

Barton Willmore on behalf of Story Homes Ltd
Examination into the Fylde Council Local Plan to 2032
Matter 6
Representation ID: 058

Matter 6 – General Development

1. The following Hearing Statement is made for and on behalf of Story Homes. This Statement responds to selected questions set out within Matter 6 of the Inspector's *Matters, Issues and Question*.
2. The following responses should be read in conjunction with our comments to the Publication Version of the Local Plan, dated September 2016. We have also expressed a desire to attend the Examination Hearing Sessions in relation to this Matter.

Issue – Does the Plan provide a robust framework for the management and delivery of development across the Borough that is justified, effective and consistent with national policy?

Questions. 23 and 24

3. Story Homes has no comments in response to these questions.

Policy M1

25. Policy M1 requires 'each allocated site' within the Strategic Locations for Development (SLD) to produce a masterplan and design code, to be approved by the Council and turned into SPDs.

a. Is the policy justified and consistent with national policy?

b. Have the timescales for producing masterplans and design codes for each allocated site been taken into account in considering the timescales for site delivery? Are there any implications for the housing trajectory?

c. Is the policy consistent with the wording set out in Policies SL1-SL4 regarding masterplans and design codes?

4. Policy M1 requires both a masterplan and a design code to be prepared by developers for 'each allocated site' within the Strategic Locations for Development. However, it should be noted almost all of the allocated sites within the Strategic Locations (with the exception of Queensway and Whyndyke Farm) are for developments of less than 500 dwellings. We

therefore question whether these sites can be considered 'strategic' in scale and whether the requirement for a masterplan and design code for every site is justified given the scale of the sites and the fact a masterplan/layout plan is usually required for a planning application. The Council has failed to provide any justification for requiring a masterplan and design code for all sites and should instead seek to identify specific sites where a masterplan or design code is required.

5. Notwithstanding this, we note the policy places the onus on the developer to fund and prepare the masterplan and design code. Paragraph 173 is clear that sites and the scale of development identified should not be subject to such a scale of obligation and policy burden that their ability to be developed viably is threatened. There is no evidence that the Council has taken into account the cost of preparing a masterplan and design code for every site as part of their viability testing. This requirement can therefore, not be considered justified in this regard.
6. Furthermore, once the developer has submitted the masterplan and design code to the Council the policy then requires the masterplan and design code to become a supplementary planning document. It is unclear who would manage this process, what the supplementary planning document would include and how long this process would take. This has the potential to add significant time delays for sites to come forward and add further pressure on Council resources which are already under strain.
7. In the nearby Borough of Sefton, the emerging Local Plan requires a supplementary planning document to support the development of its strategic site at Maghull. Barton Willmore has been working with the developer and the Council to help bring forward this document, however, 18 months later the supplementary planning document is still yet to be adopted. This demonstrates that the requirement for a masterplan can add significant delays to sites coming forward.
8. In terms of its consistency with Policy M1, this policy requires masterplans and design codes to be prepared by prospective developers for each allocated site within the Strategic Locations for Development named in Policy DLF1. However, this requirement is at odds with the Strategic Location policies (SL1 – SL4) which only requires masterplans and design codes for allocated sites without planning permission. The requirements are therefore inconsistent with one another and it is for the Council to clarify this point.

Policy GD1 - Settlement boundaries

26. Policy GD1 refers to development being focussed on previously developed land within and immediately abutting the existing settlements. Does this relate to allocated sites and if so are settlement boundaries drawn around them? Are the boundaries around each settlement justified?

9. Policy GD1 allows for the development on previously developed land immediately abutting existing settlements. This is odd given settlement boundaries should be drawn around development sites in any event. It would be highly unusual to have previously developed land immediately abutting but outwith a settlement boundary. If there are more sites in Fylde, perhaps the Council should seek to allocate them.
10. Notwithstanding this, given the reliance on greenfield sites to deliver housing, Policy GD1 could also provide flexibility to amend settlement boundaries in the event of non-delivery of allocated sites or if the event the Council are unable to demonstrate a five year housing land supply. This will act as a mechanism to ensure housing needs within the Borough are met over the Plan period.
11. In relation to the proposed boundaries, Story Homes has concerns that the proposed settlement boundary for Elswick will restrict any future growth in the village. We set out our concerns in further detail below.

27. Will some settlement boundaries be determined through Neighbourhood Plans? If so, does this need to be referenced in GD1?

12. Policy SL5 sets a requirement of 50 dwellings to be delivered in Elswick over the plan period. Rather than allocate any new sites within the Plan, the Council are instead solely reliant on the NP to deliver its requirement.
13. As shown on the Proposals Map,¹ the settlement boundary for Elswick is tightly drawn around existing development in the village. In a situation where the NP fails to come forward (see our response to Question 8, Matter 5), there is no flexibility within Policy GD1 for land on the edge of the settlement to come forward, meaning housing growth in the village will be restricted. This problem is heightened by the fact there are no suitable brownfield sites available within the village for development².

¹ Document Ref: SD002a

² Document Ref: ED025

14. The settlement boundaries should be dealt with through the Local Plan process. This will ensure consistency of approach and ensure that there is flexibility in the supply for sites to come forward to meet the housing needs of the village. If Neighbourhood Plans are to consider settlement boundaries it should only occur where they wish to increase the boundary set within the Plan. This would accord with the positive stance towards development identified for Neighbourhood Plan within the NPPF, paragraph 184.
15. Notwithstanding this, it is our case that as the Council is unable to demonstrate a robust five year housing land supply and has not identified enough land within the Plan to meet its housing needs over the Plan period, there is urgent need for additional sites to be identified within the Plan now. The Council should not wait for the NP to deliver housing in Elswick and should instead allocate sites now through the Plan to ensure housing needs are met.

28. The policy refers to 'settlement development targets'. Is this appropriate and consistent with national policy?

16. The consideration of 'settlement development targets' when assessing development proposals on greenfield sites within the settlement boundaries would suggest this would only be acceptable if this target was not being met. The Council has not produced any evidence to suggest that certain settlements have specific constraints that would necessitate a limit or cap on development.
17. Furthermore, the Council should not be seeking to apply a 'cap' on development and refusing application if this target is not being met. This approach is inconsistent with paragraph 47 of the NPPF - which seeks to provide for a significant boost to housing land supply. It is also a well-established principle, that adopted development requirements should be considered as a minimum figures, and that development considered to be sustainable should be approved, even where these targets are exceeded. We are unaware of any evidence to support this approach and as such recommends the reference to settlement development targets be deleted.

Questions 29 and 30

18. Story Homes has no comments in response to these questions.

30. In relation to greenfield land within settlement boundaries paragraph 8.3 lists other matters that will be taken into consideration when considering development proposals. Should these matters be included in the policy? Would this be justified?

19. There is no evidence that justifies the need for additional criteria for greenfield sites compared with previously developed sites as all of these requirements are covered in other policies. To avoid excessive policy making these requirements should not be included within Policy GD1 as they are neither justified nor required.

Policy GD2 – Green Belt

Questions 31

20. Story Homes has no comments in response to these questions

32. Paragraph 8.6 of the justification text states that no review of the Green Belt has been undertaken, but minor alterations of the Green Belt may be required to accommodate the boundaries of some site allocations or to amend minor anomalies. Paragraph 8.7 also refers to boundary changes. What are the details of these changes and are they consistent with paragraph 83 of the Framework which states that Green Belt boundaries should only be altered in exceptional circumstances?

21. Paragraph 83 of the NPPF is clear that Green Belt boundaries should only be altered in exceptional circumstances. The Housing White Paper reiterates this point and states that local authorities will need demonstrate that they have fully examined all other reasonable options for meeting their identified housing requirements.

22. The Council has failed to provide any details of the proposed alterations to the Green Belt. There is also no evidence that suggests that exceptional circumstances exist for making alterations to the Green Belt boundaries. Furthermore, the Borough is largely contained by land designated as 'open countryside' which is not offered the same protection as Green Belt. It is therefore considered that reasonable alternatives existing in relation to delivering new housing than releasing Green Belt.

Question 33

23. Story Homes has no comments in response to these questions.

Policy GD3 – Areas of Separation

Question 34

24. Story Homes has no comments in response to these questions.

Policies GD4 and GD5 – Development in the Open Countryside

35. Do Policies GD4 and GD5 apply to the countryside, Areas of Separation and the Green Belt? Is this clear within the policy? Are the policies justified and consistent with national policy?

25. Policy GD4 essentially seeks to restrict residential development within designated areas of 'Open Countryside', with the exception of isolated homes. By applying this restrictive 'blanket' approach, it will serve to permanently shut the door on greenfield release, at a time when the Council is reliant on unallocated greenfield land to achieve its five year supply. In the event the Council's supply does not delivery at the rate anticipated this will prevent housing needs being met.

26. In settlements such as Elswick, the Council is reliant on housing sites being released through the NP, however, if the NP fails to materialise this policy will effectively prevent housing coming forward on greenfield sites in the village meaning the need is unmet.

27. Our case is that the Plan should seek to allocate housing sites within Elswick as part the Plan to ensure housing needs are met and the policy should be amended to allow for (and recognise) the need for the release of land in the 'Open Countryside' for new sustainable development.

Questions 36 - 41

28. Story Homes has no comments in response to these questions.

Policy GD6 – Promoting Mixed Use Development

Questions 42 - 44

29. Story Homes has no comments in response to these questions.

Policy GD7 – Achieving Good Design for Development

Questions 45 – 47

30. Story Homes has no comments in response to these questions.