



**HALLAM LAND MANAGEMENT LTD**

**FYLDE COUNCIL LOCAL PLAN**

**EXAMINATION HEARING STATEMENT**

**GENERAL DEVELOPMENT (MATTER 6)**

**ISSUE 9**

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## **Pegasus Group**

Suite 4b | 113 Portland Street | Manchester | M1 6DW

**T** 0161 393 3399 | **W** [www.pegasuspg.co.uk](http://www.pegasuspg.co.uk)

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## **1. MATTER 6 – GENERAL DEVELOPMENT**

- 1.1 The following statement is made on behalf of Hallam Land Management and should be read alongside our representations to the Publication Local Plan in September 2016 (Ref: R009v2).
- 1.2 In respect of this matter, we are happy to rely on our written submissions so will not be attending the hearing on this.

### **Issue 9 – 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?**

#### **Policy M1**

***Question 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?***

- 1.3 It is highly questionable if SPD's are justified for any of the allocated sites within the Strategic Locations for Development for several reasons.
- 1.4 Firstly, the requirements of these documents can be achieved through the detailed development management criteria set out within this document (most notably those in chapters 8, 11, 13 and 14) and masterplans and design codes can be secured through the planning application process.
- 1.5 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 66 separate allocations proposed over the 4 SLD's, which is clearly unworkable, particularly given the Council's limited resources. Such delays in delivery will have a significant impact in Fylde, where there is already a 5YHLS shortfall and directly conflict with national policy.
- 1.6 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.
- 1.7 As such, it is arguable whether Policy M1 is necessary at all, and we would certainly recommend that all references to SPDs are removed and far greater clarity is provided as to the nature of the masterplan and design code process required for each of the different allocations.
- 1.8 At the very least, we suggest that Policy M1 is amended to align with policies SL1 – SL4 such that it only relates to sites without consent.

***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?***

- 1.9 The Council's timescales for site delivery follow a standard methodology set out in the introduction of their Five Year Housing Supply Statements (at page 2, paragraph 13 of the most recent one, which has a base date of 31<sup>st</sup> March 2017). This factors the completion of outline applications, reserved matters applications and S106 agreements into lead in times, but makes no reference to the additional masterplan, design code and SPD process set out in Policy M1, which will inevitably lengthen this process.
- 1.10 Coupled with the limited resources that the Council have to deal with planning policy documents, as demonstrated by the fact that this Local Plan process has run for more than 5 years, this is likely to have significant impacts on the housing trajectory and particularly on delivery in the first 5 years, where there is already a shortfall without the requirements of policy of M1.

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

- 1.11 As noted in our Matter 5 statement, there is clear inconsistency between these two policies, as Policy M1 suggests that masterplans design codes (enshrined in SPDs) will be required for all allocations within the Strategic Locations for development whilst policies SL1-SL4 only require this for those sites that don't have planning permission.
- 1.12 Of the two approaches, that in SL1-SL4 is more logical; although we have suggested that it may be better to remove Policy M1 entirely as its provisions are duplicated elsewhere.

**Policy GD1 – Settlement boundaries**

***Question 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?***

- 1.13 All allocated and committed sites should be included within the relevant settlement boundary.
- 1.14 We would also ask that the Council consider revising the settlement boundaries for Warton to include the remaining land at Clifton House Farm, as part of an extended allocation to deliver an integrated and comprehensively masterplanned development to the west of Warton, as discussed in our Matter 5 statement in response to question 7.

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

- 1.15 We would reiterate the HBFs comments on this matter, noting that settlement boundaries should be dealt with through the Local Plan process to ensure consistency across all settlements and not just those with active Neighbourhood Plans.
- 1.16 That said, there should be a mechanism for Neighbourhood Plans to extend settlement boundaries, in line with the proactive approach sought in paragraph 184 of the NPPF, so it would be useful to include a reference to this in the policy.

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

- 1.17 This wording appears to set a 'cap' on development, which is contrary to the NPPFs objective of significantly boosting housing supply and should be removed or rephrased to reflect the fact that these are 'minimum requirements'.

**Question 45: Do the various criteria, particularly under the section on general principles of good design, provide a clear indication of how a decision maker should react to development proposals? Are the requirements justified?**

- 1.18 We raised concerns with the drafting of criteria (n), (r) and (v) in our Publication Representations which have not been addressed by the Council in their latest proposed modifications so we would reiterate these points here, with comments on criteria (n) and (r) included in our response to question 46 below.
- 1.19 In respect of criteria (v), Public Open Space, we suggest that the words '*where possible/ suitable*' 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).

**Question 46: The Ministerial Statement (MS) of 25 March 2015 set out a new approach for the setting of technical standards for new housing comprising new additional Building Regulations on water and access and a new national space standard. The MS states that 'the optional new national technical standards should only be required through any new Local Plan policies if they address a clearly evidenced need and where the impact on viability has been considered ...'. Policy GD7 requires all new homes to 'comply with all relevant design and quality codes in the National Technical Standards'. Is this approach justified and based on robust evidence of identified need? Has the impact of applying these standards on viability and land supply been considered? (Also refer to Policy H2)**

- 1.20 We have major concerns with the Council's application of the National Technical Standards in full, and would reiterate our previous comments on this, and we fully support the HBFs position on this.
- 1.21 In summary, section 56 of the NPPG is clear that these new enhanced standards on water efficiency, accessibility and space are optional, and must be justified by specific evidence on need and viability before they can be implemented. In this case, this level of evidence has simply not been provided.
- 1.22 In respect of water efficiency, the Council's own Specialised Housing Background Paper (ED029, page 34) confirms that this optional standard is not required, recommending that:

*"the requirement for optional technical standards for water be taken forward as a requirement in the Submission Local Plan."*

- 1.23 In respect of accessibility, our answers to questions 13 and 14 confirm that whilst the evidence shows an aging population with increasing mobility issues, it does not confirm the proportion of those that will require dedicated, and wheelchair adaptable new housing; and does not properly test the viability of the policy.

- 1.24 Finally, in respect of the space standards, the Council have factored additional costs into their Viability Assessment (ED006), but have not fully explored the impacts this will have on some of the smaller starter and affordable housing products. In addition, the Council have failed to adequately demonstrate a need for the standards or provide any transitional arrangements for implementation, as specifically required by the NPPG (paragraph 56-020-20150327).
- 1.25 As such we would ask that the Council revisit this requirement and either remove I or provide the level of evidence required to satisfy the requirements of the NPPG.