would be more likely to occur as a result of the proposed alterations. Although the Council expressed a preference for controlled crossing facilities on each arm of the Church Road junction, their introduction on two arms would improve conditions for pedestrians, as would the formation of two additional islands there and another at Harbour Lane [17].

120. There is a narrow cycle lane on the western approach to the junction. This is not included on the plan which shows the proposed alterations (Plan F). However the Council did not dispute that the lane could remain. On the eastern approach, the formation of a distinct cycleway/ footway from the exit of the nearby filling station would be a benefit for cyclists.
121. I consider that the proposed development would be likely to cause significant adverse effects for traffic movement at the junction on the basis considered by the parties. Construction of the Preston Western Distributor Road would be likely to depress traffic movements through the junction, and the information before me is that this project is likely to be delivered by about 2021 [32]. Insofar as highway safety is concerned, the proposal offers certain improvements for pedestrians and cyclists. However there is the likelihood of increased conflict between pedestrians and vehicles due to the introduction of a second lane on the westbound approach to the junction, and the potential for an element of conflict associated with the signal arrangements for Highgate Lane, although this may be capable of being addressed by revised junction details. Overall I consider that there would be a limited adverse effect on highway safety.

The Lytham Road/ Mill Lane/ Ribble View Close junction

122. This junction is a signal-controlled crossroads located further east along the A584 than the Church Road junction. Mill Lane currently provides an access to BAE Systems, but it is intended that the gatehouse would be relocated from here to a position served by the eastern access road [23]. The main parties agree that it is likely that this relocation and the associated redistribution of traffic will occur, with the Highway Authority anticipating movement of the gatehouse in 2015-16. In this scenario, the Highway Authority's modelling shows a modest increase in queuing and delays as a result of the proposed development, and in the "with development" scenario the highest degree of saturation of 80.8% at Lytham Road (west) in the afternoon peak is only marginally greater than the

²⁹ Manual for Streets 2, paragraph 8.7.2.

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79.7% figure for base traffic levels. The Council's highway witness identified a 90% degree of saturation as the level at which queues begin to build up, and in his evidence he acknowledged that this junction could accommodate traffic from the appeal site, on the basis of the redistribution associated with movement of the BAE Systems gatehouse. I do not consider that the proposed development at this junction would have a material adverse effect on traffic movement at this junction.

The Lytham Road/ GEC junction

123. The Lytham Road/ GEC junction is towards the eastern end of Warton. It will provide access to new residential development, the Enterprise Zone and BAE Systems. The outcome of the Highway Authority's modelling exercise for this junction does not indicate a significant worsening of the traffic situation in the redistribution scenario. There would be a predicted increase in the degree of saturation on the Lytham Road (east) arm in the afternoon peak from 86.5% to 91.7%, but the Council's highway witness did not consider the associated average delay of 48.1 seconds or that of 54.6 seconds on the west arm, increased from 45.5 seconds, as considerable, and I share this view. There would not be a material adverse effect on traffic movement at this junction as a consequence of the proposed development.

The site accesses and Church Road

124. The proposal would include a vehicular access to the land on each side of Church Road, a short distance to the north of the built-up area. In Option 1 a staggered junction arrangement is shown, whilst Options 3 and 4 involve a signalised crossroads [16]. Whilst access details are a reserved matter, it is common ground between the main parties that vehicular access from Church Road is acceptable in principle, and that the staggered and crossroads arrangements are alternative appropriate means of achieving access to the site [26]. I have no reason to take a different view. The Parish Council is concerned about the level of increased traffic on Church Road [77]: however there is no substantive evidence before me in this regard, construction of the Preston Western Distributor Road is expected to depress traffic levels on Church Road, and the Highway Authority's objection about Church Road relates to the effect at the junction with the A584.

125. I conclude that the proposed development would be likely to cause significant adverse effects for traffic movement at the Lytham Road/ Church Road/ Highgate Lane junction, and that there would be a limited adverse effect on highway safety. In consequence there would be conflict with criterion 9 in Policy HL2 of the Local Plan. However, taking account of the overall implications of the proposal on the local highway network, I do not consider that the residual cumulative effects of the proposal would be severe. The anticipated construction of the Preston Western Distributor Road reinforces my view in this regard.

Masterplan

126. The use of a masterplanning approach and integration with the surrounding area is mentioned specifically in the reasons for refusal in respect of a possible east-west road link and connectivity for pedestrians and cyclists. Whilst the possibility of an east west link for local traffic around Warton had been raised by the Highway Authority, the location of possible development sites around the

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built-up area shows that the provision of such a link would be facilitated by development of the appeal site. There is no firm proposal for a link road before me, but the illustrative masterplans for Options 3 and 4 show that the spine roads into the west and east parcels of the site could be extended respectively into adjacent land to the south-west and onto Hillock Lane.

127. I have also considered proposed footway/ cycleway linkages from the site through adjacent developments. Indicative linkages are shown to the Meadow View development to the east, but the plans of this development show no opportunity to provide such any linkage [93]. A link is shown on the Riversleigh Farm plan although implementation is not within the control of the Appellant. There would be limited connectivity to nearby development, but there would be links onto Hillock Lane, and Church Road is not so busy as to be an unsuitable route for pedestrians and cyclists.
128. It is clear from the Responses Report on the ELP Preferred Options that the ENP is seen by the Council as encompassing a masterplanning exercise for Warton, and I consider the relationship of the appeal proposal to the ENP below. Insofar as connectivity is concerned, I conclude that some limited harm arises from the minimal opportunity to provide pedestrian and cyclist links as part of an individual planning proposal.

Prematurity

129. The Preferred Options for the ELP were the subject of consultation during 2013 [20]. In 2014 the Council published its response to that process. It is recommended that the number of dwellings put forward at Warton under Policy SL3 should be reduced from 1,160 to 650 [21]: however there is no reference to a change in the role of Warton as a strategic location for development. Indeed the report explains that unlike other strategic development locations, Warton is not tightly constrained by Green Belt, flooding, infrastructure constraints or environmental designations, and that housing allocations are intended to complement the jobs to be created in the Enterprise Zone³⁰. Reservations have been expressed by the local community about job prospects in the enterprise zone, and reference has also been made to job losses at BAE Systems [80, 87]. However intentions for the enterprise zone are being put forward in a phased approach, and the information before me only concerns phase 1 within the North Area. It is intended that the reduced housing figure for Warton will be taken into account in the Revised Preferred Options, and the Council also intends to re-examine strategic development sites at Warton and Kirkham.
130. As a strategic location for development, Warton is a settlement where growth is expected, and the appeal proposal would be consistent with that broad objective, particularly given the presence of the Enterprise Zone. Although the Council has stated its intention to put forward a lower housing figure for Warton and to review strategic sites, the Revised Preferred Options had not been published at the date of the inquiry, and this stage will be subject to further consultation. At this stage the housing figures in the ELP, both for the Borough as a whole and for Warton, carry only limited weight. There are commitments for

³⁰ The Council's response to Policy SL3 on representations on the inclusion of land at Warton: CD2.6, page 85.

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over 400 dwellings in Warton³¹, and the appeal proposal involves up to a further 360 units. The appeal proposal is larger than any of the existing commitments, and represents 55% of the reduced figure of 650 dwellings and 31% of the figure of 1,160 in the Preferred Options. These proportions increase to 122% and 68% when existing commitments are taken into account. Whilst the proposal would clearly be a sizeable development, there is at present no certainty about the number of dwellings. By way of illustration the Preferred Options uses an annual requirement of 306 dwellings taken from the revoked RSS (to which there were objections), the main parties agreed to use a higher annual figure of 366 dwellings in assessing housing land supply [27] based on the 2010 sub-national population projections, and the Council suggested that the forthcoming 2012 sub-national population projections would show a lower figure. Insofar as Warton is concerned, there is no clear explanation in the Responses Report to justify the reduction in housing numbers indicated therein. In these circumstances, I do not consider that the proposed development would undermine the plan-making process. Moreover, paragraph 21b-014 of PPG advises that the refusal of planning permission on the ground of prematurity would seldom be justified where a draft Local Plan has yet to be submitted for examination. With a further version of the Preferred Options yet to be published and consultation to follow, it is clear that the ELP is some way from submission for examination.

131. I turn now to consider the ENP. The appeal proposal would account for more than half of the 650 dwellings put forward in Policy BWH1, and the site is outside the settlement boundary. The proposed development has the potential to have a significant effect on the plan-making process, which is further advanced than that of the ELP. At the date of the inquiry, consultation had commenced on the submission version of the ENP [22], but it had yet to be formally assessed by the Council, and it had not been submitted for examination. The ENP should be in general conformity with the strategic provisions of the Local Planning Authority. At the present time the Fylde Borough Local Plan as Altered remains the Development Plan. It is out of date in terms of policies for the supply of housing [51], but includes Warton as a second tier settlement [18]. Whilst the number of 650 dwellings proposed in Policy BWH1 is consistent with the stated intention of the Council in respect of the ELP (above, para 129), the provisions of the ELP carry limited weight. I consider that the same is true of the ENP at this stage in the process. The housing proposals of the Submission Version of the ENP reflect those in the Regulation 14 consultation version³². The consultation statement reveals that there was much support for this approach from the local community, but objections were also submitted³³. There is, therefore, the prospect³³ of objections to the Submission Version. These circumstances do not support an argument of prematurity.

132. I conclude that the proposed development would not be premature having regard to the preparation of the ELP and the ENP.

³¹ Details of planning permissions and sites where the Council has resolved to grant permission are in Document L13. Their location is shown on Plan G.

³² Appendix 17 in Document L8.

³³ Appendix 20 in Document L8.

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Sustainability of the site's location

133. Sustainability is a broad concept, and the NPPF explains that it comprises economic, social and environmental dimensions. Whilst each of these dimensions is relevant to the appeal proposal, this section of my report is concerned with a consideration of sustainability in respect of the location of the appeal site.
134. Warton is included in the second tier of the settlement hierarchy in the Development Plan [18]. The text accompanying Policy SP1 of the Local Plan refers to consolidation and expansion appropriate to the size and form of the second tier settlements. Subsequently the Joint Lancashire Structure Plan did not identify Warton as a key settlement, effectively giving it a lower status than in the former Lancashire Structure Plan. However Policy SP1 was not altered in the Local Plan Alterations Review [83]. The tension between Policy SP1 and the Joint Structure Plan was resolved when the latter ceased to form part of the Development Plan³⁴.
135. The Council's current intentions are set out in the ELP. Although referred to as a local service centre in the Preferred Options, Warton remains a second tier settlement, and there is no recommendation to change this status or its role as a strategic location for development [21] in the Responses Report. The Preferred Options refers to a lack of community facilities and poor access to the centre, but anticipates that these matters will be addressed as a result of development. The Responses Report refers to improvements in access to Warton through the proposed Preston Western Distributor Road and a park and ride station at Cottam. These infrastructure improvements are seen as making Warton a more sustainable settlement, with increased potential to accommodate new development. Additionally, the report refers to the strategic importance that the Council places on the enterprise zone for employment growth, and makes the point that people coming to work in Warton should be given the opportunity to live there, consistent with an objective of the NPPF.
136. In the planning statement of common ground, the main parties state that Warton includes two primary schools, local shops, takeaways, public houses, community halls and sport pitches. A Co-Op convenience store on Harbour Lane, shops on Lytham Road close to the Church Road junction, a public house, a primary school, and Warton Recreation Ground are all within distances from the centre of the site which the IHT document *Providing for Journeys on Foot* considers as acceptable³⁵. Employment opportunities at the BAE Systems site are within an acceptable walking distance of 1km. Bus services on Lytham Road provide access to Preston, Blackpool, Lytham and Kirkham where additional facilities and services are available. The nearest bus stops are about 780m from the centre of the site, which exceeds the recommended maximum distance in the IHT document *Guidelines for Planning for Public Transport in Developments*. It is proposed that the No 78 bus service which runs between Lytham and Kirkham would be diverted to the appeal site on an hourly basis [17]³⁶. This extended route would provide access to an enhanced range of facilities and services. A negatively worded condition would ensure that the development could not

³⁴ The circumstances of Warton's position in the settlement hierarchy are set out in the Council's note on the subject, Document L19.

³⁵ Details of distances to facilities and services are given in Table 4.14 of Document L2.

³⁶ A letter from the operator of the No 78 service on this matter is at Appendix 22 in Document A7.

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proceed unless the bus service was in place. I am mindful that the proposed diversion to the bus service refers to a period of five years. In my experience it is not uncommon for such arrangements to be put in place: if the service is used and meets a need, there is the opportunity for it to become established as part of the local public transport network. Access to the larger settlements of Preston and Blackpool could be achieved by a change of service on Lytham Road, and in any event, having regard to the nature of the level route along Church Road, I do not consider that the distance to existing bus stops is so great as to preclude public transport as a realistic option for future site residents. Moreover the planning obligation includes a framework for a travel plan, which would promote the use of alternative modes of transport to the private car (below para 151).

137. As a settlement, Warton has been identified in both the Local Plan and the ELP as an appropriate location for further development. The appeal site offers an acceptable level of accessibility on foot to a number of local facilities, and whilst existing bus stops are not located close to Blackfield End Farm, there is the opportunity to provide a bus service along Church Road to the new housing development. I am satisfied that accessibility between the appeal site and local facilities and services and the major source of employment at BAE Systems can be achieved by a variety of modes, and is not dependent upon use of the car. Accordingly I conclude that the site would be a sustainable location for residential development, and in this regard I do not consider that there would be conflict with criterion 7 in Policy HL2 or with Policy TR5 of the Local Plan.

Other considerations

Housing land supply

138. For the purposes of the inquiry the main parties reached agreement on matters concerning the requirement for housing land in Fylde: in particular an annual requirement of 366 dwellings (derived from the 2010-based sub-national population projections), a shortfall of 562 dwellings since 2011-12, and that a 20% buffer should be applied [27]. On this basis it is agreed that there is a five years requirement of housing land for 2,875 dwellings.
139. The 2012-based household projections indicate that 222 households are being formed annually in Fylde, which, allowing for factors such as vacancies, would translate into a somewhat higher dwelling figure [28]. I note that the implications of the 2012-based sub-national population projections, on which the household projections are based, were specifically considered in the SHMA Addendum, and that no change was suggested to an objectively assessed need within a range of 300-420 dwellings [49]. The level of household formation in the 2012 projections does not establish a trend to a lower level of need, and I agree with the main parties that the projections do not materially alter the evidence submitted to the inquiry [28, 49]. Moreover, paragraph 2a-016 of the PPG points out that housing assessments are not automatically rendered outdated every time new projections are issued.
140. The main parties differ in respect of the supply of housing land. The Council argues that there is a total supply sufficient for 4.1 years, whilst the Appellant puts forward a lower figure of 3.5 years. There is no dispute, however, that at present Fylde does not have a five years supply of housing land [25]. In respect of large phased sites, the Council's methodology applies standard build-out rates: it also assumes that sites of over 200 dwellings would be brought forward by two

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developers, resulting in an increase in build-out. For its part the Appellant has put forward lower figures based on information from owners and developers. Assessments of the delivery of housing from individual sites may vary over time, and for the purposes of calculating supply, I agree with the Council that there is merit in applying a generic rate of delivery. I note that the methodology used has been developed in conjunction with a steering group, the membership of which included two locally active housing developers and a locally active planning consultant [50]. Moreover the build-out rates used by the Council are consistent with those achieved on large sites in Fylde, and lower than the rate required to complete the appeal proposal by 2019 as envisaged by the Appellant's highways consultant [30]. The Appellant has identified reduced capacities on two large sites although this would only bring one below the 200 dwelling threshold. The Council has also produced evidence to substantiate an annual allowance of 40 dwellings from small windfall sites, although the same level of detail for an allowance from long-term empty homes is not before me. On the information submitted, I consider that the level of housing land supply is closer to the 4.1 years figure of the Council than the lower figure of 3.5 years promoted by the Appellant.

141. I have also considered the assessment of housing land undertaken by the CPRE which reaches the view that there is sufficient land for a period of over six years [82]. However this exercise uses the 2011-base interim projections. The Council has pointed out that the 2010-based data incorporates long-term assumptions on fertility, mortality and international migration, and that the 2011 projections were influenced by the economic downturn³⁷. I agree that for these reasons the 2010-based projections provide a more robust approach for considering housing need, and I attach little weight to the alternative assessment of the CPRE.
142. I agree with the main parties that there is not a five years supply of housing land. Paragraph 47 of the NPPF refers to the importance of identifying a five years supply of sites to assist in significantly boosting the supply of housing. The contribution of the appeal site towards the provision of a five years supply of housing land carries considerable weight in support of the appeal proposal.

Affordable housing

143. The 2014 SHMA (CD2.7) indicates an annual need for 207 affordable dwellings, equivalent to 57% of an annual housing requirement of 366 units [66]. The Council referred to work undertaken for the Preferred Options stage of the ELP, which indicated that this high level of affordable housing would make the development of strategic sites unviable. Consequently a lower level of 30%, equivalent to that specified in Policy H3 of the ELP and the Interim Housing Policy [21, 24], is sought by the Council, and this level of provision has been agreed with the Appellant [25]. The SHMA indicates that the greatest need is for social rented accommodation [66], and the Council suggested a condition which would specify that this tenure should apply to at least 80% of affordable housing. Circumstances may change, however, over the construction period of a large development, and I consider that a more flexible approach to tenure is appropriate. The Appellant suggested an alternative form of condition which

³⁷ This matter is addressed in paragraph 3.12 of Document L7.

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would omit reference to a minimum level of any tenure, but would require approval of a scheme, including tenure details, for each phase. Such a condition would not preclude the delivery of 80% of the affordable housing as social rented units if this proportion remained relevant. The proposed development would make a significant contribution to meeting the need for affordable housing.

The Green Belt

144. Part of the western parcel of the appeal site lies within the Green Belt [18]. No built development is proposed here. On the masterplan for Option 1, the land is shown partly as a play area and partly as an orchard, and on the masterplans for Options 3 and 4 it is shown retained in agricultural use. Retention of an agricultural use would not have any implications in respect of Green Belt policy. Use as open space, however, would involve a change in the use of the land. Policy SP3 of the Local Plan restricts development involving buildings or their change of use. Other forms of development are not permitted unless they maintain openness, do not conflict with the purposes of including land in the Green Belt and do not injure its visual amenities. Use of this land as open space would satisfy these criteria, and I am satisfied that there would be no conflict with Policy SP3.
145. In the NPPF, paragraph 89 provides for limited categories of built development in the Green Belt. Paragraph 90 explains that certain other forms of development are not inappropriate, but the list does not include material changes in the use of land. When assessed against the more recent national policy, the provision of open space on this part of the appeal site would amount to inappropriate development. However no additional harm would be caused by this use, whereas it would represent a beneficial use of the land, as envisaged in paragraph 81 of the NPPF. I consider that the beneficial use of this part of the appeal site as open space would clearly outweigh the definitional harm of conflict with Green Belt policy as expressed in the NPPF, and that very special circumstances justify use of the land as open space.
146. The Appellant suggests that the proposal would provide a more defensible Green Belt boundary [45]. On the west side of Church Road, the boundary of the Green Belt across the appeal site (and beyond) does not follow a physical feature, whereas the proposal would bring built development up to this point. However the position of the Green Belt is clear from the Local Plan Proposals Map, and the appeal proposal respects the boundary, as it would retain that part of the Green Belt within the site as open land. There is no reason to think that the boundary is vulnerable, and I do not consider that the appeal proposal would provide a benefit in this regard.

Nature conservation

147. A phase I habitat survey and surveys for bats, barn owls, great crested newts, and water voles were undertaken on behalf of the Appellant (CDs 7.6-7.10). There is a pond within the eastern parcel and another adjacent to a corner of the western parcel. No evidence of great crested newts was found in either of these ponds, but there is a small population of this protected species in a pond about 100m to the east of the site, and the proposed development would result in the loss of some existing terrestrial habitat. It is envisaged that an area adjacent to the eastern boundary, including an existing and a new pond could be managed to provide feeding and refuge areas, including newt hibernacula. This area is also

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shown as open space on the masterplans. The County Ecologist had expressed reservations about this dual purpose (CD6.14), although the Appellant's nature conservation witness explained that use for informal recreation is a benefit, as it would be likely to reduce the prospect of anti-social behaviour such as the dumping of rubbish (Document A16). If, however, a mitigation scheme required no use as open space, that amenity could be provided elsewhere within the site or on other land within the Appellant's control. The main parties agree that appropriate mitigation measures could be secured by a condition [46, 69].

148. Due to the discovery of a bat roost in the farmhouse, Option 4 was prepared which shows a layout including the retention of that building [6]. Although survey work found no evidence of water voles on the site, they are known to be present in the wider area: accordingly the survey should be updated if planning permission is granted, and a mitigation strategy prepared should the presence of water voles be detected. Compensatory habitat for breeding birds could also be secured by means of a condition. Subject to the imposition of conditions concerning mitigation measures, I do not consider that the proposed development would have an adverse material effect on nature conservation interests. Biodiversity measures introduced as part of proposal would essentially provide mitigation for the effect of the development, and I do not, therefore, consider that they represent a benefit.

Open space

149. A local resident expressed concern about the quality and quantity of open space provision, referring in particular to the lack of a single area [90]. Given the size of the proposed development, I consider that areas of open space of suitable size could be provided within both the west and east parcels of land. The form of the open space would be addressed by detailed schemes to be submitted at a subsequent stage if outline planning permission is granted. I note that the main parties agree that the requirements of Policy TREC17 of the Local Plan concerning open space provision can be met by the appeal proposal [25], and I have no reason to take a different view.

Education

150. The Education Authority has calculated that, in 2019, there would be nine places available in primary schools within 2 miles of the site, whereas the proposed development would generate a requirement for 69 places (CD6.12). The provision of an additional 60 places would give rise to a financial contribution of £721,777. The planning obligation provides for the payment of an education contribution, but to address any change in circumstances it requires a calculation taking account of the number of pupils expected to be resident in the development and the number of places available at the time of a reserved matters approval. I agree with the main parties that the planning obligation would secure the additional school places required by the appeal proposal, and this arrangement would be consistent with Policy CF2 of the Local Plan. Since the inquiry closed, the transitional period under Regulation 123(3) of the CIL Regulations has ended, and pooled contributions in respect of an infrastructure project may only be taken into account from five obligations in the period from 6 April 2010. Since circumstances concerning planning obligations for education contributions could change after the date of this report, the Secretary of State may wish to check the position in Fylde prior to determining this appeal.

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Other matters

151. The protected ash tree [14] is shown within an area of landscaping on the masterplans, and it can be safeguarded within the proposed development. Only a small proportion of the site (10%) is graded as best and most versatile agricultural land [14], and I accord limited weight to the loss of this land. The Appellant identifies slight harm in respect of air quality [48]. The Parish Council refers to limited facilities and services in Warton [78], but the addition of up to 360 dwellings would be likely to help to sustain and support the development of local facilities and services. It had been suggested that, if permitted, a proposal for 375 dwellings on the east side of Warton could have a bearing on the appeal [92]: the Council explained that at the date of the inquiry there were issues which had yet to be resolved with the outline planning application for that proposal (Document L13).
152. The proposed development would bring several economic benefits, including support for employment in construction and in the supply chain, expenditure on goods and services in the local economy by the additional population and a new homes bonus [47]. These are important benefits of the scheme. The Appellant also suggests that there may be opportunities for apprenticeships and training within the construction sector for local residents, although I note that there is no certainty that this would occur.

The planning obligation

153. To encourage the use of alternative modes of transport to the private car, the planning obligation incorporates a framework for the preparation of a full travel plan, the provision of which would be consistent with paragraph 36 of the NPPF. The travel plan would include targets aimed at reducing car travel, together with a package of measures to promote the use of public transport, car sharing, walking and cycling. The planning obligation also makes provision for an education contribution, which I have considered above (para 150).
154. I am satisfied that all of the provisions of the planning obligation would be necessary to make the development acceptable in planning terms, would be directly related to the development, and would be fairly and reasonably related in scale and kind to the development. The statutory tests in Regulation 122 of the CIL Regulations are, therefore, met, and the planning obligation is a material consideration in the appeal decision.

Overall conclusions

155. Policies in the Local Plan concerning housing land, including the limits of development shown on the Proposals Map, are out-of-date. In this situation, paragraph 14 of the NPPF explains that the presumption in favour of sustainable development means granting permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies therein, or policies in the NPPF indicate that development should be resisted. A minor part of the site is designated as Green Belt, but given that this area would remain open, and would potentially provide a benefit as a recreation facility, I do not consider that the Green Belt policies in the NPPF indicate that the development should be resisted.

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156. There would be significant adverse effects for traffic movement and a limited adverse effect on highway safety at the junction of Lytham Road/ Church Road/ Highgate Lane. I do not consider that there would be material adverse effects on traffic movement at Mill Lane or GEC junctions, nor that the site accesses on Church Road could not be provided in a satisfactory arrangement. Paragraph 32 of the NPPF makes it clear that development should only be prevented on transport grounds where the residual cumulative impacts are severe, and I do not consider that this high threshold would be reached in this case. In addition, the development would cause certain adverse effects on the character and appearance of the area, including moderate harm to the site and to visual amenity from nearby properties. Some limited harm arises from the minimal connectivity in respect of pedestrian and cyclist links, but otherwise there would be no specific detriment from the progressing of the scheme as an individual planning proposal, rather than in the context of a wider masterplan. A relatively small area of best and most versatile agricultural land would be lost, which carries limited weight, and the Appellant has identified a slight worsening of air quality.
157. The provision of additional housing to contribute to the land supply in Fylde, consistent with paragraph 47 of the NPPF, is a matter of considerable weight. Given the need for affordable homes, inclusion of accommodation at a proportion of 30% is significant, and the development would provide important economic benefits. Although not a benefit as such, I have found that the site is a sustainable location for residential development. Whilst there would be a degree of tension with the core planning principle in paragraph 17 of the NPPF to recognise the intrinsic character and beauty of the countryside, it is clear that some level of housing growth is expected at Warton, and any of the edge of settlement sites which have been identified are likely to have similar effects. Moreover the development would not be premature in respect of the ELP and the ENP.
158. Having regard to the policies in the NPPF, I conclude that, overall, the proposal would represent a sustainable form of development, and that the benefits of the proposal would not be significantly and demonstrably outweighed by the adverse effects. Accordingly the proposal would comply with the approach to sustainable development set out in paragraph 14 of the NPPF.

Recommendation

159. I recommend that the appeal be allowed and that planning permission be granted subject to the conditions in the Annex to this report.

Richard Clegg

INSPECTOR

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ANNEX - SCHEDULE OF SUGGESTED CONDITIONS

- 1) Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved. The details of the reserved matters shall be consistent with illustrative masterplans refs 013-006-P008 Rev K or 013-006-P008 Rev L and proposed access arrangements refs 401-F01/D or 0401-F05.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
- 3) The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.
- 4) The development hereby permitted shall be carried out in accordance with the approved location plan ref 013-006-P001 Rev B.
- 5) Phasing plans for that part of the site on the west of Church Road and on the east of Church Road shall be submitted to the local planning authority as part of the first application for reserved matters approval. The phasing plans shall include highways, pedestrian and cycle routes, and green infrastructure. No development shall take place until the phasing plans have been approved in writing by the local planning authority, and it shall thereafter be carried out in accordance with the approved phasing plans.
- 6) The details of the reserved matters for each phase shall include:
 - i) Dwellings in a range of scales and designs, none of which shall exceed 2.5 storeys in height, and
 - ii) The provision of public open space, together with a programme for the maintenance thereof.
- 7) No development shall take place until a scheme of measures for the protection of retained trees and hedgerows has been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in respect of each phase prior to the commencement of development on that part of the site, and it shall be retained for the duration of the construction period.
- 8) That part of the site designated as Green Belt on the Proposals Map of the Fylde Borough Local Plan as Altered shall be retained as open land.
- 9) The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the NPPF or any future policy that replaces it. The scheme shall include:
 - i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of 30% of the dwellings in each phase;
 - ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;

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- iii) the arrangements for the transfer of the affordable housing to an affordable housing provider, or for the management of the affordable housing if no registered provider is involved;
 - iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
 - v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.
- 10) No development shall take place until a biodiversity scheme has been submitted to and approved in writing by the local planning authority. The scheme shall include measures to prevent disturbance to areas of natural habitat by people and domestic animals, the provision of bird boxes, a programme for implementation, and arrangements for maintenance. The scheme shall be implemented in accordance with the approved programme.
 - 11) No development shall take place until an updated water vole survey has been carried out and the results submitted to the local planning authority. If any water voles are found on the site, no development shall take place until a mitigation strategy, including a programme for implementation has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved programme.
 - 12) No development shall take place until an updated great crested newt survey has been carried out and the results submitted to the local planning authority, together with a scheme of great crested newt mitigation measures, prepared in accordance with the report entitled *Great Crested Newt Survey – Blackfield End Farm, Warton, Lancashire – 2013* by Rachel Hacking Ecology (CD7.9), and including a programme for implementation. The mitigation measures shall be implemented in accordance with the approved programmes.
 - 13) No trees shall be felled, no vegetation shall be cleared and no demolition shall take place during the bird nesting season (1 March – 31 August inclusive) unless the absence of nesting birds has been confirmed by a survey, which has been submitted to the local planning authority, and such works have been approved in writing beforehand by the local planning authority.
 - 14) In each phase, no development shall take place until a scheme of external lighting, including a programme for implementation, has been submitted to and approved by the local planning authority. The scheme shall be designed to minimise light spillage and to avoid the illumination of bat roosting opportunities. The development shall be carried out in accordance with the approved scheme, which shall be retained thereafter.
 - 15) In each phase, no development shall take place until a scheme for green infrastructure, including a 5m buffer zone alongside watercourses, ponds and ditches, and a programme for implementation, has been submitted to and approved by the local planning authority. The development shall be carried out in accordance with the approved scheme, which shall be retained thereafter.

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- 16) No development shall take place until details of carriageway surfacing, footways, street furniture, landscaping, the upgrading of two bus stops, and traffic signals for drivers emerging from Highgate Lane, all within the area edged red on plan ref 0401-F02/G *Proposed A584 Lytham Road/ Church Road Improvement Scheme*³⁸, have been submitted to and approved by the local planning authority.
- 17) No more than 119 dwellings shall be occupied until carriageway surfacing, footways, street furniture, landscaping, the upgrading of two bus stops, and traffic signals for drivers emerging from Highgate Lane have been implemented in accordance with the approved details required by condition No 16, and until the other alterations to the signalised junction of Lytham Road/ Church Road/ Highgate Lane and the priority junction of Lytham Road/ Harbour Lane have been implemented in accordance with plan ref 0401-F02/G.
- 18) No development shall take place until a scheme to provide an hourly bus service between Lytham and Kirkham via the site at Backfield End Farm has been submitted to and approved by the local planning authority. The scheme shall include a bus turning facility within the site and a bus stop to quality bus corridor standard. The scheme shall include arrangements for the delivery of the scheme prior to the occupation of the 26th dwelling for a period of at least five years.
- 19) No development shall take place on the phase of the site adjacent to the site of the residential development proposed at Riversleigh Farm until a scheme to provide a pedestrian and cycle link to that development has been submitted to and approved by the local planning authority. None of the dwellings in that phase shall be occupied until the pedestrian and cycle link has been constructed in accordance with the approved scheme.
- 20) None of the dwellings shall be occupied until a travel plan, prepared in accordance with the travel plan framework and including a programme for its implementation, has been submitted to and approved in writing by the local planning authority, and until a travel plan coordinator has been appointed, and notification of that appointment shall be given to the local planning authority. The travel plan shall be implemented in accordance with the approved programme.
- 21) In each phase, no development shall take place until a scheme for surface water drainage, based on sustainable drainage principles and including a programme for implementation and arrangements for management, designed in accordance with the outflow rates set out on plan ref TPIN1017-100B *Drainage Strategy – General Arrangement* (in CD7.18), and no surface water shall discharge to the public sewerage system other than as shown on plan ref TPIN1017-100B. The surface water drainage system shall be constructed in accordance with the approved scheme and programme, and maintained thereafter in accordance with the approved management arrangements.
- 22) In each phase, no development shall take place until a programme for implementation of the foul drainage system shown on plan ref TPIN1017-

³⁸ The reference in the title of plan ref 0401-F02/G to the A548 is incorrect.

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100B *Drainage Strategy – General Arrangement* (in CD7.18), and arrangements for its management, have been submitted to and approved by the local planning authority. The foul water drainage system shall be constructed in accordance with plan ref TPIN1017-100B and the approved programme, and maintained thereafter in accordance with the approved management arrangements.

- 23) No development shall take place until a contamination investigation has been carried out on that part of the site within the limits of development defined on the Proposals Map of the Fylde Borough Local Plan as Altered, in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before development begins. Upon completion of remediation, a validation report shall be submitted to and approved by the local planning authority confirming that the site has been remediated in accordance with the approved measures and that the site is suitable for the development hereby permitted.

If, during the course of development, any contamination is found which has not been identified in the site investigation, then additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

- 24) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- i) hours of construction and demolition work, and of trips to and from the site by construction and delivery vehicles
 - ii) the identification of safe access for construction vehicles
 - iii) the parking of vehicles of site operatives and visitors
 - iv) loading and unloading of plant and materials
 - v) storage of plant and materials used in constructing the development
 - vi) the erection and maintenance of security hoarding
 - vii) including decorative displays and facilities for public viewing, where appropriate
 - viii) wheel washing facilities
 - ix) measures to control the emission of dust and dirt during construction and demolition
 - x) a scheme for recycling/disposing of waste resulting from demolition and construction works

19. Hallam Land Management - Pegasus Planning

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Mr G A Grant of Counsel	Instructed by Ms N Martin, Solicitor with Fylde BC.
He called	
Mr N J Stevens	Strategic Highways Planning Manager, Lancashire CC.
BE(Hons) MSc	
Miss F Riley Msc	Planning Policy Officer, Fylde BC.
Mr M Atherton MTRPI	Senior Planning Officer, Fylde BC.
Mr M Evans ³⁹	Head of Planning & Regeneration, Fylde BC.

FOR THE APPELLANT:

Mr A Williamson BA DipTP MRTPI	Instructed by Mr R Moore, Walker Morris Solicitors.
He called	
Mr R Lomas BA(Hons) BLA CMLI	Managing Director, e*SCAPE Urbanists.
Mr P Gray BA(Hons) BLA CMLI	Director, PGLA Ltd.
Mr P Wooliscroft MSc HNC	Director, Croft Transport Solutions.
Dr D Hackett BSc(Hons) MLD PhD MCIEEM CEnv	Director, Solum Environmental Ltd.
Mr S A Tibenham MTCP MRTPI	Director, Pegasus Group.
Miss K Dean ⁴⁰	Regional Manager, Hallam Land Management Ltd.

INTERESTED PERSONS:

Mr A Wood	Clerk to Bryning-with-Warton Parish Council.
Mr M Wellock BSc DipTP DMS MRTPI	Managing Director, Kirkwells, and for the Parish Council.
Miss J H Ashworth	Vice-Chair, Neighbourhood Plan Steering Group (NPSG).
Mr J Westmoreland	Secretary, Fylde District, Campaign to Protect Rural England (CPRE).
Mr A Guest	Concerned Residents of Warton's Development Group (CROWD).
Mrs S Wright	Warton Residents Against Poor Planning (WRAPP).
Mr Clark	Local resident.
Mr M Gilbert	Local resident.
Mr J Rowson	Resident of Wrea Green.

³⁹ Mr Evans did not give evidence in support of the Council's case, but contributed to the session on conditions.

⁴⁰ Miss Dean did not give evidence in support of the Appellant's case, but contributed to the session on conditions.

19. Hallam Land Management - Pegasus Planning

Mr M Wright

Local resident and business owner.

THE LPA'S DOCUMENTS

- L1 Mr Grant's closing submissions.
- L2 Mr Stevens's proof of evidence.
- L3 Appendices to Document L2.
- L4 Mr Stevens's rebuttal proof of evidence.
- L5 Bundle of highways documents.
- L6 Mr Stevens's rebuttal note to Document A.
- L7 Miss Riley's proof of evidence.
- L8 Appendices to Document L7.
- L9 Miss Riley's rebuttal proof of evidence.
- L10 Mr Atherton's proof of evidence.
- L11 Appendices to Document L10.
- L12 Letter dated 21 August 2013 from Lancashire CC to Fylde BC concerning the emerging Local Plan.
- L13 Mr Atherton's note on development proposals in Warton.
- L14 Note on affordable housing.
- L15 Bundle of records of the Council's decisions concerning the Preferred Options version of the emerging Local Plan.
- L16 Appeal decision ref APP/M2325/A/12/2186415 concerning residential development at Fleetwood Road, Wesham.
- L17 Traffic Advisory Leaflet 2/03 – Signal-control at Junctions on High-speed routes.
- L18 Miss Riley's note on objectively assessed need for housing.
- L19 Miss Riley's note on the settlement hierarchy position of Warton.
- L20 Ms Martin's note on the Enterprise Zone Masterplan.
- L21 Aerial photograph of Lytham Road/ Church Road/ Highgate Lane junction.
- L22 Exchange of emails between the Council and Pegasus dated October 2014 concerning an affordable housing condition.
- L23 Appeal decision and report ref APP/Y3940/A/13/2206963 concerning residential development and a local centre in Wiltshire.
- L24 The Council's comments concerning the 2012-based household projections.

THE APPELLANT'S DOCUMENTS

- A1 Mr Williamson's closing submissions.
- A2 Mr Lomas's proof of evidence.
- A3 Appendices to Document A2.
- A4 Mr Gray's proof of evidence.
- A5 Appendices to Document A4.
- A6 Mr Wooliscroft's proof of evidence.
- A7 Appendices to Document A6.
- A8 Mr Wooliscroft's rebuttal proof of evidence.
- A9 Appendices to Document A8.
- A10 Mr Wooliscroft's note on the Lytham Road, Church Road/ High Gate Lane junction.
- A11 Mr Tibenham's proof of evidence.
- A12 Appendices to Document A11.
- A13 Mr Tibenham's rebuttal proof of evidence.
- A14 Appendices to Document A13.

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- A15 Pegasus Planning Group Report on objectively assessed housing need.
- A16 Letter dated 20 October 2014 from Dr Hackett to the County Ecologist concerning wildlife at the appeal sites.
- A17 Letter dated 20 August 2014 from Natural England to Mr Wood concerning the Neighbourhood Plan.
- A18 Bundle of minutes of the Neighbourhood Plan Steering Group and agenda of the meeting of 7 July 2014.
- A19 Appeal decisions and report refs APP/M2325/A/13/2192188 & 2196027 concerning residential development at Blackpool Road, Kirkham.
- A20 News release dated 9 October 2014 concerning potential job losses at BAE Systems.
- A21 Planning obligation relating to the appeal proposal.
- A22 The Appellant's comments concerning the 2012-based household projections.

OTHER PARTIES' DOCUMENTS

- O1 Correspondence received in response to Document G1.
- O2 Mr Woods's statement on behalf of the Parish Council.
- O3 Appendices to Document O2.
- O4 Mr Wellock's proof of evidence on behalf of the Parish Council.
- O5 Miss Ashworth's statement on behalf of the NPSG.
- O6 Appendices to Document O5.
- O7 Mr Westmoreland's statement on behalf of the CPRE.
- O8 Appendices to Document O7.
- O9 Mr Guest's statement on behalf of CROWD.
- O10 Appendices to Document O9.
- O11 Mrs Wright's statement and Appendix on behalf of WRAPP.
- O12 Mr Wright's statement.
- O13 Appendices to Document O12.
- O14 Mr Rowson's statement.
- O15 Correspondence received at the inquiry.
- O16 Representations by Mr Gardner concerning residential development at Riversleigh Farm, Warton. Submitted by Mr Wright.
- O17 The CPRE's comments concerning the 2012-based household projections.

GENERAL DOCUMENTS

- G1 List of core documents.
- G2 Notification of the appeal, inquiry and proposed amendment.
- G3 Planning statement of common ground.
- G4 Highways statement of common ground.
- G5 Housing supply statement of common ground.
- G6 Neighbourhood Plan Sustainability Appraisal.
- G7 Emails concerning a planning application for residential development on land east of Warton.
- G8 Extract from Tree Preservation Order 1981 No 5 (Warton) and Tree Preservation Order 2013 No 2 (Warton).
- G9 Draft itinerary for site visits.
- G10 Schedule of suggested conditions.
- G11 Planning Obligations in Lancashire Policy.

19. Hallam Land Management - Pegasus Planning

PLANS

- A Location plan ref 013-006-P001 Rev B.
- B1 Illustrative masterplan (Option 1) ref 013-006-P008 Rev C.
- B2 Parameters masterplan (Options 1 & 2) ref 013-006-P007 Rev C.
- B3 Proposed access arrangement – staggered junctions Church Road (Option 1) ref 401-F01/D.
- C1 Illustrative masterplan (Option 2) ref 013-006-P008 Rev E.
- C2 Parameters masterplan (Option 2) ref 013-006-P007 Rev D.
- C3 Proposed access arrangement – Hillock Lane (Option 2) ref 401-F014.
- D1 Illustrative masterplan (Option 3) ref 013-006-P008 Rev K.
- D2 Parameters masterplan (Option 3) ref 013-006-P007 Rev F.
- D3 Proposed access arrangement – crossroads Church Road (Options 3 & 4) ref 0401-F05.
- E1 Illustrative masterplan (Option 4) ref 013-006-P008 Rev L.
- E2 Parameters masterplan (Option 4) ref 013-006-P007 Rev G.
- F Lytham Road/ Church Road/ Highgate Lane junction alterations ref 0401-F02/G.
- G Development proposals in Warton – June 2014. Submitted by Mr Wright.
- H Extract from Local Plan Proposals Map.



Department for
Communities and
Local Government

RIGHT TO CHALLENGE THE DECISION IN THE HIGH COURT

These notes are provided for guidance only and apply only to challenges under the legislation specified. If you require further advice on making any High Court challenge, or making an application for Judicial review, you should consult a solicitor or other advisor or contact the Crown Office at the Royal Courts of Justice, Queens Bench Division, Strand, London, WC2 2LL (0207 947 6000).

The attached decision is final unless it is successfully challenged in the Courts. The Secretary of State cannot amend or interpret the decision. It may be redetermined by the Secretary of State only if the decision is quashed by the Courts. However, if it is redetermined, it does not necessarily follow that the original decision will be reversed.

SECTION 1: PLANNING APPEALS AND CALLED-IN PLANNING APPLICATIONS;

The decision may be challenged by making an application to the High Court under Section 288 of the Town and Country Planning Act 1990 (the TCP Act).

Challenges under Section 288 of the TCP Act

Decisions on called-in applications under section 77 of the TCP Act (planning), appeals under section 78 (planning) may be challenged under this section. Any person aggrieved by the decision may question the validity of the decision on the grounds that it is not within the powers of the Act or that any of the relevant requirements have not been complied with in relation to the decision. An application under this section must be made within six weeks from the date of the decision.

SECTION 2: AWARDS OF COSTS

There is no statutory provision for challenging the decision on an application for an award of costs. The procedure is to make an application for Judicial Review.

SECTION 3: INSPECTION OF DOCUMENTS

Where an inquiry or hearing has been held any person who is entitled to be notified of the decision has a statutory right to view the documents, photographs and plans listed in the appendix to the report of the Inspector's report of the inquiry or hearing within 6 weeks of the date of the decision. If you are such a person and you wish to view the documents you should get in touch with the office at the address from which the decision was issued, as shown on the letterhead on the decision letter, quoting the reference number and stating the day and time you wish to visit. At least 3 days notice should be given, if possible.

<https://www.gov.uk/government/organisations/department-for-communities-and-local-government>

19. Hallam Land Management - Pegasus Planning

Eddie Graves

From: Sian Hayle <Sian.Hayle@pegasuspg.co.uk>
Sent: 22 September 2016 16:27
To: PlanningPolicy
Cc: Katie Dean; Sara Jones; Mark Evans; Sebastian Tibenham; Graham Lamb
Subject: Hallam Land Management Reps Submission - Email 2
Attachments: Appendix 4- CHF Site Location Plan (Pending).pdf; Appendix 5- CHF Signed Planning SoCG.pdf; Appendix 6- West Ox Inspectors Prelim Findings.pdf

Email 2 of 3

Kind regards

Siân Hayle

Senior Planner

Pegasus Group

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<p>PLANNING FOR HOUSING 2016 ARSENAL FOOTBALL CLUB 29 SEPTEMBER 2016 9.00 - 17.00 PROUDLY SPONSORED BY PEGASUS GROUP</p> <p>OUR VERY OWN GLENN GODWIN IS ONE OF THE EXPERT SPEAKERS DEBATING ON ALL THINGS PLANNING!</p>	<p>mipim UK</p> <p>WE WILL BE EXHIBITING AT MIPIM UK 19-21 OCTOBER 2016</p> <p>COME AND SEE US AT STAND H26</p> <p>OLYMPIA, LONDON</p> <p></p>
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19. Hallam Land Management - Pegasus Planning

Key

- Application Site Boundary
- Wider Ownership Boundary



n*ORTH

0m 10m 20m 30m 40m 50m 60m

Scale 1:1250 (@ A3)

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e*SCAPE
urbanists

Project Title
Clifton House Farm, Warton

e*SCAPE Job No.
013-006

Client
Hallam Land

Drawing Number
013-006-P002

Revision
REV C

Drawing Title
Site Boundary

Scale
1:1,250 @ A3

Date
June '15



**APPEAL AGAINST NON DETERMINATION OF OUTLINE
PLANNING APPLICATION 15/0562 FOR RESIDENTIAL
DEVELOPMENT OF UP TO 115 DWELLINGS AND
ASSOCIATED INFRASTRUCTURE (ACCESS APPLIED FOR
WITH OTHER MATTERS RESERVED)**

**LAND AT CLIFTON HOUSE FARM, WARTON, FYLDE,
LANCASHIRE**

**PLANNING STATEMENT OF COMMON
GROUND**

**BETWEEN HALLAM LAND MANAGEMENT LTD & FYLDE
BOROUGH COUNCIL**

**TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING AND COMPULSORY PURCHASE ACT 2004**

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APPENDIX 1- SIGNED HIGHWAYS SOCG- 01.07.2015

1. INTRODUCTION

- 1.1 This Statement of Common Ground (SoCG) sets out the areas of agreement on planning issues in respect of an appeal (Ref: APP/M2325/W/15/3141398) made by Hallam Land Management Ltd (HLM) against Fylde Borough Council's non-determination of an outline planning application (Ref: 15/0562) for up to 115 residential dwellings on the site at Clifton House Farm, Warton, Fylde.
- 1.2 This statement has been prepared in accordance with Annex T of the Planning Inspectorate's Procedural Guide for Planning Appeals in England (dated, 23rd March 2016); and replaces the Draft SoCG submitted with the original appeal submission in December 2015 (**CD11.23**).
- 1.3 The draft SoCG has been updated on the basis of the Proofs of Evidence submitted by the Appellant (**CD13.1-13.5**), Council (**CD14.1**) and the local highway authority Lancashire County Council (**CD14.2**) on 14th June 2014, and ongoing dialogue between the parties.
- 1.4 This SoCG should be read alongside an associated Highways Statement of Common Ground between the appellant and LCC Highways, which sets out the areas of agreement on transport and highways matters and the local authority also agree to the content of this Highways SoCG.
- 1.5 The application that is subject of this appeal was submitted on 14th August 2015 and sought planning permission for:
- 'Outline application for residential development of up to 115 dwellings and associated infrastructure (access applied for with other matters reserved).'*
- 1.6 The application was made valid on 18th August 2015 and statutory 13-week determination period ended on 17th November 2015. The appeal was made against the non-determination on 23rd December 2015.

2. THE APPEAL PROPOSAL

- 2.1 The appeal seeks outline permission for up to 115 family houses, with points of access details provided, but with all other matters reserved in terms of layout, scale, appearance and landscaping.
- 2.2 It is agreed that the proposal does not constitute EIA development.

Relevant Application Documents

- 2.3 The original application submission included a full and robust set of supporting documents comprising of:
- Application Forms (**CD11.1**), Certificates and Covering Letter signed by Pegasus Group and dated 14th August 2015.
 - **Air Quality Assessment by SLR (CD11.18)**: confirms there are no Air Quality Management Areas close to the site and that residential development of the site can come forward without resulting in any significant impact on local air quality.
 - **Design and Access Statement by e*Scope Urbanists (CD11.6)**: describes the evolution of the masterplan and the various design characteristics of the site and surrounding area.
 - **Flood Risk Assessment and Outline Drainage Strategy by Curtins Consulting (CD11.9)**: confirms that the site is at low risk of flooding (Flood Zone 1) and that the proposals will minimise discharge into the drainage system through on site mitigation.
 - **Heritage Assessment by TEP (CD11.16)**: confirms the development is not in a Conservation Area and will not affect the setting of any Listed Buildings. The site is of low archaeological significance and the impacts of the development can be mitigated through a condition.
 - **Landscape and Visual Appraisal by Pegasus Group (CD11.7)**: confirms that the site is not located in a protected or valued landscape area with limited inward views. As such, development of the site is not considered to have a significant adverse impact on the landscape character.
 - **Noise Assessment by SLR (CD11.17)**: confirms that the principal noise sources in the area are traffic on Lytham Road, and aircraft noise from the BAE Aerodrome. It concludes that neither of these would prevent residential development on the site.
 - **Phase 1 Desk Top Environmental Study by Curtins Consulting (CD11.10)**: confirms the possibility of finding contaminated land is low and does not prevent the site being developed for residential purposes.
 - **Planning Statement by Pegasus Group (CD11.5)**: confirms that the proposal constitutes a sustainable form of development in planning terms, and that planning permission ought to be granted.

- **Preliminary Ecological Appraisal Report and associated Bat and Great Crested Newt Report by Solum Environmental (CD11.11, 11.13 & 11.14):** confirms that the existing site is of low ecological value, and that development will have no impact on Great Crested Newts (GCN) and could improve bat habitats, subject to mitigation measures being implemented.
- **Tree Survey Report by Solum Environmental (CD11.12):** confirms there are no TPOs covering the site with the majority of trees of moderate condition; with the majority being retained as part of the proposed development along with significant additional planting.
- **Soils and Agricultural Land Report by Land Research Associates (CD11.19):** confirms that the soil across the wider site is of moderate or poor quality and therefore development of the site will not result in the loss of BMV agricultural land.
- **Transport Assessment and Travel Plan by Croft Transport Solutions:** confirms that the proposal is sustainable and acceptable in transport and highway impact terms (albeit Proposed Access Arrangement (Ref: 0988-F01)/ Plan 3 has now been superseded, see below).
- **Utility Report by Utility Engineering Solutions Ltd:** confirms that there is no utility infrastructure that crosses the site which causes any difficulties in delivering development, and that there are sufficient existing connection points and capacity in the surrounding network to accommodate the proposed development.

2.4 The above reports are considered robust, comprehensive and up to date.

Relevant Plans

- 2.5 In terms of plans, there have been some minor changes since the original submission. On 4th April 2016, the site access was relocated approximately 30m to the east, following initial comments from LCC Highways dated 23rd March 2016 (**CD12.9**).
- 2.6 The access was then relocated again on 25th April 2016, to within 1m of its original location (as shown on (Ref: 0988-F01 Rev F) (**Appendix 10 of CD13.3**), at the request of LCC Highways. LCC Highways confirmed acceptance of this revised plan on 25th April (see **Appendix 11 of CD13.3**) and the Council also accepted it within their Statement of Case (**paragraph 1.2, CD12.4**). As such, whilst the detailed access plan has changed slightly, the remainder of the plans remain as submitted on 14th August 2015.
- 2.7 It is agreed that the differences between the originally submitted access plan (Ref: 0988-F01/ Plan 3 in the submitted TA) and the latest access plan (Ref: 0988-F01 Rev F) are negligible.
- 2.8 It is agreed that the Council consulted statutory consultees and all interested parties on plan (Ref: 0988-F01 Rev F) on 27th April (albeit with reference to the duplicate application) and no party is

prejudiced by reference to the latest plan as part of this Inquiry due to this consultation and the negligible changes.

2.9 Therefore it is agreed that the appeal ought to be determined on the basis of the amended access plan. Accordingly, the appeal is to be determined on the basis of the following detailed plans:

- Site Location Plan by e*Scape Urbanists (Ref: 013-006-P002 Rev C) (**CD11.3**), and
- Proposed Access Arrangement by Croft (Ref: 0988-F01 Rev F).

2.10 To be supported by the following illustrative plans:

- Illustrative Masterplan by e*Scape Urbanists (Ref: 13-006-P009 Rev C) (**CD11.2**),
- Site Parameters Plan by e*Scape Urbanists (Ref: 13-006-P007 Rev D),
- Illustrative Streetscenes by e*Scape Urbanists (Ref: 13-006-P013), and
- Warton West Spatial Masterplan by e*Scape Urbanists (Ref: 13-006-P008 Rev B) (**CD11.3**).

3. APPEAL SITE DESCRIPTION & PLANNING BACKGROUND

Appeal Site and Immediate Surroundings

- 3.1 The site is part of Clifton House Farm and comprises a 3.74 hectare parcel of Grade 3b/4 agricultural land to the north of Lytham Road (A584). It is grass pasture land which slopes gently upwards from the road. Bus stops are located just outside of the site boundary on both sides of Lytham Road.
- 3.2 Braithwaites Yard Business Park is to the west. Oaklands Caravan Park is to the east. Further agricultural land is to the north. Lytham Road forms the southern boundary, along with a single residential dwelling, 278 Lytham Road. On the opposite side of Lytham Road are 2 storey, semi-detached residential properties and a small parade of shops including a hairdressers, gallery and kitchen/bedroom/home office furniture store.
- 3.3 The site sits on the edge of the existing defined urban boundary of Warton in the adopted Local Plan and is therefore defined as a countryside area, as typically applied to agricultural land holdings located outside the existing urban settlements within Fylde under Policy SP2.
- 3.4 The existing urban boundary abuts the southern boundary of the site. Whilst the boundary to the east is more removed and is drawn tightly around the housing stock that was relevant at the time of adoption. It does not show or include the Oakland's Caravan Park or the development at Riversleigh Farm. Consequently, the settlement boundary is out of date.
- 3.5 No statutory landscape, ecological or historical designations directly relate to the site.
- 3.6 The site is also in Flood Risk Zone 1 and is therefore in an area of low risk.
- 3.7 Tree Preservation Order 1994 No 7 (Warton) includes a group of trees located just outside the southeast boundary of the site (see **CD5.14**), although this does not affect the development of the site subject to an appropriate layout in this area of the site at Reserved Matters stage.

Warton

- 3.8 The appeal site is located on the urban fringe of Warton, Fylde, Lancashire. Warton is a settlement with a population of approximately 3,600 people. It is adjacent to the settlement of Freckleton, which is located to the east and connected via the A584 Lytham Road, which is the main route through Warton running east to west. The combined urban area of Freckleton and Warton has a residential population of approximately 9,500 people¹.
- 3.9 Warton is home to a large BAE site, which includes areas of land that are identified as part of the Lancashire Enterprise Zone alongside BAE's operations at Samlesbury. Other large employers in the area include the Land Registry, which occupies offices located to the west of Warton.

¹ 2011 Census

3.10 Warton includes a number of day-to-day services and facilities including:

- Education- 2 x Primary Schools, 2 x day nurseries
- Social- 2 x Churches, Village Hall, Scout Hut, 2 x Public Houses, Social Club
- Recreational- Bridges Playing Fields, Play Area, BAE Sports and Social Club
- Retail- Tesco/ Subway and parade of shops on Lytham Road, Coop Harbour Lane, Petrol Station

3.11 Freckleton also has a medical surgery and dentist, and a range of shops and other services.

3.12 Lytham is located 3.5 miles to the west of the application site and is separated from Warton by Green Belt land. Kirkham is located approximately 3.5 miles to the north and is also largely separated by Green Belt land.

Committed and Proposed Development in Warton

3.13 It is agreed that the following residential developments are committed and proposed in Warton (using the appellant’s site references from **Appendix 2 of CD13.3** and the Councils from **CD8.9**):

HLM Ref (App 2 CD13.3)	LPA Ref (CD8.9)	Address	Status/ Comments	Units
2	4	Blackfield End Farm	Granted. Discharging conditions and preparing RM	360
3	3	Riversleigh Farm	Granted and under construction	83
5b	9	Georges Garage	Granted (also permission for 7 dwellings)	16
6	10	GEC Marconi	Granted and under construction	254
9a	7	Meadows View	Completed	66
9c	5	Nine Acres Nursery (West)	Granted	9
SUB TOTAL PERMITTED				788
1	1	Clifton House Farm	Refused/ Decision awaited (this appeal)	115
7	8	Land East of Warton	Refused/ Decision awaited (other appeal to be heard here). Scheme reduced from 375 to 350 dwellings.	350
8	2	Oaklands Caravan Park	Supported subject to S106, new application relating to continued use as caravan park	53
9b	6	Nine Acres Nursery (North)	Issues with Ecology and Newt Licensing. Scheme reduced from 13 to 9 dwellings	9
SUB TOTAL PENDING DECISION				527
OVERALL POSSIBLE TOTAL				1,315

3.14 This confirms there are consents for up to **788** dwellings, with up to **527** further dwellings proposed (including the two appeal sites subject of this Inquiry), which equates to a total of **1,315** dwellings.



Enterprise Zone

3.15 It is agreed that the following core documents make reference to the Enterprise Zone:

- Lancashire LEP's Strategic Economic Plan (**CD5.7**)
- LEP Growth Deal and City Deal documents (**CD5.8 & 5.9**)
- Emerging Fylde Local Plan (all versions, **CD2.1, 2.5, 2.28 & 2.36**)
- Warton Local Development Order (**CD5.1 & 5.5**)
- Warton Phase 1 Masterplan Framework (**CD5.2**)

3.16 All these documents reference the importance of the Warton site in relation to the local and sub-regional economy. In particular, Paragraph 2.16 of the emerging Local Plan (**CD2.36**) states:

'The Lancashire Advanced Engineering and Manufacturing Enterprise Zone at BAE Systems Warton, has the potential to improve the economic and physical connectivity of Fylde and the wider Fylde Coast Sub Region, with the City of Preston and Central Lancashire.'

3.17 The EZ is also named in the Council's vision, Strategic Objective 4 and Policy EC3, which specifically recognises the Warton EZ in policy terms. The supporting text at paragraphs 9.24 and 9.25 state the following:

'BAE Systems, Warton, has been an important employment site for many years, as identified in Policy EMP2 in the existing Fylde Local Plan, (As Altered), October 2005. This strategic site currently supports the local economy, providing local employment opportunities and investment due to its specialised activities. However, it has the capability to stimulate economic growth in the Fylde Coast, the wider Lancashire sub-region and nationally, with the potential of attracting significant inward investment of an international scale.'

4. COUNCIL'S POST APPEAL DETERMINATION

4.1 Further to lodging the appeal on 23rd December 2015, three putative reasons for refusal were put to committee members on 27th April 2016 in the officer's report. However, these were reduced to 2 reasons further to the submission of additional access plan details between the drafting of the officer's report and members of the planning committee making a decision. As set out, the Council's Statement of Case (**CD12.4**), the two remaining putative reasons for refusal are as follows:

1. *The proposed access for the development is onto the busy thoroughfare of the A584 (Lytham Road) – a main arterial road which provides a direct route between Lytham St Annes and Preston. The proposed access is located approximately 0.75km from Lytham Road/Church Road/Highgate Lane junction. Once other committed developments in Warton are implemented (most notably that associated with planning permission 13/0674 at Blackfield End Farm) this junction will operate over capacity and, accordingly will be incapable of accommodating the level of additional traffic generated by the development. The proposed development, when considered in combination with the increased vehicle movements arising as a result of other committed development within Warton, would have significant adverse effects for traffic movements at the Lytham Road/Church Road/Highgate Lane junction and would lead to greater, unacceptable queue lengths at this junction which would obstruct the free flow of traffic along Lytham Road. The additional vehicle movements arising as a result of development would unacceptably exacerbate existing network capacity issues and, accordingly, its residual cumulative impact would be severe. No mitigation measures have been proposed in order to alleviate this impact. The proposal is therefore contrary to the requirements of Fylde Borough Local Plan Policy HL2, Policy BWH2 of the submission version of the Bryning-with-Warton Neighbourhood Plan, and paragraph 32 of the National Planning Policy Framework.*
2. *The proposed development is required to make contributions towards the delivery of affordable housing and public open space on the site and financial contributions off-site towards the provision of new secondary school places, public realm enhancements and transport improvements. The applicant has failed to put any mechanism in place to secure these contributions and, accordingly, the development is contrary to the requirements of Fylde Borough Local Plan Policies TREC17, CF2, EP1, TR1, TR3 and TR5, Policies SL3 and H4 of the Fylde Local Plan to 2032: Revised Preferred Options (October 2015), the submission version of the Bryning-with-Warton Neighbourhood Plan and chapters 4, 6 and 8 of the National Planning Policy Framework*

4.2 It is pertinent to note that associated planning permission 13/0674 is currently controlled by Hallam Land Management.

4.3 A resubmission outline application (Ref: 15/0903) of the same description was also formally submitted on 23rd December 2015. The resubmission application was refused by Fylde Borough Council on 25th May 2016 (see decision notice **CD12.20**). The reasons relating to Highway Impact (Reason 1 above) and the lack of required obligations through a s106 agreement (Reason 2 above)

were retained albeit the wording of the highway impact reason for refusal was amended to that set out below:

1. *The applicant has failed to demonstrate to the reasonable satisfaction of the local planning authority that the traffic generated by the development can be accommodated within the local highway network without the implementation of a series of highway improvements that are outside the control of the applicant. In the absence of being able to deliver the necessary highway improvements, the impact of the development on the local highway network will be severe, contrary to the provisions of the National Planning Policy Framework and Criterion 9 of Policy HL2 of the Fylde Borough Local Plan (as amended October 2005).*

- 4.4 It had been expected that by the time of this committee, LCC Highways would have provided final comments on the scheme and it was envisaged that such comments would confirm the acceptability of the scheme in terms of highways impacts; however these comments were not forthcoming and the reason for refusal must be viewed in this context.

Key Outstanding Issues

- 4.5 It is agreed that the Council's case is limited to the two matters set out above, with no other areas of dispute or technical constraints that would prevent the residential development of the site. These matters are summarised in paragraph 6.1 of the Council's Statement of Case (**CD12.4**):
- 1) *The severity of the development's residual cumulative impact on the capacity of the surrounding highway network, having particular regard to its effects on the junction of Lytham Road/Church Road/Highgate Lane when considered in combination with the extant planning permission for up to 360 dwellings at Blackfield End Farm.*
 - 2) *The need for the development to make contributions (both on and off site) towards the provision and enhancement of local infrastructure in order to mitigate its impact in planning terms in accordance with local and national planning policies.*
- 4.6 The first matter is addressed within the associated Highways SoCG, as are the relevant highway and transport contributions within matter 2. The content of the Highways SoCG is agreed and accepted by the appellant and the Local Planning Authority. As such, this statement focuses on the second matter, the provision of planning contributions, as well as other general planning policy matters.
- 4.7 It is agreed that a signed legal agreement (in this instance a Unilateral Undertaking) would address this second putative reason for refusal, and that a draft agreement was first submitted by the appellant on 12th May 2016, with negotiations ongoing.

5. CONSULTATION RESPONSES

- 5.1 It is agreed that the following correspondence from statutory consultees has been received in relation to the proposals as part of the both the original application (Ref: 15/0562) and resubmission application (Ref: 15/0903) processes:

Statutory Responses

No objection/ advisory:

- Electricity North West (dated 1st December 2015 & 17th February 2016) - No objection.
- Planning Policy (dated 9th October 2015 & 8th January 2016) - No objection.
- Environment Agency (dated 18th January 2016) – Didn't need to be consulted.
- Natural England (**CD12.12**) (23rd September 2016) – Standing advice issued.
- Tree Officer (dated 12th January 2016) – No objection subject to hedges being retained where possible, new planting with native species and additional screening to Braithwaites Yard.
- Lancashire Constabulary (dated 12th January 2016) – No objection, subject to various secured by design recommendations.
- Ministry of Defence (dated 27th January 2016) – No objection, but want to be kept informed of Reserved Matters.

No objection subject to conditions/ contributions:

- Environment Agency (dated 20th December 2013 - No objection in principle but made some comments and suggested conditions on flood risk, biodiversity and land quality).
- Environmental Health Officer (**CD12.10**) (dated 10th September 2015 & 20th January 2016) - No objection in principle, suggested conditions on construction, air quality, noise and contamination (also notes that all recommendations from the Phase 1 Environmental Study must be carried out).
- United Utilities (dated 8th September 2015) - No objection in principle, suggested drainage conditions.
- LCC Archaeology (dated 22nd October 2015 & 20th January 2016) – No objection in principle, suggested condition requiring archaeological investigation scheme.
- Greater Manchester Ecological Unit (**CD12.11**) (dated 6th October 2015 & 26th January 2016) – No objection in principle subject to conditions on nesting bird season and biodiversity improvements.
- LCC Flood Risk (dated 22nd September 2015 and 1st February 2016)– No objection in principle subject to proposed conditions, based on new NPPG guidance.

- LCC Education (provided 6 separate responses, **CD12.13-12.18** between May 2015 and May 2016) – No objection subject to contribution for secondary school places, to be recalculated when determining Reserved Matters.
- Housing Services (dated 25th February 2016) – No objection, subject to 30% affordable being provided on-site, with a 60/40 to 50/50 split between rented and low cost home ownership.

Objections:

- Landscape/ Regeneration (dated 29th September 2015) – Object on basis of adverse landscape impact/urban sprawl. Pegasus responded 21st October, Planning Officer satisfied that concerns have been addressed (confirmed in email dated 21st December 2015, analysis within the Committee Report (**CD12.5**)² and the Council’s Proof of Evidence, (**CD13.1**)).
- Parish Council (dated 21st October 2015 & 1st February 2016) - Object on several grounds: prematurity, highways issues, flooding and drainage, services and infrastructure and building heights.
- BAE (8th September 2015 & 4th February 2016) – After initially responding with no objection, they issued a holding objection until they have sight of a detailed layout showing balancing ponds. Planning Officer satisfied that concerns can be addressed at Reserved Matters Stage, in line with approach suggested by MOD (confirmed in email 1st April 2016).

5.2 An initial consultation response was received from LCC Highways on 23rd March 2016, and this is discussed in the associated Highways evidence. The current position is set out in the agreed Highways SoCG, signed on 1st July 2016 and attached at **Appendix 1**. It is agreed that Lancashire County Council no longer oppose the proposal subject to suitable controls being introduced over the implementation of a range of highway and accessibility improvement works.

Neighbour Responses

- 5.3 There were a total of 17 objections to the original application scheme 15/0562, from consultation in September 2015, and re-consultation on access revisions in April 2016, and the contents of all these responses were summarised in a list of bullet points within the 27th April Committee report (**CD12.5**)³. There were two further objections from the Parish Council and Warton Residents Against Poor Planning (WRAPP), submitted to PINS as part of the appeal consultation.
- 5.4 There were a further 11 objections to the resubmission scheme 15/0903, from consultations in January and April 2016, and the contents of these responses were summarised in the 25th May Committee report (**CD12.7**)⁴.

² Pages 37-41

³ Pages 20-22

⁴ Pages 48-49