



Fylde Local Plan

RESPONSES TO THE MAIN MODIFICATIONS CONSULTATION

April 2018

Responses to the Main Modifications Consultation

The Inspector examines the Local Plan as submitted by the Council. However there are further opportunities to make changes during the Examination process, before the Local Plan is adopted. Under Section 20(7) of the Planning and Compulsory Purchase Act (2004), as revised by Section 112 of the Localism Act (2011) modifications are either classified as "main" or "additional" modifications.

“Main Modifications” are required to resolve issues in order to make the Local Plan sound (paragraph 182 of the Framework) or to ensure its legal compliance. They involve changes or insertions to policies and text that are essential to enable the Plan to be adopted. Main Modifications are therefore significant changes that have an impact on the implementation of a policy.

“Additional Modifications” are of a more minor nature and do not materially affect the policies set out in the Fylde Local Plan. Additional modifications mainly relate to points where a need has been identified to clarify the text, include updated facts, or make typographical or grammatical revisions which improve the readability of the Local Plan.

Consultation on the Main Modifications proposed by the Council took place between 8th February 2018 and 22nd March 2018. All bodies and individuals on the Planning Policy consultation database were consulted, as was the case with the Publication Version Local Plan

Responses were received from 38 consultees, plus one that was received after the deadline. The text of the responses is provided in this document, divided according to the main modification to which it relates. The main modifications are in plan order. Where a representor has indicated that he/she considers that a further main modification should have been made, an additional line has been added to show that representation in the relevant section of the plan order. Similarly, where the representation does not relate to a modification as such, the text appears in the order of the plan between the modifications. Text that does not relate to any particular modification or section of the plan is at the beginning. The responses text provided here should be read in conjunction with the Schedule of Proposed Main Modifications (document no.EL10.002). The text of the late response which was received from no. 142 Department for Education is included for information.

The original representations in their complete form are provided separately in the Copies of Representations Made to the Main Modifications Consultation.

List of representors

Ref	Representor	Main Modifications
2	BAE Systems – Cass Associates	MM17, MM58, MM59.
4	Blackpool Council	MM37, MM60, MM61.
5	Britmax Developments - Indigo Planning	MM31.
6	Canal & River Trust	General comment only
7	CAPOW	MM67.
10	Chris Hill - De Pol Associates	MM17.
13	Environment Agency	MM13.
15	Friends of the Earth	General comment only
16	Gladman Developments	MM1, MM6, MM29, MM40, MM73
18	Greenhurst Investments - Indigo Planning	MM31, MM32, MM36, MM40, MM73.
20	Highways England	General comment only
21	Historic England	General comment only
22	Hollins Strategic Land	MM1, MM6, MM13, MM40, MM41, MM42, MM67.

Ref	Representor	Main Modifications
23	Home Builders Federation	MM6, MM29, MM30, MM40, MM42, MM43, MM73.
26	John Coxon - Smith & Love	MM15.
31	Lancashire County Council	MM51, MM52.
34	Mactaggart & Mickel - Colliers International	MM41, MM72
36	Metacre Ltd - De Pol Associates	MM1, MM6, MM21, MM23, MM29, MM31, MM40, MM42, MM48, MM73.
47	Natural England	General comment only
50	Nuclear Decommissioning Authority - GVA	Comment on failure to modify policy EC1.
51	Oyston Estates - Cassidy & Ashton	MM1, MM6, MM40.
52	Persimmon Homes	MM6, MM29, MM30, MM40, MM42, MM43.
59	Strategic Land Group - Turley	MM1, MM6, MM40, MM41.
60	Taylor Wimpey - Lichfields	MM6, MM14, MM17, MM40.
64	Trams to Lytham	MM62.
65	Treales Roseacre & Wharles Parish Council	MM2, MM50, MM69.
66	United Utilities	MM25.
67	Wainhomes - Emery Planning	MM1, MM6, MM40, MM42, MM72.

Ref	Representor	Main Modifications
69	Windmill Group	General comment only
71	Wyre Council	MM1.
73	National Federation of Gypsy Liaison Groups	MM45.
134	Mr Chabba	Comment on failure to modify policy SL2.
136	Ministry of Defence	MM11, MM12, MM13, MM14, MM15, MM17.
137	Office for Nuclear Regulation	General comment only
138	Equality and Human Rights Commission	General comment only
139	Tim Armit	MM62.
140	Marine Management Organisation	General comment only
141	Sport England	MM53.
142	Department for Education	(late representation) MM52

General comments not relating to a modification or policy directly

Representor	Text of Representation
138 Equality and Human Rights Commission	<p>The Commission does not have the resources to respond to all consultations, but will respond to consultations where it considers they raise issues of strategic importance.</p> <p>Local, parish and town councils and other public authorities, as well as organisations exercising public functions, have obligations under the Public Sector Equality Duty (PSED) in the Equality Act 2010 to consider the effect of their policies and decisions on people sharing particular protected characteristics. The PSED is an on-going legal requirement and must be complied with as part of the planning process. The Commission is the regulator for the PSED and the Planning Inspectorate is also subject to it. In essence, you must consider the potential for planning proposals to have an impact on equality for different groups of people. To assist, you will find our technical guidance here.</p>
15 Friends of the Earth	<p>I am writing to send apologies as North West Friends of the Earth, we did not have capacity to send any additional representations on the Fylde local plan amendments.</p> <p>We thank you for all your communications, and in advance, for your understanding on this matter.</p>
20 Highways England	<p>Thank you for making us aware of Schedule of Proposed Main Modifications consultation relating to the emerging Fylde Local Plan.</p> <p>Highways England has no comments to make regarding these modifications.</p> <p>Please contact me if you would like to discuss anything about this email.</p>
137 Office for Nuclear Regulation	<p>ONR has no comment to make on the Schedule Main Modifications for Consultation.</p>
69 Windmill Group	<p>Many thanks and best wishes with the process.</p>
21 Historic England	<p>Historic England is the Government’s statutory advisor on all matters relating to the historic environment in England. We are a non-departmental body established under the National Heritage Act 1983 and sponsored by the Department for Culture, Media and Sport (DCMS). We champion and protect England’s historic places, providing expert advice to local planning authorities, developers, owners and</p>

General comments not relating to a modification or policy directly	
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	<p>communities to help ensure our historic environment is properly understood, enjoyed and cared for.</p> <p>Thank you for consulting Historic England on the above documents. At this stage we have no comments to make on their content.</p> <p>If you have any queries or would like to discuss anything further, please do not hesitate to contact me.</p>
6 Canal and River Trust	<p>Thank you for your consultation on the schedule of proposed main modifications. The Canal & River Trust have no comments to make on the modifications.</p>
60 Taylor Wimpey – Lichfields	<p>Fylde Local Plan to 2032 – Schedule of Proposed Main Modifications for Consultation</p> <p>Lichfields is instructed by Taylor Wimpey UK Limited [Taylor Wimpey] to make representations to the Fylde Local Plan Main Modifications. They are submitted in the context of the Taylor Wimpey’s interests in land at Weeton Road, Wesham.</p> <p>Taylor Wimpey is seeking to bring forward a high quality residential extension on land at Weeton Road, Wesham which would assist in the delivery of sustainable development within the Borough by making a significant contribution towards meeting the need for market and affordable housing. An outline planning application for the development of up to 190 residential dwellings was submitted to the Council in July 2017 [LPA ref. 17/0568] and refused by Officers in February 2018. Taylor Wimpey is currently considering whether to appeal the decision.</p> <p>These representations follow Taylor Wimpey’s responses to the Matters, Issues and Questions raised by the Inspector in relation to the Examination in Public [EIP] Stage 1, 2 and 3 Hearing Sessions and representations to the Fylde Council Local Plan to 2032 [FCLP] ‘<i>Consultation on Additional Evidence in Support of the Fylde Local Plan to 2032</i>’ [Additional Evidence Document].</p> <p>It is a statutory requirement that every development plan document must be submitted for independent examination to assess when it is “sound”, as well as whether other statutory requirements have been satisfied. Section 19 of the 2004 Act requires that, in preparing a development plan document, a local planning authority must have regard to a number of matters including national policies and advice contained in guidance issued by the Secretary of State. Such guidance currently exists in the form of the National Planning Policy Framework [the Framework] and the National Planning Practice Guidance [Practice Guidance].</p> <p>There is no statutory definition of “soundness”. However the Framework [§182] states that to be sound a Local Plan should be:</p>

General comments not relating to a modification or policy directly

Representor	Text of Representation
	<p>1 Positively Prepared: The plan should be prepared based on a strategy which seeks to meet 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.</p> <p>2 Justified: The plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.</p> <p>3 Effective: The Plan should be deliverable over its period and based on effective joint working on cross boundary strategic priorities.</p> <p>4 Consistent with National Policy: The Plan should enable the delivery of sustainable development in accordance with the policies in the Framework.</p> <p>Our responses to the Main Modifications are set out below. For the reasons identified, Taylor Wimpey considers that a number of the Main Modifications are unsound and require amendment.</p>
136 Ministry of Defence	<p>Thank you for consulting the Ministry of Defence (MOD) in relation to the above referenced consultation document.</p> <p>The MODs principle concern relates to ensuring that tall structures especially tall buildings do not cause an obstruction to air traffic movements at MOD aerodromes or compromise the operation of air navigational transmitter/receiver facilities located in the area.</p> <p>As you will be aware air traffic approaches and technical installations at MOD aerodromes are protected with statutory safeguarding zones which identify height consultation zones in the area surrounding MOD aerodromes relative to topography and distance from the site.</p> <p>The MOD statutory height safeguarding zone for the district of Fylde is Warton aerodrome. The district is also covered by the statutory birdstrike safeguarding zone. The MOD statutory birdstrike safeguarding zones for the district of Fylde are Warton aerodrome and RAF Woodvale.</p> <p>The main concern regarding birdstrike is the creation of open water bodies, the use of sustainable urban drainage systems (SUDS) and landfill sites. This type of development has the potential to attract and or host large numbers of flocking bird species hazardous to aviation safety.</p> <p>On reviewing the Schedule of Proposed Additional Modifications and the Schedule of Proposed Policies Map Modifications documents the following sites have been identified as follows:</p> <p>(see sections under relevant Main Modifications)</p>

General comments not relating to a modification or policy directly	
Representor	Text of Representation
47 Natural England	<p>Thank you for your consultation on the above dated and received by Natural England on 08 February 2018</p> <p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>As requested, we have reviewed the following documents;</p> <p>Schedule of Proposed Main Modifications for Consultation</p> <p>Fylde Local Plan: Sustainability Appraisal Report Addendum</p> <p>Natural England has no comments to make on the individual allocation sites added into the local plan because they already have planning permission. However, we do recommend that the HRA is updated to include these sites and all the sites are re-assessed to check for in-combination impacts.</p> <p>We have no comments to make on the other modifications or the Sustainability Appraisal Report Addendum.</p> <p>A signed hard copy of this letter has been posted.</p> <p>If you have any queries relating to the advice in this letter please contact me on 0208 225 7506</p>
140 Marine Management Organisation	<p>The MMO will review your document and respond to you directly should a bespoke response be required. If you do not receive a bespoke response from us within your deadline, please consider the following information as the MMO's formal response.</p> <p>Response to your consultation</p> <p>The Marine Management Organisation (MMO) is a non-departmental public body responsible for the management of England's marine area on behalf of the UK government. The MMO's delivery functions are; marine planning, marine licensing, wildlife licensing and enforcement, marine protected area management, marine emergencies, fisheries management and issuing European grants.</p> <p>Marine Licensing</p> <p>Activities taking place below the mean high water mark may require a marine licence in accordance with the Marine and Coastal Access Act (MCAA) 2009. Such activities include the construction, alteration or improvement of any works, dredging, or a deposit or removal of a substance or object below the mean high water springs mark or in any tidal river to the extent of the tidal influence. You can also apply to the MMO for consent under the Electricity Act 1989 (as amended) for offshore generating stations between 1 and 100 megawatts in England and</p>

General comments not relating to a modification or policy directly

Representor	Text of Representation
	<p>parts of Wales. The MMO is also the authority responsible for processing and determining harbour orders in England, and for some ports in Wales, and for granting consent under various local Acts and orders regarding harbours. A wildlife licence is also required for activities that that would affect a UK or European protected marine species.</p> <p>Marine Planning</p> <p>As the marine planning authority for England the MMO is responsible for preparing marine plans for English inshore and offshore waters. At its landward extent, a marine plan will apply up to the mean high water springs mark, which includes the tidal extent of any rivers. As marine plan boundaries extend up to the level of the mean high water spring tides mark, there will be an overlap with terrestrial plans which generally extend to the mean low water springs mark. Marine plans will inform and guide decision makers on development in marine and coastal areas. On 2 April 2014 the East Inshore and Offshore marine plans were published, becoming a material consideration for public authorities with decision making functions. The East Inshore and East Offshore Marine Plans cover the coast and seas from Flamborough Head to Felixstowe. For further information on how to apply the East Inshore and Offshore Plans please visit our Marine Information System. The MMO is currently in the process of developing marine plans for the South Inshore and Offshore Plan Areas and has a requirement to develop plans for the remaining 7 marine plan areas by 2021.</p> <p>Planning documents for areas with a coastal influence may wish to make reference to the MMO’s licensing requirements and any relevant marine plans to ensure that necessary regulations are adhered to. For marine and coastal areas where a marine plan is not currently in place, we advise local authorities to refer to the Marine Policy Statement for guidance on any planning activity that includes a section of coastline or tidal river. All public authorities taking authorisation or enforcement decisions that affect or might affect the UK marine area must do so in accordance with the Marine and Coastal Access Act and the UK Marine Policy Statement unless relevant considerations indicate otherwise. Local authorities may also wish to refer to our online guidance and the Planning Advisory Service soundness self-assessment checklist.</p> <p>Minerals and waste plans and local aggregate assessments</p> <p>If you are consulting on a mineral/waste plan or local aggregate assessment, the MMO recommend reference to marine aggregates is included and reference to be made to the documents below:</p> <ul style="list-style-type: none"> • The Marine Policy Statement (MPS), section 3.5 which highlights the importance of marine aggregates and its supply to England’s (and the UK) construction industry. • The National Planning Policy Framework (NPPF) which sets out policies for national (England) construction minerals supply. • The Managed Aggregate Supply System (MASS) which includes specific references to the role of marine aggregates in the wider portfolio of supply. • The National and regional guidelines for aggregates provision in England 2005-2020 predict likely aggregate demand over this period

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	<p>including marine supply.</p> <p>The NPPF informed MASS guidance requires local mineral planning authorities to prepare Local Aggregate Assessments, these assessments have to consider the opportunities and constraints of all mineral supplies into their planning regions – including marine. This means that even land-locked counties, may have to consider the role that marine sourced supplies (delivered by rail or river) play – particularly where land based resources are becoming increasingly constrained.</p>
31 Lancashire County Council	<p>Thank you for consulting Lancashire County Council on the Consultation on Fylde Local Plan to 2032 – Schedule of Proposed Main Modifications for Consultation.</p> <p>At this stage I offer Education comments.</p> <p>Education</p> <p>Education Statement</p> <p>Section 14 of the Education Act 1996 dictates that Lancashire County Council's (LCC's) statutory obligation is to ensure that every child living in Lancashire is able to access a mainstream school place in Lancashire. Some children have Special Educational Needs for which they access school provision outside of Lancashire. Special Educational Needs provision is managed by LCC's Special Educational Needs and Disability (SEND) Team and is not covered by this response. The 'Strategy for the provision of school places and school's capital investment 2015/16 to 2017/18' provides the context and policy for school place provision and schools capital strategy in Lancashire. Over the coming years, Lancashire County Council and its local authority partners will need to address a range of issues around school organisation in order to maintain a coherent system that is fit for purpose, stable, and delivering the best possible outcomes for children and young people.</p> <p>Pressure for additional school places can be created by an increase in the birth rate, new housing developments, greater inward migration and parental choice of one school over another. If local schools are unable to meet the demand of a new development there is the potential to have an adverse impact on the infrastructure of its local community, with children having to travel greater distances to access a school place.</p> <p>In a letter from the Department for Education (DfE) to all Chief Executives, the Minister of State for Housing and the Parliamentary Under Secretary of State for Schools jointly stated that 'where major new housing developments create an additional need for school places, then the local authority should expect a substantial contribution from the developer towards the cost of meeting this requirement.'</p> <p>The School Planning Team produces an 'Education Contribution Methodology' document which outlines the Lancashire County Council methodology for assessing the likely impact of new housing developments on school places, where necessary mitigating the impact, by</p>

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	<p>securing education contributions from developers.</p> <p>In order to assess the impact of a development the School Planning Team consider demand for places against the capacity of primary schools within 2 miles and secondary schools within 3 miles. These distances are in line with DfE travel to school guidance and Lancashire County Council's Home to School Transport Policy.</p> <p>Planning obligations will be sought for education places where Lancashire primary schools within 2 miles and/or Lancashire secondary schools within 3 miles of the development are:</p> <ul style="list-style-type: none"> • Already over-subscribed, • Projected to become over-subscribed within 5 years, or • A development results in demand for a school site to be provided.
23 Home Builders Federation	<p>Thank you for consulting with the Home Builders Federation on the Fylde Local Plan Proposed Main Modifications.</p> <p>The HBF is the principal representative body of the house-building industry in England and Wales. Our representations reflect the views of our membership, which includes multi-national PLC's, regional developers and small, local builders. In any one year, our members account for over 80% of all new "for sale" market housing built in England and Wales as well as a large proportion of newly built affordable housing.</p> <p>The Council will be aware that the HBF provided comments upon previous iterations of the Local Plan, the following comments are provided in light of the points previously provided.</p> <p>Future Engagement</p> <p>I trust that the Council will find these comments useful as it continues to progress its Local Plan. Please notify the HBF of the publication of the Inspector's report, the adoption of the Local Plan or any future hearing sessions. Please use the contact details provided below for future correspondence.</p>
51 Oyston Estates - Cassidy & Ashton	<p>I refer to the above document and on behalf of Oyston Estates have a few final comments to make, although I would note that we do not consider that the Modifications in any shape or form, fully address the concerns and matters previously raised as objections by ourselves.</p>

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Representor	Text of Representation
	I confirm on behalf of Oyston Estates that we wish to remain involved in the preparation of the Local Plan.
34 Mactaggart & Mickel - Colliers International	<p>We write on behalf of our clients, Mactaggart & Mickel Ltd, with regard to the published schedule of main modifications on the Fylde Borough Council Local Plan 2032.</p> <p>These “Main Modifications” are required to resolve issues in order to make the Local Plan sound (paragraph 182 of the Framework) or to ensure its legal compliance. They involve changes or insertions to policies and text that are essential to enable the Plan to be adopted. Main Modifications are therefore significant changes that have an impact on the implementation of a policy.</p>
18 Greenhurst Investments - Indigo Planning	<p>We write on behalf of the Administrators of Greenhurst Investments Ltd (Greenhurst) as developer of the above site.</p> <p>As a general point, we note drafts of the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) were published part way through the consultation. Whilst we acknowledge the proposed transitional arrangements in Annex 1, there will be implications upon the plan and in the determination of planning applications, particularly the approach to housing delivery. We therefore request the Inspector give careful consideration to the plan’s soundness in light of the government’s direction of travel in the emerging draft NPPF and PPG.</p> <p>We set out our more detailed comments on the proposed modifications consultation below, following our attendance at the stage 3 hearing sessions in December 2017. References to paragraphs of the NPPF are to the existing NPPF, unless stated otherwise.</p> <p>We request that our comments are duly considered and forwarded onto the Local Plan Inspector.</p>
67 Wainhomes - Emery Planning	<p>1. Introduction</p> <p>1.1 Emery Planning is instructed by Wainhomes North West Ltd to submit representations to the consultation on the Schedule of Proposed Main Modifications to the Fylde Local Plan to 2032.</p> <p>1.2 We have made representations to the previous stages of the emerging Local Plan and we also attended and made representations to the relevant Matters at the Stage 1, Stage 2 and Stage 3 hearing sessions.</p> <p>1.3 The Schedule of Proposed Main Modifications to the Fylde Local Plan to 2032 was published following a review of the submission version</p>

General comments not relating to a modification or policy directly	
Representor	Text of Representation
	<p>of the emerging Fylde Local Plan and a review of issues raised during the Examination hearing sessions which took place in Mach, June and December 2017.</p> <p>1.4 These representations focus on the proposed modifications relating to the housing requirement and the use of the 'Liverpool Method' of addressing the identified housing shortfall in the Borough, which we consider to be lacking in justification and evidence.</p> <p>1.5 We also reiterate our established and consistent objections to the following elements of the plan, which we still consider to be fundamental issues that compromise the soundness of the plan going forward:</p> <ul style="list-style-type: none"> • The housing requirement is below the upper end of the OAN range and no evidence has been provided to demonstrate why a requirement of 430 dwellings per year cannot be achieved; • On the Council's own figures for the plan period against a requirement of 8,715 dwellings the total supply in the trajectory is 8,819. This represents a surplus of 104 dwellings which is a flexibility factor of 1.5% after completions. It only takes 1 site not to deliver as expected for the plan to be found out of date. This was a specific concern raised by the Inspector at the Examination. The 5 year supply should be increased through the allocation of new sites through the application of the Sedgfield method rather than seeking to artificially boost the years supply numerically through the use of the Liverpool method as the Council is proposing; <p>1.6 We make comments to each relevant proposed modification in turn.</p>
52 Persimmon Homes	<p>Thank you for consulting with Persimmon Homes on the Fylde Local Plan Proposed Main Modifications. As you are well aware we have a number of sites within the borough which we are developing or are lined up as potential site (<i>sic.</i>) for residential development in the near future. It is important to consider a wide range of stakeholders when preparing a Local Plan that has policy implications on how the region will develop and grow over the next 15 years. Persimmon Homes have provided comments upon previous consultation on the Local Plan. Please see the comments below in response to the Proposed Main Modifications of the Local Plan.</p> <p>Please keep me informed on the Local Plan progress. If you wish to discuss any of the points raised above, please do not hesitate to contact me on the attached details.</p>
13 Environment Agency	<p>Thank you for referring the above to us for consultation.</p> <p>We have reviewed information available and we have no concerns with the main modifications proposed, insofar as it relates to our remit, but we have the following comments to make for the purposes of clarity</p>

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	(See MM13)
65 Treales Roseacre & Wharles Parish Council	<p>Thank you for the opportunity to address the major modifications for the Fylde Local Plan. We raised a number of proposals at the outset of the plan consultation process and the concerns about these remain extant. We have captured these under categories MM2 MM50 and MM69.</p> <p>In particular, whilst we raised the question at the Inspection in public meetings, as to whether you had considered our concerns & proposals over the lack of application of policy ENV3 to an essential element of the open space of our Parish. You had indicated that you were yet to consider this. In consulting Fylde Borough Council, they appear not to have not been directed by you to address our concerns. We would be grateful that you will now be able to consider and be minded to adopt our proposals.</p> <p>We have submitted some 20 documents to the Inspection Library which remain valid and we have sought to summarise these with references as requested by Fylde Borough Council.</p> <p>We hope that you will find our proposals positive so as to create an appropriate plan to provide sustainable development and economic growth for our Borough.</p> <p>Thank you for your time and attention to our Local Plan.</p>
15 Gladman Developments	<p>Gladman Developments Ltd (hereafter referred to as “Gladman”) has been involved throughout the preparation process and the examination of the Fylde Local Plan (FLP), having submitted detailed written representations and oral evidence during the examination in public (EIP). Throughout this process, Gladman has raised a series of fundamental concerns regarding the housing policies of the emerging Local Plan.</p> <p>Indeed, a number of these concerns were raised during the consultation on additional evidence prepared by Fylde Borough Council (FBC) and do not appear to have been taken into consideration through the drafting of Main Modifications. Accordingly, a number of outstanding objections remain and are still considered relevant.</p> <p>Conclusions</p> <p>Having considered the proposed main modifications prepared by the Council, Gladman is concerned about a range of matters including housing needs and housing land supply and believe additional modifications are necessary to ensure the soundness of the plan.</p> <p>I hope you have found this response to be constructive. Should you require any further information please do not hesitate to contact me.</p>

General comments not relating to a modification or policy directly

Representor	Text of Representation
66 United Utilities	<p>Thank you for your consultation seeking the views of United Utilities as part of the Development Plan process.</p> <p>United Utilities wishes to build a strong partnership with all Local Planning Authorities (LPAs) to aid sustainable development and growth within its area of operation. We aim to proactively identify future development needs and share our information. This helps:</p> <ul style="list-style-type: none"> - ensure a strong connection between development and infrastructure planning; - deliver sound planning strategies; and - inform our future infrastructure investment submissions for determination by our regulator. <p>When preparing the Development Plan and future policies, we can most appropriately manage the impact of development on our infrastructure if development is identified in locations where infrastructure is available with existing capacity. It may be necessary to co-ordinate the delivery of development with the delivery of infrastructure in some circumstances.</p> <p>United Utilities has previously submitted comments to earlier stages of consultation on the emerging Local Plan, and we now write to submit the following comments to the Council for consideration as part of the current ‘Local Plan: Main Modifications’ consultation, which runs until 5pm on Thursday 22nd March 2018.</p> <p>GENERAL COMMENTS</p> <p>We wish to highlight that United Utilities will seek to work closely with the Council during the Local Plan process to develop a coordinated approach for delivering sustainable growth in sustainable locations. New development should be focused in sustainable locations which are accessible to local services and infrastructure. United Utilities will continue to work with the Council to identify any infrastructure issues and appropriate resolutions throughout the development of the Local Plan.</p> <p>SPECIFIC COMMENTS</p> <p>Planning Policies</p> <p>In respect of other Planning Policies, United Utilities would like to highlight that the previous representations made to the Local Plan process remain valid.</p> <p>Site Allocations</p> <p>A large proportion of the allocated sites have been subject to planning applications, as identified by the inclusion of the additional sites which have been subject to planning applications during the Local Plan preparation. As such, United Utilities are aware of these sites and have no further comment to contribute.</p>

General comments not relating to a modification or policy directly	
Representor	Text of Representation
	<p>Summary</p> <p>We trust the above comments will be afforded due consideration in the preparation of the emerging Local Plan. If you have any queries or would like to discuss this representation, please do not hesitate to contact me.</p>
36 Metacre Ltd - De Pol Associates	<p>Further to previous representations on behalf of Metacre Ltd below are comments relating to the proposed Main Modifications to the Local Plan. These comments have been restricted to the modifications proposed and do not seek to reiterate previous representations to the plan, which remain applicable.</p>
22 Hollins Strategic Land	<p>1 Introduction</p> <p>1.1 This Response Statement (RS) relates to the Schedule of Proposed Main Modifications for Consultation (MM). It supplements previous HSL representations and focuses on MM1, MM6, MM13, MM40, MM41, MM42 and MM67. It is demonstrated that:</p> <ul style="list-style-type: none"> • the emerging Local Plan (eLP) must take full account of the Wyre unmet housing need to comply with the Duty to Cooperate (DtC); • additional sites must be allocated that can contribute to the 5-year supply and overall developable supply to provide a sufficient degree of flexibility; • the Council must acknowledge that site HSS12 is not deliverable at the present time and that its developability is uncertain; • the Sedgefield approach to calculating housing land supply (HLS) should be adopted and the Council does not have a deliverable five-year HLS; • eLP policy H2 must be fully justified and would have a significant impact on the viability of allocated land; • valued landscapes should not be allocated in a SPD and a DPD must be produced. <p>1.2 As with previous HSL Representations on the eLP, this RS demonstrates that the Council must undertake significant additional work in order to produce a sound LP for adoption.</p> <p>3 Conclusions</p> <p>3.1 HSL considers that the Council must undertake significant additional work to provide a sound LP for adoption, including the allocation of additional sites which are capable of contributing towards the 5-year supply, flexibility across the plan period and the Wyre unmet need.</p>

General comments not relating to a modification or policy directly

Representor	Text of Representation
	<p>Furthermore, eLP policy H2 would have a significant impact on the viability of allocated land, impacting upon deliverability and developability across the plan period.</p> <p>3.2 It is concluded that the Main Modifications do not result in a sound Local Plan.</p>
<p>59 Strategic Land Group - Turley</p>	<p>1. Introduction</p> <p>1.1 These representations have been prepared on behalf of Strategic Land Group (hereafter referred to as “SLG” or “our client”) which has land interests in respect of land at Peel Hill Farm, Whitehills (“The Site”). It provides representations to Fylde Borough Council (FBC) in respect of the Main Modifications which have been prepared to support the Fylde Local Plan (FLP) which is currently the subject of examination.</p> <p>1.2 This representation should be read in conjunction with the previous representations (appended) made by Turley on behalf of SLG.</p>
<p>142 Department for Education (Late response)</p>	<p>Re: Fylde Local Main Modifications for Consultation</p> <p>Consultation under Regulation 19 of Town and Country Planning (Local Planning) (England) Regulations 2012</p> <p>Submission of the Education and Skills Funding Agency</p> <p>1. The Education and Skills Funding Agency (ESFA) welcomes the opportunity to contribute to the development of planning policy at the local level.</p> <p>2. The ESFA launched on 1st April 2017, brings together the existing responsibilities of the Education Funding Agency (EFA) and the Skills Funding Agency (SFA), to create a single funding agency accountable for funding education and training for children, young people and adults. The ESFA are accountable for £61 billion of funding a year for the education and training sector, including support for all state-provided education for 8 million children aged 3 to 16, and 1.6 million young people aged 16 to 19.</p> <p>3. Under the provisions of the Education Act 2011 and the Academies Act 2010, all new state schools are now academies/free schools and the ESFA is the delivery body for many of these, rather than local education authorities. As such, we aim to work closely with local authority education departments and planning authorities to meet the need and demand for new school places and new schools. In this capacity, we would like to offer the following comments in response to the proposals outlined in the above consultation document.</p> <p>Conclusion</p> <p>8. Finally, I hope the above comments are helpful in finalising Fylde borough’s Local Plan, with specific regard to the provision of land for new schools.</p>

General comments not relating to a modification or policy directly	
Representor	Text of Representation
	<p>9. Please notify the ESFA when the Local Plan is submitted for examination, the Inspector's report is published and the Local Plan is adopted.</p> <p>10. Please do not hesitate to contact me if you have any queries regarding this response. The ESFA looks forward to continuing to work with Fylde Borough Council to develop a sound Local Plan which will aid in the delivery of new schools.</p>

Main Modification MM1 Paragraph 1.24 to 1.28	
Representor	Text of Representation
71 Wyre Council	<p>With reference to the above, please find attached Wyre's proposed amendments to the Proposed Main Modifications. The Council is of the opinion that the text in para's 1.24 and 1.26 that describe the position of Wyre with regard to the Objectively Assessed Housing Need contains factual errors and would benefit from additional clarity to better describe the current position of the Wyre Local Plan in relation to this matter.</p> <p>Fylde Local Plan Proposed Main Modifications for Consultation January 2018</p> <p>Wyre Council Representation Regarding Modification MM1 – 9 March 2018</p> <p>Wyre council proposed amendments:</p> <p>Struck through text = delete Underlined text = additional text</p> <p>All Wyre suggested amendments are highlighted in yellow.</p> <p>1. Amendments to para. 1.24: 1.24 Wyre Council wrote to Fylde Council in May 2016, under the Duty Cooperate, to request that Fylde Council assist Wyre Council in meeting its objectively assessed housing need. The Objectively Assessed Need (OAN) figures for the three Fylde Coast Authorities originate from the ranges set out in the original SHMA 2014 and its updates which considered revised population and household formation data. For</p>

Main Modification MM1	
Paragraph 1.24 to 1.28	
Representor	Text of Representation
	<p>Wyre Council this gave an objectively assessed need OAN of between 400 457 and 479 dwellings per annum from 2011 to 2031. Wyre Council considers 479 dwellings per annum to be an appropriate housing requirement figure which ties in with the economic evidence and this figure was accepted by Wyre Council on 14th April 2016. The figure is supported by the latest evidence OAN Update prepared for the Wyre Local Plan in September 2017 as an appropriate and justified figure.</p> <p>2. Amendments to para. 1.26:</p> <p>Delete para. 1.26:</p> <p>1.26 The Wyre Council's evidence base in relation to these issues is remains incomplete and the exact extent of the their unmet need is unknown as the precise numbers of homes that will need to be delivered outside Wyre Council's administrative area has not yet been assessed. It is also unclear what provision, if any, other neighbouring authorities will be able to make. The difficulty has arisen because of timing: the production of plans has not been aligned.</p> <p>New para. 1.26 proposed as follows:</p> <p>1.26 Wyre Council has submitted the Wyre Local Plan for examination showing that the identified objectively assessed housing need cannot be met in full. At the Duty to Cooperate meeting on 14 November 2018 it was agreed that both the identified OAHN figure and the evidence justification for there being unmet need should be confirmed through the examination process before adjoining local authorities respond to the request for assistance.</p>
51 Oyston Estates - Cassidy & Ashton	The recognition that there is a need for an early review of the Local Plan to consider the extent to which the needs of Wyre can be met is welcomed. However, in line with the principles of sustainable development, there should be a recognition that this will extend to the ent8ire Borough, in line with the Settlement Hierarchy.
67 Wainhomes - Emery Planning	<p>2. MM1 – Paragraphs 1.24 to 1.28</p> <p>2.1 The proposed change seeks to update the position with regard to Wyre Borough. The change states that the <i>“issue remains incomplete and the exact extent of their unmet need is unknown as the precise numbers of homes that will need to be delivered outside Wyre Council's</i></p>

Main Modification MM1 Paragraph 1.24 to 1.28	
Representor	Text of Representation
	<p><i>administrative area has not yet been assessed”.</i></p> <p>2.2 However Wyre has now submitted its plan for Examination and its plan states: <i>“It is the only strategy possible within the constraints and results in a shortfall in meeting the OAHN; the Local Plan can deliver 8,225 dwellings or annually 411 dwellings within the local plan period 2011- 2031. The Local plan therefore delivers within the Local Plan period, nearly 86% of the OAN requirement”</i></p> <p>2.3 Therefore the precise figure is known which equates to 1,339 dwellings.</p> <p>2.4 Whilst we accept the commitment to an early review we consider that whilst the Fylde Plan is still at Examination then the opportunity arises for both plans to now be aligned and for the unmet needs to then await a local plan review would not be appropriate.</p>
16 Gladman Developments	<p>As previously submitted, the updated evidence identifies an increase to the housing requirement from 370 dpa to 415 dpa. Whilst the increase to the housing requirement is supported, it is still the case that the SHMA Addendum 3 identifies an OAN range of 410-430 dpa and concludes that the housing target should be more closely aligned with the upper end of this OAN range.</p> <p>Through its main modifications, the Council has still yet to justify its approach in selecting a mid-point figure of 415 dpa that will not meet their full OAN, and is therefore unsound. Gladman submit that the Council should be seeking to meet the 430dpa figure to meet its housing needs in full.</p> <p>Gladman also question proposed MM1 which introduces changes to the supporting text and states at paragraph 1.26: <i>“Wyre Council’s evidence base in relation to these issues remains incomplete and the exact extent of their unmet need is unknown as the precise numbers of homes that will need to be delivered outside Wyre Council’s administrative area has not yet been assessed. It is also unclear what provision, if any, other neighbouring authorities will be able to make. The difficulty has arisen because of timing: the production of plans has not been aligned.”</i></p> <p>The Wyre Local Plan (WLP) was submitted to the Secretary of State on 23rd January 2018 following consultation on the publication version of the Plan over the period 22nd September – 3rd November 2017. Whilst it is accepted that examination proceedings have yet to take place, the WLP identifies a housing target of 8224 dwellings over the period 2011 – 2031, equating to an annual requirement of 411 dpa. Despite this, the SHMA Addendum 3 identifies a need of 457dpa to address demographic, market signals and economic evidence, and that a figure of 513dpa would be required to support future jobs growth. It is noted that MM1 suggests that FBC will undertake an early review of the FLP to ensure that any unmet need is met within the HMA, but does not detail how this will occur. Given that the evidence supporting the WLP is now at an advance stage and suggests a potential unmet housing need in the region of 920 – 2040 dwellings over the plan period, Gladman believe that provision should be made in the FLP now to assist Wyre in meeting their full OAN, as opposed to delaying this decision to a</p>

Main Modification MM1 Paragraph 1.24 to 1.28	
Representor	Text of Representation
	review of the Local Plan which may not occur in a timely fashion.
36 Metacre Ltd - De Pol Associates	<p>MM1 – para 1.26</p> <p>The proposed change states that Wyre Council’s evidence base remains incomplete and that the exact extent of their unmet need is unknown. Wyre have now submitted their Local Plan to the SoS which does identify their unmet need. Simply referring to the undertaking of an early review, with no indication of when this will occur or what other actions may be taken in the meantime to ensure that the objectively assessed need for the Fylde Coast housing market area is delivered, conflicts with NPPF 47 bullet point 1.</p>
22 Hollins Strategic Land	<p>2 Main Modifications</p> <p>Main Modification 1</p> <p>2.1 MM1 includes the following modification in reference to the unmet need in Wyre Council (WC):</p> <p><i>Fylde Council are aware of this important issue, however at this stage the precise numbers of homes that will need to be delivered outside Wyre Council’s administrative area has not been assessed. Fylde Council recognises that Wyre Council have identified difficulties in planning to meet its objectively-assessed need for housing. Any need that remains unmet following the adoption of Wyre’s Local Plan will need to be addressed. Fylde Council will undertake an early review of the Fylde Local Plan (whether full or partial) to examine this issue, working with other authorities adjoining Wyre under the Duty to Co- Operate. The objective of this process would be to ensure that any unmet need is met within the Housing Market Area and/or in other appropriate locations, where consistent with the achievement of sustainable development</i></p> <p>2.2 The Inspector informed participants at the Stage 3 Hearings that the DtC would be revisited in light of the submission of the Wyre emerging Local Plan (WeLP) to the SoS. The WeLP confirms that it can only accommodate 86% of its objectively assessed housing need (OAHN). Wyre is in the same housing market area as Fylde and Blackpool, but Blackpool has no additional capacity (Fylde is having to provide employment land for Blackpool). WC will therefore require assistance from Fylde to provide the remaining 14%, which equates to at least 1,356 dwellings. HSL understands that the WeLP Examination Hearings will commence in May/June 2018.</p> <p>2.3 It is considered that the eLP must take account of the WC unmet need prior to adoption and that failure to do this would not comply with the DtC.</p>

Main Modification MM1 **Paragraph 1.24 to 1.28**

Representor	Text of Representation
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59 Strategic Land Group - Turley

2. Housing Needs from Wyre

2.1 The Council will be aware that SLG made strong representations to the FLP and its examination in respect of the Duty to Co-operate; a statutory test which SLG considered FBC to have failed owing to its unwillingness to positively engage with Wyre Council and seek to accommodate objectively assessed needs which cannot be accommodated in Wyre.

2.2 Chapter 3 of our previous representations (see Appendix 1 of this document), submitted to the examination in September 2017, set out our Client’s position in respect of meeting housing need from Wyre. It is SLG’s view that this unmet need can and should be met in Fylde and can be achieved sustainably without conflicting with the spatial strategy or other policies in the Framework. Indeed, the Council’s own evidence base (including the SHLAA) indicates that Fylde has suitable and available developments to absorb some, if not all, of Wyre’s unmet need.

2.3 As such, the FLP should identify additional housing allocations to ensure they make a significant contribution towards meeting Wyre’s unmet housing need. In the absence of such provision, the FLP remains ineffective and unsound.

Early Review

2.4 The main modification document proposes to alter Paragraph 1.27 of the Local Plan and state the following:

“Fylde Council recognises that Wyre Council have identified difficulties in planning to meet its objectively-assessed need for housing. Any need that remains unmet following the adoption of Wyre’s Local Plan will need to be addressed. Fylde Council will undertake an early review of the Fylde Local Plan (whether full or partial) to examine this issue, working with other authorities adjoining Wyre under the Duty to Co-Operate. The objective of this process would be to ensure that any unmet need is met within the Housing Market Area and/or in other appropriate locations, where consistent with the achievement of sustainable development.”

2.5 Revised Paragraph 1.27 should be amended to state:

Fylde Council recognises that Wyre Council have identified difficulties in planning to meet its objectively-assessed need for housing. Any need that remains unmet following the adoption of Wyre’s Local Plan will need to be addressed. Fylde Council will undertake an early review of the Fylde Local Plan (whether full or partial) to examine this issue, working with other authorities within the same Housing Market Area under the Duty to Co-Operate. The objective of this process would be to ensure that any unmet need is met within the Housing Market Area, providing doing so is consistent with policies in the Framework.

2.6 The existing evidence indicates that the unmet housing need from Wyre should be met in full within Fylde for the reasons set out within Section 3 of Appendix 1.

2.7 SLG recognises the addition of an early review mechanism for the FLP. However, we reiterate that the absence of any immediate policy

Main Modification MM1 Paragraph 1.24 to 1.28	
Representor	Text of Representation
	<p>mechanism and/or additional allocations through this FLP will undoubtedly mean that there is a risk that the new housing required to rectify unmet need from Wyre will be, at best, significantly delayed and may remain unmet.</p> <p>2.8 SLG notes the conclusions made on this matter by the Planning Inspector after the Stage 1 examination, since then there has been material progress with the Wyre Local Plan. If the Inspector ultimately concludes that the Duty to Cooperate has been met, it is our suggestion that any review should be immediate to minimise any delay in the delivery of the identified housing need in the HMA. In order to provide certainty, this should include a timetable for that review.</p> <p>2.9 To achieve that, the following wording should be added at the end of Paragraph 1.27:</p> <p style="padding-left: 40px;"><i>Fylde Council will commence that review no later than the date 12 months after the adoption of the Wyre Local Plan, with the aim of concluding the review within 24 months.</i></p> <p>2.10 A rapid review is, in our opinion, achievable and would provide a higher degree of certainty for both the market and the community. During the examination process it will become apparent quickly if Fylde will be required to deliver Wyre's unmet housing and Fylde could therefore commence their review alongside the examination of the Wyre Local Plan</p>

Main Modification MM2 Paragraph 1.53	
Representor	Text of Representation
65 Treales Roseacre & Wharles Parish Council	<p>3. Main Modification Ref : MM2</p> <p>– Assessment & Actioning of Impacts from UK Government Shale Gas Policy</p> <p>– para 1.53 – page 6</p> <p>The Proposed Main Modifications for Consultation document presents the following :</p> <p style="padding-left: 40px;">Paragraph 1.53 (Page 6)</p> <p style="padding-left: 40px;"><i>Lancashire County Council continue to work on a Minerals and Waste Local Plan for Lancashire which will include Onshore Oil and Gas Exploration, Production and Distribution. The industry is still in the exploration phase. If a shale gas production industry is developed in Fylde, the Council acknowledges it will need to consider the scale and rate of shale gas development and review any cumulative</i></p>

Main Modification MM2	
Paragraph 1.53	
Representor	Text of Representation
	<p><i>impacts.</i></p> <p>This is not considered to be a sound approach to enable early enough action to address opportunities and equally the risks affecting the economy and housing need. The Fylde is central to the UK government’s declared policy to promote the development of shale gas. For the Local Plan to be sound, the impacts of the implementation of this policy need to be incorporated within the Emerging Local Plan.</p> <p>There may be employment opportunities that will need to be attracted and also we have shown that in a medium scenario the housing need may be reduced by over 10,000 dwellings over the plan period, plus an associated potential loss of jobs in residential, leisure and agri-food sector supply chains. These either have to be mitigated, or accepted and built into the Plan.</p> <p>In terms of the currently proposed para 1.53, it is unclear what is meant by “a shale gas production industry”? The exploration phase has already involved the granting of almost 200 sites with planning permission to explore and develop hydrocarbons. Current spend by the Fylde Operator in the county is claimed to be almost £7m pa. The Operator area holds 30 year leases on the land for their intended surface works sites and their parent company has just completed a further multimillion dollar fund raising to enable the next stage of development. Fracking is programmed to recommence imminently. This follows the lifting of the moratorium on fracking in England that was prompted by this Operator unintentionally causing the only two seismic events in the Fylde ever measured. There are no controls to stop seismic events once initiated. Four wells are already authorised for fracking and the Operator has submitted plans with the regulator for continued activity for four further wells at Roseacre Wood and then further fracking sites in the area through the next decade.</p> <p>It is stated that para 1.53 is “To recognise role of monitoring”. This is considered to be insufficient to make the plan sound and does not address the representations made through the consultation and inspection process.</p> <p>The following is offered as replacement text for the revised paragraph 1.53.</p> <p><i>“The UK government has issued a policy promoting the exploration and development of shale gas. Petroleum Exploration & Development Licences have already been granted to enable this and planning permission granted for almost 200 sites from which to conduct this activity across the Fylde plain. This may offer supply chain employment opportunities that will have to be attracted to locate in the Fylde. This heavy industrial process remains controversial, with a steady documented trend of increasing objection by members of the public. Government commissioned surveys show that twice as many people object to it as support it, due to the perceived adverse environmental and economic impacts. The process has potential cumulative impacts on local job growth and loss, and reduction in housing need over the plan period. This may be particularly the case for a proportion of discretionary residents of the Fylde over the plan period. For example: as retired residents who die are not replaced; and commuters who may otherwise have chosen to reside in the Borough, choose to live elsewhere. There are then further potential adverse employment economy impacts on the Borough’s significant residential, leisure and agri-food supply chains, none of which are enhanced by the proximity of controversial, toxic, heavy industrial processes. These impacts have to be realised, or mitigated or built into the Local Plan to be</i></p>

Main Modification MM2	
Paragraph 1.53	
Representor	Text of Representation
	<p><i>sound“</i></p> <p><i>“An assessment shall be conducted with immediate effect to quantify the economic benefits and impacts arising from this activity in a range of scenarios, so as determine the interventions and their timing required to exploit opportunities and mitigate threats. The profile and scale of employment and housing need will then be revised within this plan, in accord with the assessed impact of the proposed interventions.”</i></p> <p>The reason for this is for the plan to be sound.</p> <p>By way of background :</p> <p>If the Borough Council assesses that there is a potential shale gas supply chain to be attracted to the area as a result of the implementation of UK government policy, then actions to enable that will need to be implemented at the earliest opportunity. If the Borough Council assesses that proportions of discretionary residents (e.g. retirees and commuters) may choose not to include Fylde Borough in their list of possible places to reside due to the perceived adverse risks on health and amenity, then the overall housing need and its profile will be required to be revised until and unless there is evidence that the shale gas fracking process becomes an attractive feature for people to choose to live with.</p> <p>Direct employment opportunities may occur in plant & equipment design & manufacture, haulage services, site equipment and operations services, accommodation providers. In addition, there may be indirect employment in the supply chain supporting these services and induced jobs from these activities. These could be incentivised to locate in Fylde Borough or may otherwise be attracted away to locate: in adjacent districts; or elsewhere nationally, or internationally. By way of example, the Operator closed their Fylde office and consolidated it with an office suite for their HQ activities, located in South Ribble, some 20 miles away.</p> <p>On each occasion when a well is drilled and fracked a permanent waste repository of now radioactive fracking flowback fluid is created. At any time, fracking fluid may leach through the faulted geology, or from the well itself prospectively contaminating ground water. There is no monitoring of the integrity of the repository. Airborne fugitive and combustion emissions from wells will give rise to health and climate change risks. There are also contamination risks by leakage of toxic fluids (flowback fluid, acids, and lubricants) into surface water due to discharges from surface works sites or accidents involving shale gas supply chain vehicles.</p> <p>At any time seismic events may occur, and the advice from the British Geological Survey that once an event has been stimulated that it cannot be stopped.</p> <p>You will have seen in your visits around the Borough that this heavy industrial process has been permitted to be introduced into the countryside at the Preston New Road site. This has resulted in the constriction of a key 50mph primary route to be reduced to a 20mph permitting HGVs to turn right to and from the surface works across the carriageway. Surface works could be located on employment areas already provisioned by the district councils to support such activities. Instead surface works are proposed to be located on green field,</p>

Main Modification MM2 Paragraph 1.53	
Representor	Text of Representation
	<p>designated countryside sites. These will cause further safety, health & amenity issues arising from the introduction of the largest articulated HGVs of the shale gas supply chain into already inadequate rural road networks.</p> <p>Failure to consider the implementation of government policy is unsound. It will result in the loss of job opportunities in an area that will already be subject to reduced employment from major corporations who would otherwise bring national pay levels to the local economy, notably in aerospace and financial services sectors. Failure to consider the adverse impacts on housing need due to the risk of reduced attractiveness of fracking to a proportion of discretionary residents is similarly unsound. These discretionary residents form almost half of the housing need in the district.</p> <p>There are then further potential adverse employment economy impacts on the Borough's significant residential, leisure and agri-food supply chains, none of which are enhanced by the proximity of controversial, toxic heavy industrial processes. In summary, our previous submissions showed that over the plan period, there are reasonable medium case scenario alternatives that could yield a loss in demand of housing of 10,700 dwellings and over 900 direct jobs lost in the Visitor Economy alone as a result of the implementation of the Government Policy on Shale Gas. National Government Policy requires that this is taken into account. This should then flow to a reduction in the Overall Assessed Housing Need and provision of appropriate employment land & resources to mitigate some effects.</p>

Main Modification MM3 Strategic Objective 3	
Representor	Text of Representation
	No comments received

Main Modification MM4 Chapter 5 (Policy NP1 and paragraphs 5.1 – 5.5)	
Representor	Text of Representation
	No comments received

Main Modification MM5 Policy S1	
Representor	Text of Representation
	No comments received

Policy S1 /paragraphs 6.6 to 6.12	
Representor	Text of Representation
7 CAPOW	<p>Prior comments not adequately dealt with/responded to previously</p> <p>Settlement Hierarchy</p> <p>There is a need for a far more complete, competent and more flexible/graduated “subject compatible” scoring system.</p> <p>Summary of Issues with Responses to the Evidence Consultation</p> <p>October 2017</p> <p>With specific reference to Wrea Green –</p> <p>In response to the Village School being at capacity for at least 5 years so should not appear in the points count for Wrea Green, FBC replied “The methodology does not assess the capacity of facilities such as schools, it scores their existence.”</p> <p>Bearing in mind the premise of the Hierarchy of Settlements is to identify where facilities and infrastructure are available to support development, the methodology used here is non-sensical. If a shop was shut for 5+ years and could not be used, on the same basis it should still be scored because of its very existence!</p> <p>A Library scores 2 if it is a full-time library, open for say 20 hours a week, but 1 if it is a mobile library provided just for 2 hours a fortnight, as in Wrea Green. This is not comparable scoring for this facility.</p> <p>Additionally, other matters raised were not explained. This was regarding the number of shops in a rural settlement (all scored as one shop however many there may be), or why a growing population not adequately supported by Infrastructure or Facilities should have a points score based purely on that population.</p> <p>Overall this places Wrea Green (score 21) in a VERY anomalous position compared with other settlements, including Warton (score 18) as a Service Centre, with FAR more facilities, similarly with other settlement comparisons such as Staining (score 15), again with far more facilities.</p>

Policy S1 /paragraphs 6.6 to 6.12	
Representor	Text of Representation
	<p>There is no explanation as to how the comparative scorings were arrived at, across topics. It ALMOST appears that this was done to achieve a certain pre-set result.</p> <p>For example, more than one designated open space scores 5, one scores 3 and none score nil. The difference between one open space and more than one (2 points) is the equivalent to having two general practitioners in the settlement. The difference between no designated open space and more than one (5 points) is the equivalent points to a Supermarket (3 points) and two Doctors (2 points) in the location. Whilst it is said that the scoring comes from the revoked RSS, the RSS is also discredited and dated. At least a decade old and it is clear that insufficient attention was paid to the comparable scorings initially. It is clear that there is HEAVY weighting for a Primary School (full or not) and designated open spaces, even in rural settlements. The two together (10) score the same as a Supermarket (3) and full time library (2) and Doctors Surgery (1), a secondary school (3) and an in-door leisure facility (1). This is NOT a suitable comparison, although that can also depend on the residents' ages in a settlement. It would appear that there has been no local consultation on what is important to each community nor consideration as to what makes it an overall sustainable settlement.</p> <p>Whilst we were not aware of the Elswick Appeal Inspector's comments at the time, we understand that he was also dissatisfied with the Hierarchy of Settlements scoring system. We raised this matter at Stage 3 of the Local Plan Hearing.</p> <p>The Scoring used in the Local Plan is understood to be over 5 years old and the principles on which it is based are well over a decade old, so not only does the scoring system require review, but the content is now out of date.</p>

Main Modification MM6 Policy DLF1	
Representor	Text of Representation
60 Taylor Wimpey - Lichfields	<p>MM6 proposes to amend the identified housing requirement in Policy DLF1 to 8,715 new homes.</p> <p>As set out in the response to MM40, the identified housing requirement is considered to be unsound and the Borough's housing requirement should be a minimum of 430dpa. For the same reasons as our response to MM40, Policy DLF1 is also considered to be unsound and should therefore be amended accordingly to reflect the minimum requirement for 9,030 new homes over the plan period.</p> <p>Taylor Wimpey wishes to reiterate its concerns that the Council is relying on extant planning permissions when identifying its housing sites, rather than steering development to sustainable locations within the Strategic Locations for Development. Such an approach lacks strategic vision and is reactive, not proactive.</p>

Main Modification MM6 Policy DLF1	
Representor	Text of Representation
	<p><i>Suggested Change</i></p> <p>It is considered that the following changes are required to make Policy DLF1 sound:</p> <p>1 Policy DLF1 should be amended to reflect the minimum requirement for 9,030 new homes over the plan period.</p>
23 Home Builders Federation	Modification MM6 is an improvement and sees the housing requirement increased to 8,715. However, the housing requirement remains below level recommended by HBF. The policy wording would still benefit from clarity in relation to whether this is a net or gross housing figure, with the HBF recommending that it should be a net figure.
51 Oyston Estates - Cassidy & Ashton	Modification MM6 and MM40 are an improvement on the initial figure set out in the local plan and sees the housing requirement increased to 8,715. However, this figure still falls below the housing requirement recommended by the majority of representatives to the local plan and those who appeared at the various hearing sessions. Although it is considered the figure should be higher, there should at least be clarification that this is a net, not a gross figure.
67 Wainhomes - Emery Planning	<p>3. MM6 – Policy DLF1</p> <p>3.1 MM6 seeks to alter the housing requirement from 7,768 dwellings to 8,715 dwellings. This increase is based on the housing requirement of 415 dwellings as set out in MM40 for Policy H1. Therefore our position on MM40 applies equally to MM6 and we do not repeat the points here.</p> <p>3.2 MM6 also proposed additional text to set out the broad distribution of development for the Borough with 7,845 homes (90%) being located in the four Strategic Locations and 870 homes (10%) located at the Non-Strategic Locations.</p> <p>3.3 This addition is not justified as it reflects the allocations in the plan rather than an evidential based decision on the distribution of development. For example we demonstrated and evidenced that Wrea Green was not designated appropriately in the settlement hierarchy. Settlements such as Wrea Green can accommodate greater levels of development than the plan sets out. This applies equally to other settlements such as Elswick and Clifton which have had a number of applications and appeals approved for greater levels of housing than the plan envisaged. The 90% figure is also higher than the 83.6% in Table 2 of the Submission Plan which is now proposed for deletion.</p> <p>3.4 Therefore we object to the percentages applied due to the lack of robust evidence and the inconsistent application of the evidence that</p>

Main Modification MM6 Policy DLF1	
Representor	Text of Representation
	does exist as we have set out in detail in our representations on the settlement hierarchy and Wrea Green.
52 Persimmon Homes	Persimmon Homes are keen to see the housing delivery targets being increased throughout your borough and the wider Lancashire region. Persimmon Homes therefore supports the housing requirement which has been increased to 8,715 units over the plan period.
16 Gladman Developments	It is noted that the Council seeks to remove reference to the fact that development is considered acceptable if it is adjacent to existing settlements. Whilst this reference is made in the context of tier 1 and tier 2 settlements, Gladman consider that reference to development that is well related to existing settlements should be retained and be applied across all settlement tiers. This will enable the ability of sustainable growth opportunities to come forward over the course of the plan period and provides a flexible and effective response should circumstances change should the Council be unable to demonstrate a five-year housing land supply. It is noted that this would be permitted in accordance with the Council's second monitoring indicator (see MM73).
36 Metacre Ltd - De Pol Associates	<p>MM6 – policy DLF1</p> <p>The modifications propose to change the text relating to Windfall development and it now focusses on small housing development comprising less than 9 homes. Whilst the amended text refers to larger windfall sites it includes the word “some”. Windfall development is already necessary to meet the ‘minimum’ housing requirement over the plan period and it will be even more important in delivering the necessary housing should any of the allocated sites fail to come forward or the strategic sites such as Queensway fail to deliver the optimistic annual delivery rates over the entire plan period. There is no basis to suggest that windfall sites should be restricted to below 10 dwellings and to do so could result in exacerbating the under deliver of housing which has affected Fylde for the last decade. The appellant is concerned that as worded the modified policy could be interpreted as suggesting that only a limited number of larger windfall sites will be acceptable. It is requested that the last sentence to the windfall section of the policy be changed to “<i>Windfall development is not restricted to small housing sites and larger windfall sites may also contribute to this figure</i>”.</p>
22 Hollins Strategic Land	<p>Main Modifications 6, 40, 41</p> <p>2.4 MM6, 40 and 41 propose to modify the minimum number of homes that the eLP will provide sites for. MM41 states the following:</p>

Main Modification MM6 Policy DLF1	
Representor	Text of Representation
	<p><i>A calculation of 370-415 net dwellings per annum for 21 complete calendar years from 1 April 2011 to 31 March 2032 produces an overall net housing requirement figure of a minimum of 7,768 8,715 for the Plan period. The Council has identified sufficient sites, including an allowance for small sites and windfalls, to provide a supply figure of 7,891 8,819 homes over the Plan period.</i></p> <p>2.5 In previous Representations, HSL has stated that the oversupply of only 104 homes does not provide sufficient flexibility through the plan period and that additional sites must be allocated so that the Council can ensure that it meets its minimum housing requirement and provides a sound plan.</p> <p>2.6 At present, if only one of the larger strategic sites, such as HSS12 (see below), were not to come forward for housing during the plan period, the eLP would not meet its minimum housing requirement.</p>
59 Strategic Land Group - Turley	<p>Revised Housing Target</p> <p>3.5 SLG note that the Modifications propose an increase in the Housing Target outlined within Policy DLF1, to recognise that the housing target within the submission version of the Local Plan did not reflect housing need.</p> <p>3.6 Turley Economics completed a report entitled ‘Fylde Addendum 3: Analysis of the OAN in light of the 2014-based SNPP and SNHP’ on behalf of FBC in May 2013. Paragraph 6.37 of this report identifies an updated OAN range of 410 and 430 dwellings per annum and states within paragraph 5.5.3 that the full need for housing will be more closely aligned with the upper end of the identified OAN range. The increased housing figure identifies an annual Housing Target of 415 dwellings per annum across the plan period, which is at the lower end of the range. It is not, therefore, based on the council’s evidence base.</p> <p>3.7 In order for the FLP to be sound, and to reflect the national policy requirement to significantly boost the supply of housing, the housing target should be increased to 430 dwellings per annum. This would equate to a housing target across the plan period of 9,030 dwellings.</p> <p>3.8 SLG’s concerns regarding the treatment of economic growth in Fylde have also not been addressed.</p> <p>3.9 There are particular concerns over the nonsensical treatment of the two Enterprise Zones (EZs) in this regard.</p> <p>3.10 The Council have adopted an illogical approach toward job creation in respect of the two EZs. We accept there is a degree of uncertainty in terms of timing, scale and the degree to which job creation at the EZs may be offset by potential job losses, but the Council’s position that there will be zero job growth from the EZs over the Plan period is, bluntly, absurd.</p> <p>3.11 To claim that they will add no jobs is clearly an unrealistic and overly conservative projection. Certainly, it is contrary to the requirement in the Framework that Local Plans are positively prepared; an requirement reinforced in the amended draft Framework (which is currently</p>

Main Modification MM6 Policy DLF1

Representor	Text of Representation
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	<p>the subject of consultation) which states that Plans should be “aspirational but deliverable.” SLG would anticipate a significant net gain in jobs from the EZs which will have an impact on housing need. This re-enforces SLGs view that it is appropriate to adopt a housing requirement at the upper end of the OAN range, if not beyond.</p> <p>3.12 For example, Blackpool Airport Enterprise Zone (Site ES5) is allocated in Policy EC1 to provide 14.5 ha of additional land for employment use. It was considered at length in our previous submissions. Since then, further progress has been towards the delivery of the site, providing increased confidence that the EZ will create jobs. For example, two companies¹ are already targeting the Blackpool Airport Enterprise Zone as the location to expand their business and are currently increasing their staff accordingly. This demonstrates the will of businesses to grow within the Local Authority area</p> <p>3.13 Identifying too low a housing target within Fylde will result in constraining economic growth and having a detrimental impact on the regeneration objectives for the whole Fylde coast. This is even more pertinent considering the surrounding Local Authorities are constrained and already cannot meet their own housing needs.</p> <p>Meeting Requirement with Supply</p> <p>3.14 The council has continued to commit itself to a development strategy which seeks to identify housing allocations for the whole plan period (with allowances for small sites). The Council have still left little ‘wriggle room’ to allow for flexibility and to positively respond to the failure of allocated sites to deliver, either at the assumed rate, or at all.</p> <p>3.15 The council has only identified sufficient land to ‘just about’ meet the proposed minimum housing requirement. The FLP identifies a housing supply² of 8,819 dwellings across the plan period compared with a housing requirement of 8,715 dwellings amounting to an ‘over-provision’ of 104 dwellings. No substantial additional housing sites have been identified through the Modifications.</p> <p>3.16 The Council has attempted to justify this approach by claiming it provides more certainty for delivery across the FLP period. SLG continues to disagree with this assertion. Regardless of allocations or indeed a receipt of planning permission (as in the case of the vast majority of FLP allocations), doesn’t automatically result in housing delivery being more certain. As explained in our previous matter statements, recent DHCLG analysis has indicated that 10-20% of planning permissions are not implemented, whilst a further 15-20% are subject to revised planning applications, delaying delivery.</p> <p>3.17 It is simply unrealistic therefore to assume that the identified supply is ‘guaranteed’ and will be delivered in full and on time.. While the Main Modifications have now introduced trigger mechanisms (see below) to review the FLP housing allocations, the FLP still does not account for any degree of slippage or any positive allowance for a “Plan B” should housing delivery start to falter on any of the identified sites.</p> <p>3.18 It is SLG’s view that the Council has not identified sufficient housing land to provide a contingency and subsequently there isn’t sufficient flexibility to ensure that a significant boost in housing is actually delivered. In not identifying a contingency the Council’s supply is not</p>
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Main Modification MM6		Policy DLF1	
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Representor	Text of Representation
	<p>responsive to rapid change, as required by the Framework, and runs the risk of returning to a situation of “planning by appeal” that it has experienced for the last six years. Furthermore, SLG have also explained how the assumptions made on the identified sites are not achievable and subsequently do not accord with the requirements outlined within Page 45 of the Draft PPG.</p> <p>3.19 Numerous Local Plans have acknowledged that not all sites are delivered within the timescales expected. This has been an issue in many authorities in recent years. The Local Plans Expert Group (LPEG) identified this as a particular problem in maintaining a supply of homes which are required to meet needs:</p> <p><i>“...because Plans tend only to allocate the minimum amount of land they consider necessary, once adopted, there is little that Local Plans can do to address any shortages that appear in the five year supply...”</i> (paragraph 11.2)</p> <p>3.20 The LPEG report therefore set out a clear recommendation that Local Plans should make provision for, and provide a mechanism for the release of, developable ‘reserve sites’ equivalent to 20% of their housing requirement. Chapter 2 of the Representation (see Appendix 1 of this document), submitted to the examination in September 2017 identifies several Local Authorities which have added additional allocations/reserve sites and/or added flexibility to the plans.</p> <p>3.21 In conclusion, SLG considers that the FLP should recognise that between 15-20% of the total anticipated housing supply may not come forward within the plan period and it is essential that additional provision is identified. Identification of additional sites would provide flexibility and responsiveness to rapid change in addition to any proposed monitoring mechanism or housing delivery test. In its current form, the FLP is not consistent with national policy, will not be effective, and is therefore unsound.</p> <p>¹ See : https://www.blackpoolgazette.co.uk/news/business/talks-start-on-blackpool-enterprise-zone-sports-fields-1-9071757</p> <p>² See para 10.6 of FLP Main Modifications</p>

Paragraph 6.19	
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Representor	Text of Representation
2 BAE Systems – Cass	In relation to previous representations made at the Publication Version stage and at the relevant Examination Hearings our clients are disappointed to note that no change is proposed to paragraph 6.19 ... We wish to reaffirm to the Inspector our previous representations and

Paragraph 6.19	
Representor	Text of Representation
Associates	remarks at the Hearings on these matters.

Main Modification MM7 Paragraph 6.21 to 6.22 and Table 2 page 41-42	
Representor	Text of Representation
	No comments received

Main Modification MM8 Policy M1	
Representor	Text of Representation
	No comments received

Main Modification MM9 Paragraph 7.6	
Representor	Text of Representation
	No comments received

Main Modification MM10		Each Policy SL1 – SL5	Each Policy SL1-SL4
Representor	Text of Representation		
	No comments received		

Main Modification MM11		Policy SL1
Representor	Text of Representation	
136 Ministry of Defence	<p>Policy SL1- Lytham St Annes HS58, HS59, HS60, HS61, HS62, HS67, HS68 ... all fall within the aerodrome height and birdstrike safeguarding consultation zones surrounding Warton Aerodrome and the birdstrike safeguarding consultation zone surrounding RAF Woodvale. Therefore we would need to be consulted on any development exceeding 91.4m AGL and review applications for developments which may have the potential to attract large flocking bird species hazardous to aviation (SUDS etc.)</p> <p>... Policy SL1-HS70 ... (all) fall within the aerodrome height and birdstrike safeguarding consultation zones surrounding Warton Aerodrome and the birdstrike safeguarding consultation zone surrounding RAF Woodvale. Therefore we would need to be consulted on any development exceeding 15.2m AGL and review applications for developments which may have the potential to attract large flocking bird species hazardous to aviation (SUDS etc.)</p> <p>... Policy SL1- HS69 ... all fall within the aerodrome height, birdstrike and technical safeguarding consultation zones surrounding Warton Aerodrome and the birdstrike safeguarding consultation zone surrounding RAF Woodvale. Therefore we would need to be consulted on any development exceeding 15.2m AGL and review applications for developments which may have the potential to attract large flocking bird species hazardous to aviation (SUDS etc.) and applications for overhead powerlines, and developments with large spans of reflective materials.</p>	

Main Modification MM12		Policy SL2
Representor	Text of Representation	
136 Ministry of	Policy SL2, MUS1 (all) fall within the aerodrome height and birdstrike safeguarding consultation zones surrounding Warton Aerodrome and the birdstrike safeguarding consultation zone surrounding RAF Woodvale. Therefore we would need to be consulted on any development	

Main Modification MM12 Policy SL2	
Representor	Text of Representation
Defence	exceeding 91.4m AGL and review applications for developments which may have the potential to attract large flocking bird species hazardous to aviation (SUDS etc.)

Policy SL2	
Representor	Text of Representation
134 Mr Chabba	<p>Dear madam</p> <p>I received your email what is the point if you can't take the fact in to consideration you allowed constriction all around my site, to my site still it is a country side dose not make any sense this is pure discrimination and waste of public time asking for consolation while ignoring the fact, that you don't want to devolve this site. this is not a fair at the part of core planing, not fair practice, very small site surrounded by mix construction in your book a country side for the last twenty year, I have been denied and the others has been entertained .</p> <p>Thanks for email</p>

Main Modification MM13 Policy SL3	
Representor	Text of Representation
136 Ministry of Defence	<p>Policy SL3- HSS12 ... (all) fall within the aerodrome height and birdstrike safeguarding consultation zones surrounding Warton Aerodrome and the birdstrike safeguarding consultation zone surrounding RAF Woodvale. Therefore we would need to be consulted on any development exceeding 15.2m AGL and review applications for developments which may have the potential to attract large flocking bird species hazardous to aviation (SUDS etc.)</p> <p>Policy SL3- HSS13 ... (all) fall within the aerodrome height, birdstrike and technical safeguarding consultation zones surrounding Warton Aerodrome and the birdstrike safeguarding consultation zone surrounding RAF Woodvale. Therefore we would need to be consulted on any</p>

Main Modification MM13 Policy SL3	
Representor	Text of Representation
	development exceeding 15.2m AGL and review applications for developments which may have the potential to attract large flocking bird species hazardous to aviation (SUDS etc.) and applications for overhead powerlines, and developments with large spans of reflective materials.
13 Environment Agency	<p>We have reviewed information available and we have no concerns with the main modifications proposed, insofar as it relates to our remit, but we have the following comments to make for the purposes of clarity:</p> <p>The additional allocation 'Land north of Freckleton Bypass' (HSS12) is partially in Flood Zone 2 (medium probability of flooding) and Flood Zone 3 (high probability of flooding), however we are aware that planning application 14/0410 has been granted permission at Appeal (Ref: APP/M2325/W/15/3004502) on 13 February 2017. We were formally consulted on the application in 2014 and as we found the Flood Risk Assessment to be satisfactory, we had no objection to the development.</p>
22 Hollins Strategic Land	<p>Main Modification 13</p> <p>2.7 This relates to additional sites and states that site HSS12 (Land north of Freckleton Bypass) will provide 350 homes and will commence in 2020-21.</p> <p>2.8 HSL has repeatedly stated that this site is not deliverable and currently has an application (no. 17/0851) pending for the variation of condition 7 to the outline permission. HSL has informed the LPA that this application must be approved in order for the site to be deliverable.</p> <p>2.9 A decision was not made by the target date of 28/02/18. Lancashire County Council (LCC) Highways would not formalise its consultation response until it had submitted evidence for conjoined appeals relating to four sites in Wrea Green. The evidence has now been submitted, along with a Statement of Common Ground (signed 20/03/18) relating to the Lytham Road/Church Road junction in Warton. This has resulted in the requirement for further discussions with LCC to establish whether they consider the application proposals to be acceptable.</p> <p>2.10 The uncertainty surrounding the deliverability of site HSS12 must also reduce the weight afforded to it in the eLP in terms of housing delivery. This again shows that the eLP must be modified further so that additional housing sites are allocated to provide flexibility and greater certainty that the minimum housing requirement can be met.</p>

Main Modification MM14 Policy SL4	
Representor	Text of Representation
60 Taylor Wimpey - Lichfields	<p>Main Modification MM14</p> <p>Policy SL4: Kirkham and Wesham Strategic Locations for Development</p> <p>MM14 allocates additional sites in Kirkham and Wesham for residential development at Brook Farm, Dowbridge and Campbells Caravans. The stated reason for the Main Modification is to allocate sites which have been brought forward since publication and which can contribute to the delivery of the plan.</p> <p>From the evidence provided on behalf of Taylor Wimpey to the Local Plan examination, it is clear that there is a compelling need to deliver additional development in the Borough and Taylor Wimpey considers that its land at Weeton Road, Wesham is a suitable, sustainable and deliverable option to assist it meeting these requirements. The site is a sustainable location for development, is deliverable (exemplified by Taylor Wimpey's recent planning application for housing at the site, ref: 17/0568) and has no technical or environmental constraints that would prevent its coming forward. It should therefore be included as an allocation under Policy SL4 of the Local Plan.</p> <p><i>Failing the Tests of Soundness</i></p> <p>It is considered that MM14 fails to meet all of the tests of soundness in accordance with the Framework [§182] for the following reasons:</p> <p>1 Positively Prepared – Insufficient land has been allocated to ensure that the Council's requirement for new homes over the Plan period will be met.</p> <p>2 Effective – Unless additional land is allocated for residential development there is no guarantee that the Plan will be deliverable over its period. A shortfall in delivery would result in a failure of the Council to meet its housing requirements and would compromise the Council's ability to achieve the Strategic Objectives identified in the Local Plan.</p> <p>3 Consistent with National Policy – In the absence of sufficient land allocations the delivery of sustainable development cannot be guaranteed.</p> <p><i>Suggested Change</i></p> <p>It is considered that the following changes are required to make Policy SL4 sound:</p> <p>1 Land at Weeton Rad, Wesham should be included as an allocation under Policy SL4 of the Local Plan and the Proposals Map should be amended accordingly.</p>
136 Ministry of	... Policy SL4- HS57 ... all fall within the aerodrome height and birdstrike safeguarding consultation zones surrounding Warton Aerodrome and

Main Modification MM14 Policy SL4	
Representor	Text of Representation
Defence	<p>the birdstrike safeguarding consultation zone surrounding RAF Woodvale. Therefore we would need to be consulted on any development exceeding 15.2m AGL and review applications for developments which may have the potential to attract large flocking bird species hazardous to aviation (SUDS etc.)</p> <p>Policy SL4- HS63 ... all fall within the aerodrome height and birdstrike safeguarding consultation zones surrounding Warton Aerodrome and the birdstrike safeguarding consultation zone surrounding RAF Woodvale. Therefore we would need to be consulted on any development exceeding 45.7m AGL and review applications for developments which may have the potential to attract large flocking bird species hazardous to aviation (SUDS etc.)</p>

Main Modification MM15 Policy SL5	
Representor	Text of Representation
136 Ministry of Defence	<p>Policy SL5- HS64, HS71, HS72, HS73 ... all fall within the aerodrome height and birdstrike safeguarding consultation zones surrounding Warton Aerodrome. Therefore we would need to be consulted on any development exceeding 91.4m AGL and review applications for developments which may have the potential to attract large flocking bird species hazardous to aviation (SUDS etc.)</p>
26 John Coxon - Smith & Love	<p>LAND AT BEECH ROAD, ELSWICK – MAIN MODIFICATION REFERENCE MM15</p> <p>I write on behalf of our client, Mr J Coxon, in response to the Council’s recent publication of proposed main modifications for the emerging Fylde Local Plan.</p> <p>It is noted that following recent housing appeal decisions within Elswick, (particularly Fylde application ref – 16/0645; Planning Inspectorate ref – APP/M2325/3172438), the Council proposes modifications to its policies and designation maps to reflect the change in circumstances.</p> <p>Policy SL5 – ‘Development sites outside of strategic locations for development’ has been revised to include sites which have been brought forward since publication and can contribute to the delivery of housing during the plan period. Of interest to our client is site reference HS73: Land North of Beech Road, Elswick (MM15), which is now formally allocated as a housing commitment for up to 50 dwellings.</p> <p>The proposed allocation comprises an area of open land measuring circa 2.6 hectares and follows existing field boundaries. I wish to highlight</p>

Main Modification MM15 Policy SL5	
Representor	Text of Representation
	<p>the presence of my client’s land (see attachments 1 & 2), a broadly rectangular plot measuring 0.3 hectares in area which is located immediately adjacent to the committed site.</p> <p>Accounting for its position and relationship to HS73, we consider that it represents a suitable inclusion to the allocation and would be seen as a logical extension, rounding off the commitment along Beech Road. Subject to design and layout, the site could accommodate up to 9 dwellings and would help to support proportionate growth within Elswick.</p> <p>The recent appeal decision confirms that this is a suitable location for new housing development, is sustainable, would not erode landscape character and would not result in the unacceptable loss of open countryside.</p> <p>Further to this, sensitive and logical allocations such as this can help to significantly boost the supply of housing in Flyde, with a realistic prospect of delivery during the plan period, in accordance with paragraph 47 of the National Planning Policy Framework.</p> <p>It is therefore considered that our clients land (as defined by the red edge shown in attachment 1) should be incorporated in to the commitment at Beech Road (allocation HS73) and is not overlooked as part of the strategic plan preparation process.</p>

Representor

Text of Representation

Beech Road, Elswick



Scale: 1:2500, paper size: A4

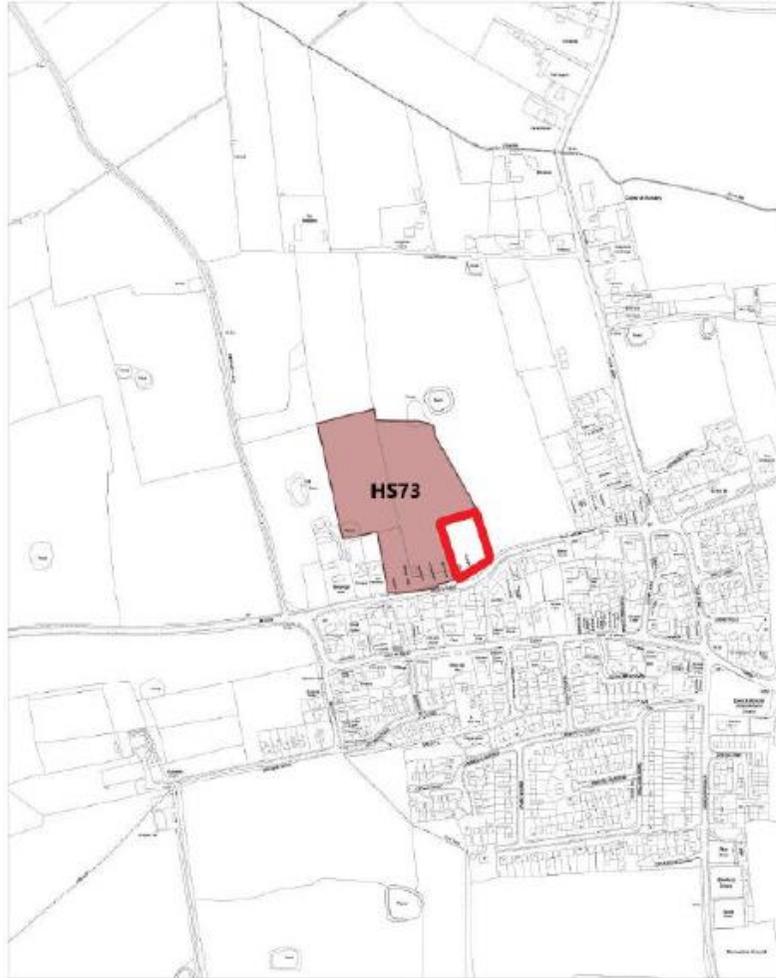
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Prepared by: Deborah Smith, 04-08-2015

Representor

Text of Representation



PROPOSED MODIFICATIONS TO THE POLICIES MAP
Policy SL5 - Additional site - Land North of Beech Road, Elswick (H573)

Policy SL5	
Representor	Text of Representation
7 CAPOW	<p>The Strategic Environmental Assessment and Sustainability Appraisal for Wrea Green, produced by ARCADIS and which now forms part of the Local Plan Re-Consultation documents and was produced in February 2018, contains table 1.7 in Appendix B.</p> <p>The Summary/Commentary for the 5 approved (HS43 Land on the former Wareings Site, HS44 Land Adjacent to Richmond Avenue, HS45 Land rear of 54 Bryning Avenue, HS46 Land at North View Farm and HS47 further land at North View Farm) and for the sites listed states “The sites generally perform well against the SA objectives with the majority conforming to the criteria, especially the more environmentally/ecologically focused objectives whereas they slightly fall down on the accessibility of services/infrastructure objectives. Education/lifelong learning and provision is centred on a sole primary school (Ribby with Wrea Endowed Church of England Primary School) which is within a sustainable distance for all five sites by walking or public transport. The nearest Secondary School would be in the town of Kirkham approximately 2.5 miles away. Healthcare provision is not as accessible in Wrea Green, as the nearest GP surgery is Kirkham Health Centre approximately 1.5 miles from the sites HS48, HS47 and HS46. Sites HS44 and HS45 are further away but still within 30 minutes by public transport. There is, however, a dental practice in Wrea Green located in between/within relative proximity 3 of the sites (HS48, HS46 and HS47). With regards to sustainable access to services, three perform well (HS48, HS46 and HS47) due to their proximity to Ribby Road which provides several bus stops and serves as a main highway in and out of Wrea Green. HS45 and HS44 are more remote and do not score well due to distance to the nearest public transport link. Apart from HS44, the sites are within accessible range of cultural and recreational facilities. Provision of local business and employment is slightly conflicting with the criteria as the sites are proposed for residential therefore employment will not be provided as part of the developments. Across the sites there are very few environmental or ecological issues. Due to the greenfield nature of two of the sites (HS44 and HS45) the townscape and landscape will be affected as well as traffic pollution, use of natural resources, waste and disruption of the soil quality.”</p> <p>This document contains a number of errors/omissions which are material to sustainability.</p> <p>These are –</p> <p>The Village School is FULL and can take no more children for AT LEAST 5 years.</p> <p>The Dentist is an expensive PRIVATE dentist, although mention is made adjacent to NHS services in the commentary. Hence the use of this dentist is outside the financial reach of many residents. Do the Consultants not recognise that this is a PRIVATE dentist?</p> <p>Sufficient care has not been made to assess the accessibility to cultural and recreational facilities. HS45 (54 Bryning Lane) is at least as far away as HS44 (Land off Richmond Avenue) but that is not, apparently, worthy of comment!</p> <p>There is no mention of where employment can be sought, sustainably.</p>

Policy SL5	
Representor	Text of Representation
	<p>It is most unclear whether “within 30 minutes by public transport” includes the time taken to access the nearest bus stop. It would appear not, so the commentary is misleading.</p> <p>It is hard to understand why the sites perform acceptably environmentally, since the absence of bus services near to HS44 and HS45 plus the omitted site at Willow Drive, renders the use of buses unlikely. Additionally, there is mention that two sites were greenfield, whereas four sites were actually greenfield and formed land used for farming until developed. It follows, therefore, that the adverse ecological matters mentioned apply to four sites not just two. This DOUBLES the concern! Hence four of the sites are on greenfield land as is that for Willows Edge and the smaller site behind 91 Ribby Road. The latter two sites are omitted from the appraisal.</p> <p>The site at Willows Edge, which is the largest by far, has not been evaluated in this table, although development is well ahead of that at HS45 (54 Bryning Lane).</p>

Main Modification MM16 Justification to Policy SL5	
Representor	Text of Representation
	No comments received

Main Modification MM17 Policy GD1	
Representor	Text of Representation
Taylor Wimpey – Lichfields	<p>MM17 proposes additional wording for Policy GD1 to clarify how development proposals within and outside of settlement boundaries will be assessed and cross refers to the Policies Map which shows the settlement boundaries.</p> <p>Taylor Wimpey objects to MM17 as the settlement boundaries around Kirkham and Wesham have not been adjusted to include land at Weeton Road, Wesham within the settlement boundary. From the evidence provided on behalf of Taylor Wimpey to the Local Plan examination, it is clear that there is a compelling need to deliver additional development in the Borough and Taylor Wimpey considers that its land at Weeton Road, Wesham is a suitable, sustainable and deliverable option to assist it meeting these requirements.</p>

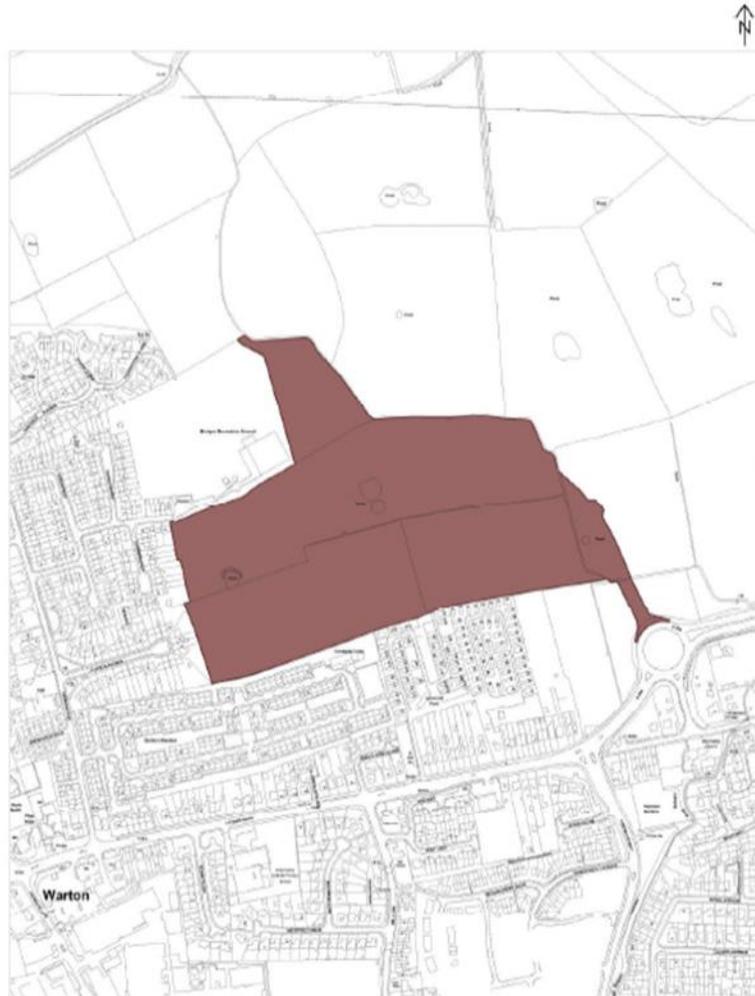
Main Modification MM17 Policy GD1	
Representor	Text of Representation
	<p><i>Failing the Tests of Soundness</i></p> <p>It is considered that MM17 fails to meet all of the tests of soundness in accordance with the Framework [§182] for the following reasons:</p> <p>1 Positively Prepared – Insufficient land has been allocated to ensure that the Council’s requirement for new homes over the Plan period will be met. The allocation of the Weeton Road site and its identification within the settlement boundary of Kirkham and Wesham is essential to provide sufficient land to meet the housing needs of the Borough.</p> <p>2 Effective – Unless additional land is allocated for residential development there is no guarantee that the Plan will be deliverable over its period. A shortfall in delivery would result in a failure of the Council to meet its housing requirements and would compromise the Council’s ability to achieve the Strategic Objectives identified in the Local Plan.</p> <p>3 Consistent with National Policy – In the absence of sufficient land allocations the delivery of sustainable development cannot be guaranteed.</p> <p><i>Suggested Change</i></p> <p>It is considered that the following changes are required to make Policy GD1 sound:</p> <p>1 The settlement boundary for Kirkham and Wesham on the Proposals Map should be adjusted to include the land at Weeton Road.</p>
136 Ministry of Defence	<p>... Policy GD1 Alteration to Newton settlement Boundary (all) fall within the aerodrome height and birdstrike safeguarding consultation zones surrounding Warton Aerodrome and the birdstrike safeguarding consultation zone surrounding RAF Woodvale. Therefore we would need to be consulted on any development exceeding 15.2m AGL and review applications for developments which may have the potential to attract large flocking bird species hazardous to aviation (SUDS etc.)</p> <p>... Policy GD1 Alteration to Warton Settlement Boundary (all) fall within the aerodrome height, birdstrike and technical safeguarding consultation zones surrounding Warton Aerodrome and the birdstrike safeguarding consultation zone surrounding RAF Woodvale. Therefore we would need to be consulted on any development exceeding 15.2m AGL and review applications for developments which may have the potential to attract large flocking bird species hazardous to aviation (SUDS etc.) and applications for overhead powerlines, and developments with large spans of reflective materials.</p> <p>... Policy GD1 Alteration to Kirkham and Wesham Settlement Boundary (all) fall within the aerodrome height and birdstrike safeguarding consultation zones surrounding Warton Aerodrome and the birdstrike safeguarding consultation zone surrounding RAF Woodvale. Therefore we would need to be consulted on any development exceeding 45.7m AGL and review applications for developments which may have the</p>

Main Modification MM17 Policy GD1	
Representor	Text of Representation
	<p>potential to attract large flocking bird species hazardous to aviation (SUDS etc.)</p> <p>... Policy GD1 Addition of Settlement Boundary around Whyndyke and Alteration to Weeton Settlement Boundary all fall within the aerodrome height and birdstrike safeguarding consultation zones surrounding Warton Aerodrome. Therefore we would need to be consulted on any development exceeding 91.4m AGL and review applications for developments which may have the potential to attract large flocking bird species hazardous to aviation (SUDS etc.)</p> <p>Please note the above comments are purely related to the DIO Statutory Safeguarding interests. I trust this adequately explains our position on this matter.</p>
2 BAE Systems – Cass Associates	<p>In relation to previous representations made at the Publication Version stage and at the relevant Examination Hearings our clients are disappointed to note that no change is proposed to ... the settlement boundary of Warton. We wish to reaffirm to the Inspector our previous representations and remarks at the Hearings on these matters.</p>

Representor

Text of Representation

10 Chris Hill - De Pol Associates



PROPOSED MODIFICATIONS TO THE POLICIES MAP
 Policy SL3 - Additional Allocation - Land north of Freckleton Bypass, Warton (HSS12)

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I refer to the above and respond on behalf of my client Mr Chris Hill (representor 010), in the context of previous representations submitted and attendance and contribution to the Local Plan Hearing Sessions.

In response to the proposed Main Modifications representations are made in respect of the proposed alteration to the settlement boundary of Warton specifically in relation to MM13 and MM17.

The modifications propose the allocation of land North of Freckleton Bypass, Warton through Policy SL3 as site HSS12 (MM13). This allocation includes land which already benefits from planning permission and incorporates the access road from the Warton/Freckleton roundabout to the south-east of the proposed allocation. A copy of this plan is enclosed for ease of reference.

In tandem with this proposed allocation it is proposed that the settlement boundary of Warton is amended through Policy GD1 (MM17) to respond to the proposed allocation of site HSS12 (Map 32). A copy of this plan is enclosed, again for ease of reference. It is important that the approved access is included as this is the only means of accessing this site for development approved.

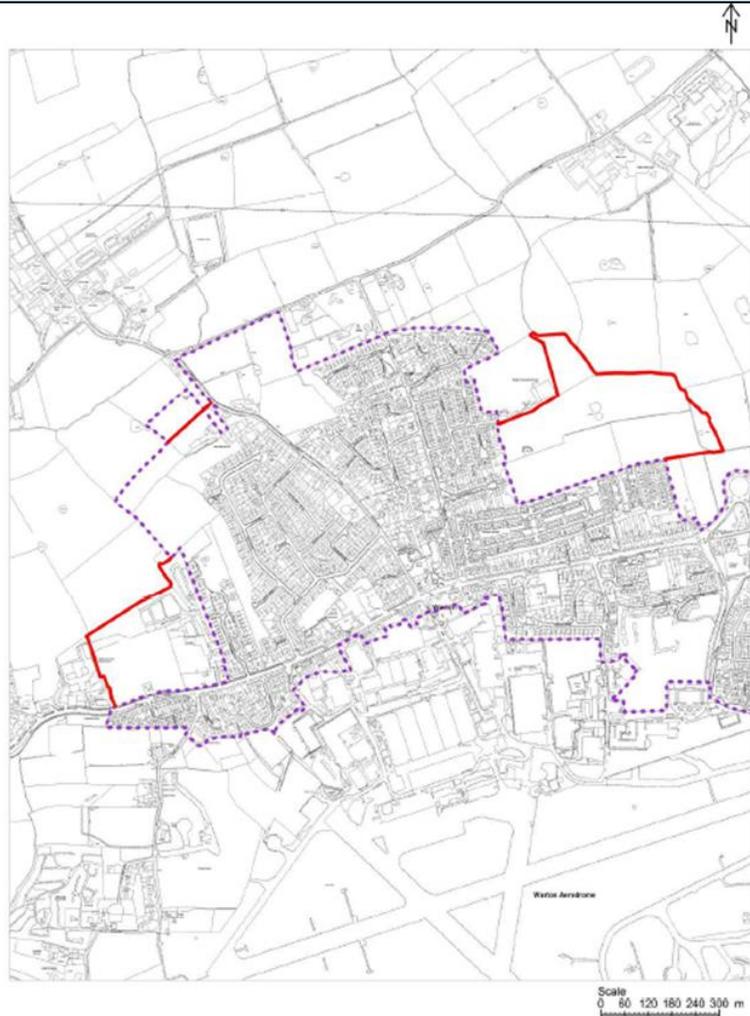
It is noted that the proposed modification to the settlement boundary in Map 32 fails to reflect the proposed allocation at site HSS12. Proposed Policy DLF1 identifies four strategic Locations for development and reference is made to "Development of the Strategic Sites **at these locations** is key to ensuring the development strategy is achieved". Part of proposed Strategic Site HSS12, as proposed by the modifications is not within the Strategic Location of Warton. It would appear to be nonsense to

Main Modification MM17

Policy GD1

Representor

Text of Representation



PROPOSED MODIFICATIONS TO THE POLICIES MAP
 Policy GD1 - Alteration to Warton Settlement Boundary (Amended boundary shown red)
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propose a settlement boundary for a Strategic Location which did not include all of the land necessary to meet the objectives of the plan and facilitate the development of the proposed allocations within that location.

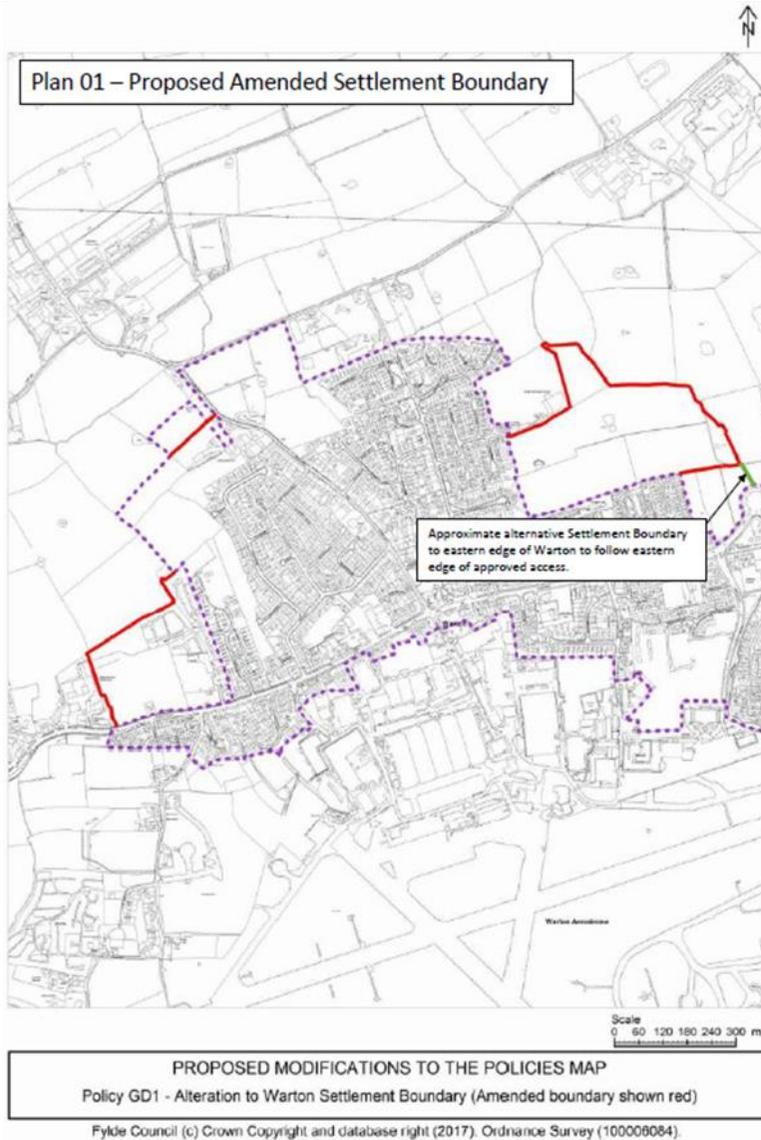
Further to this the proposed main modification to policy GD1 (MM17), identifies that “Development proposals outside settlement boundaries will be in accordance with Policies GD2, GD3, GD4 and/or GD5 as applicable”. Additional modification through MM18 identifies that all land outside of the Settlements is either designated as Green Belt, Area of Separation or Countryside. On this basis it is unclear what the proposed allocation HSS12, which falls outside of the Settlement boundary actually is. The allocation of land outside of the settlement would result in a conflict with other proposed modifications and requirements to comply with other proposed Plan Policies. If the whole allocation was included within the Settlement there would be no conflict.

In response to this consultation process it is considered that the settlement boundary as proposed on Map 32 is amended to incorporate the whole of the allocation and not part of it. It is considered that a more appropriate settlement boundary would follow the eastern edge of the proposed allocation incorporating the whole of the allocation and rounding off the settlement of Warton at its eastern end. Enclosed Plan01 identifies an alternative approximate location for the settlement boundary identified in green which would incorporate the whole allocation in the settlement of Warton.

I trust this response will be given full consideration as part of this consultation process.

Representor

Text of Representation



If you require any further information please do not hesitate to contact me.

Main Modification MM18 Green Belt introductory text	
Representor	Text of Representation
	No comments received

Main Modification MM19 Policy GD2	
Representor	Text of Representation
	No comments received

Main Modification MM20 Justification to Policy GD2	
Representor	Text of Representation
	No comments received

Main Modification MM21 Policy GD3	
Representor	Text of Representation
36 Metacre Ltd - De Pol Associates	<p>The Council have inserted a new section in the policy stating that development will be limited to a range of identified types of development. Our client is concerned that this is a closed list and that it also specifically restricts infill development to “minor” infill. Providing examples of what may be considered acceptable is helpful for both applicants and decision makers, but it should not be a closed list as there could be occasions where development outside the identified circumstances would not harm the objectives of the policy. Similarly, there may be non-minor infill development which does not undermine the effectiveness of the gap between the settlements etc.</p> <p>Furthermore, we fail to see why infill development should be required to not have a material impact on the rural character of the area. The policy is seeking to retain an effective gap between settlements to ensure they retain their own identity and distinctiveness rather than</p>

Main Modification MM21 Policy GD3	
Representor	Text of Representation
	<p>merging into a single settlement. Development proposals should be considered in this context, not whether it affects some perception of the rural character of an area. There are other policies in the plan which require development to reflect the general character of the locality.</p> <p>To be sound, it is considered that criterion f) should be amended to remove the word 'minor' and remove the reference to not affecting the rural character of the area. The policy should also be amended to clarify that the identified examples are not a closed list and that development proposals will be considered on their merits against the objective of the policy to not harm the effectiveness of the gap between settlements.</p>

Main Modification MM22 Justification to Policy GD3	
Representor	Text of Representation
	No comments received

Main Modification MM23 Policy GD4	
Representor	Text of Representation
36 Metacre Ltd - De Pol Associates	<p>(Note: the representor provided a heading that relates the text below to MM21 and to MM23; however, it principally relates to MM21.)</p> <p>The Council have inserted a new section in the policy stating that development will be limited to a range of identified types of development. Our client is concerned that this is a closed list and that it also specifically restricts infill development to "minor" infill. Providing examples of what may be considered acceptable is helpful for both applicants and decision makers, but it should not be a closed list as there could be occasions where development outside the identified circumstances would not harm the objectives of the policy. Similarly, there may be non-minor infill development which does not undermine the effectiveness of the gap between the settlements etc.</p> <p>Furthermore, we fail to see why infill development should be required to not have a material impact on the rural character of the area. The policy is seeking to retain an effective gap between settlements to ensure they retain their own identity and distinctiveness rather than merging into a single settlement. Development proposals should be considered in this context, not whether it affects some perception of the</p>

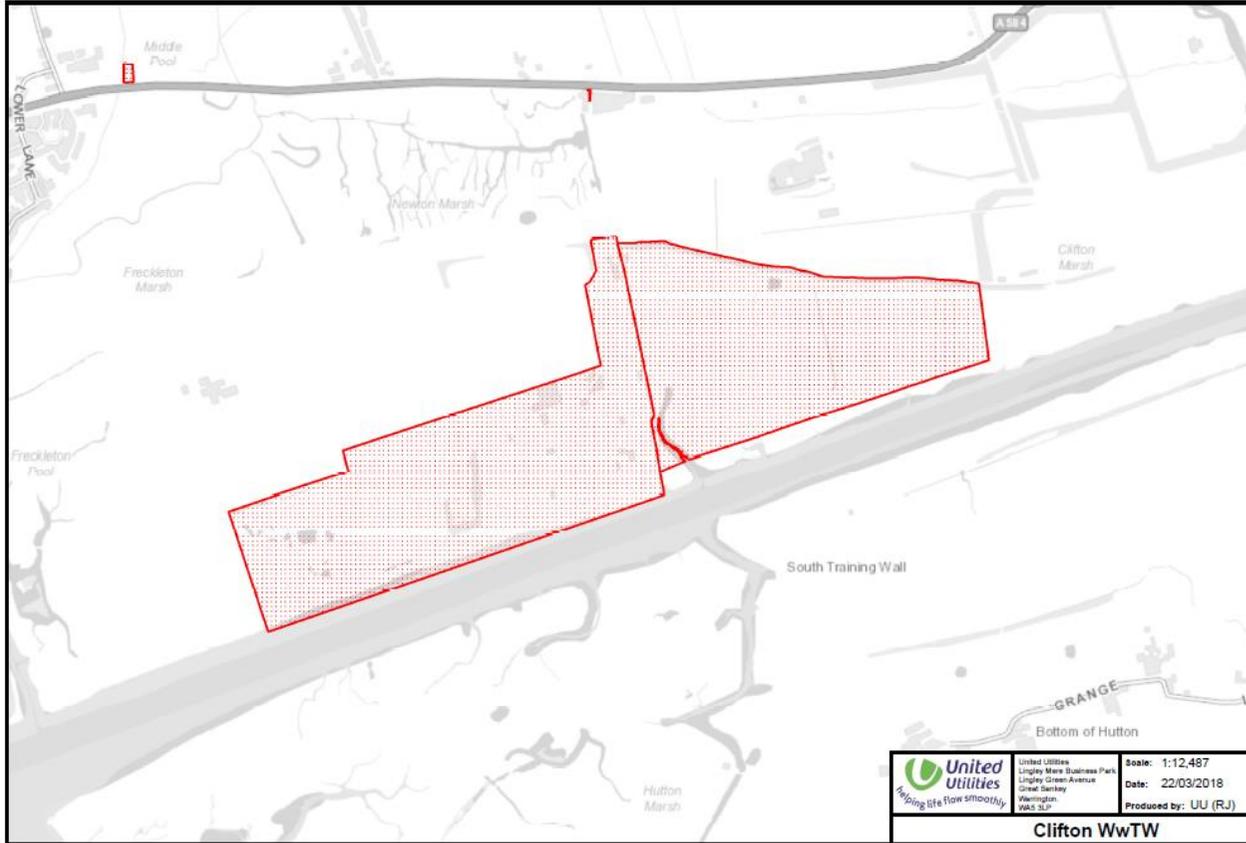
Main Modification MM23 Policy GD4	
Representor	Text of Representation
	<p>rural character of an area. There are other policies in the plan which require development to reflect the general character of the locality.</p> <p>To be sound, it is considered that criterion f) should be amended to remove the word 'minor' and remove the reference to not affecting the rural character of the area. The policy should also be amended to clarify that the identified examples are not a closed list and that development proposals will be considered on their merits against the objective of the policy to not harm the effectiveness of the gap between settlements.</p>

Main Modification MM24 Justification to Policy GD4	
Representor	Text of Representation
	No comments received

Main Modification MM25 Policy GD5	
Representor	Text of Representation
66 United Utilities	<p>Policy GD5 (Large Developed Sites in the Countryside and Green Belt)</p> <p>United Utilities would like to highlight that it owns Clifton Wastewater Treatment Works which is currently located within the Countryside on the proposals map. Upgrades to this asset may be required in the near future, and it is important to ensure that any required upgrades and expansions to this site can be made in order for us to meet the infrastructure requirements of proposed future development in the borough.</p> <p>On this basis, United Utilities' preference would be that Clifton Wastewater Treatment Works be included as part of the list of Large Development Sites included within Policy GD5. This would enable us to ensure that we can continue to meet the growth and development aspiration of the Borough as well as respond to environmental agendas in accordance with our obligations.</p> <p>Any change would require an amendment to your proposals map and we have included an OS Location plan of this site for this purpose.</p>

Representor

Text of Representation



The position of the underground apparatus shown on this plan is approximate only and is given in accordance with the best information currently available. United Utilities Water will not accept liability for any loss or damage caused by the actual position being different from those shown.
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Main Modification MM26 Paragraph 8.15	
Representor	Text of Representation
	No comments received

Main Modification MM27 Policy GD6	
Representor	Text of Representation
	No comments received

Main Modification MM28 Paragraph 8.19	
Representor	Text of Representation
	No comments received

Main Modification MM29 Policy GD7	
Representor	Text of Representation
23 Home Builders Federation	The HBF supports the deletion of reference to the National Technical Standards. However, the HBF would continue to recommend the deletion of part (r) in relation to climate change.
52 Persimmon Homes	Persimmon Homes supports the deletion of reference to the National Technical Standards. However, Persimmon homes would recommend deleting part (r) in relation to climate change.

Main Modification MM29 Policy GD7	
Representor	Text of Representation
16 Gladman Developments	Gladman still consider that the FLP lacks the necessary evidence consistent with guidance provided by the PPG to require all new homes to be designed in accordance with the optional technical standards. Gladman believe reference to the optional technical standards should be removed.
36 Metacre Ltd - De Pol Associates	The Council propose to insert a new criterion which requires new development to deliver mixed uses and strong neighbourhood centres. This is a general design policy and all development in the Borough cannot be expected to comply with this criterion.

Main Modification MM30 Justification to Policy GD7	
Representor	Text of Representation
23 Home Builders Federation	The HBF supports the deletion of reference to the National Technical Standards. However, the HBF would continue to recommend the deletion of part (r) in relation to climate change.
52 Persimmon Homes	Persimmon Homes supports the deletion of reference to the National Technical Standards. However, Persimmon homes would recommend deleting part (r) in relation to climate change.

Main Modification MM31 Policy GD8	
Representor	Text of Representation
5 Britmax	We write in relation to the above consultation on behalf of Britmax Developments Ltd with regards to land at Great Birchwood, Warton.

Main Modification MM31 Policy GD8

Representor	Text of Representation
<p>Developments - Indigo Planning</p>	<p>The site is brownfield land that was formally an RAF camp but is currently in use as a leisure facility; albeit one where facilities are being scaled back and some of the uses ceasing across the site. 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.</p> <p>We set out below representations to the Main Modifications.</p> <p><u>Policy GD8 – Demonstrating Viability</u></p> <p>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.</p> <p>However, as part of the proposed Main Modifications the criteria to be met permitting the loss of such uses has become more onerous. Previously, the policy was drafted to enable redevelopment of leisure/tourism sites either when continued use of the site for its existing use was no longer viable; or the site was no longer suitable for its existing use or through marketing it was demonstrated there is no demand for the existing use. Just one of the criterion had to be satisfied.</p> <p>The proposed Main Modifications to policy GD8 require all proposals for redevelopment of leisure / tourism sites for alternative uses to demonstrate through marketing that there is no demand for the site in its current use. This is in addition to demonstrating the continued use of the site for leisure / tourism is unviable or that the site is no longer suitable.</p> <p>A large proportion of the sites that emerging policy GD8 will apply to will be in need of redevelopment. Requiring a marketing exercise to be undertaken will delay bringing such sites back into viable active uses. This is not consistent with the National Planning Policy Framework (NPPF), and indeed the revised draft NPPF, which seeks to support economic growth and strongly encourages the redevelopment of brownfield sites.</p> <p>It should be sufficient to be able to demonstrate that a leisure/tourism use is no longer viable or the site is no longer suitable for such uses for it to be redeveloped for alternative purposes.</p> <p>The policy also requires details to be provided of the current occupation of the buildings and where this function would be relocated. However, this should not be a mandatory requirement, as not all operations/businesses will need to be relocated; some might have ceased to operate.</p> <p>As set out in previous representations towards the Local Plan Publication Version, the continuation of an existing use at a site will not always be the most suitable, appropriate or viable option. Rather than see sites and existing operations deteriorate there should be flexibility incorporated into policy that does allow the redevelopment of existing tourism/leisure uses/sites for alternative forms of development.</p> <p>We trust these representations will be taken into account as the Local Plan progresses.</p>

Main Modification MM31 Policy GD8

Representor	Text of Representation
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	If you have any queries, please do not hesitate to contact me.
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18 Greenhurst Investments - Indigo Planning	<p>Policy GD8 (MM31)</p> <p>We object to the proposed modification on the following three grounds:</p> <p>1. The proposed change intends to strengthen the approach in retaining employment sites. The amendment requires compliance with part (c) of the policy (ie marketing), in addition to either parts (a) (ie viability) or (b) (ie suitability). Previously, the policy required compliance with only one of three tests.</p> <p>In our view, the proposed modification will unnecessarily increase the burden upon applicants. If an applicant demonstrates, through evidence, that a site is no longer viable or suitable, then it is superfluous to additionally require marketing to demonstrate there is no demand. In such instances, the feedback generated by enquiries from prospective developers and/or occupiers (if indeed any are genuine) will likely reflect that the site is not viable or suitable. Therefore, it is not necessary to demonstrate compliance with all three tests.</p> <p>The increased requirement runs contrary to paragraph 22 of the NPPF, which states 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.</p> <p>The council state the change is required to “ensure effectiveness of the policy”. However, it has not been demonstrated why the change is necessary, or how it will improve the plan’s effectiveness in accordance with paragraph 182 of the NPPF. Therefore, the proposed amendment should be rejected by the Inspector.</p> <p>2. The proposed change to Policy EC1 (MM32), which if accepted by the Inspector, will impact on the wording of Policy GD8. The amendment to Policy EC1 requires applicants to demonstrate there is no reasonable prospect of a site being used for the specified purposes and cross refers to Policy GD8. It also refers to satisfying the “tests” (rather than “test”).</p> <p>This part of Policy EC1 refers to allocated sites. Site ES1, whilst allocated, comprises undeveloped land (ie it has a proposed, rather than existing employment use). However, the text within Policy GD8 does not reflect this situation. It refers only to existing uses, land and premises. Therefore, Policy GD8 should be amended to clarify the approach to retaining sites in their proposed allocated use.</p> <p>3. There is an inconsistent approach in terminology. Throughout the policy, there is reference to “the site”, “the land”, “the premises”, “the property”, “the buildings” and these terms are used interchangeably. This causes confusion in instances where the site is allocated but undeveloped (eg site ES1).</p> <p><i>Changes required to Policy GD8 (MM31)</i></p>
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Main Modification MM31 Policy GD8	
Representor	Text of Representation
	<p>Therefore, we request the following three changes are made, which are necessary to soundness of the plan:</p> <ol style="list-style-type: none"> 1. The proposed wording requiring compliance with part (c), in addition to either parts (a) or (b), should be rejected; 2. Reference should be made throughout the policy to allocated (ie proposed) sites, in addition to existing sites; 3. Consistent terminology should refer to “the site” or “the property”. <p>Without these amendments, we consider the modification is not justified, effective or consistent with national policy under paragraph 182 of the NPPF.</p> <p>Policy GD8 (AM22)</p> <p>Whilst we support the proposed deletion of duplicate text from part (b) of the policy, we note there is still reference to “or”, suggesting part (c) is not mandatory, which is the current wording suggested by the submission Local Plan. We find this suggestion in the context of MM31 to be confusing as the two modifications are contradictory.</p> <p><i>Changes required to Policy GD8 (AM22)</i></p> <p>Therefore, the proper application of Policy GD8 should be clarified and any changes to policy wording should be included within the main modifications. The modification as proposed is not effective under paragraph 182 of the NPPF.</p>
36 Metacre Ltd - De Pol Associates	<p>The deletion of the word ‘or’ after criterion b) and the insertion of the words ‘And in either case’ before criterion c), fundamentally alters the policy, making it unsound as it places far too onerous and unjustified restrictions on the reuse and redevelopment of employment land / buildings.</p> <p>There is a clear steer in the NPPF and Ministerial Statements for planning policies to promote sustainable development and not place unnecessary burdens on development, particularly when bringing vacant and underused previously developed land and buildings back into productive use. In this regard, paragraph 17 of the NPPF identifies one of the core land use principles as encouraging the effective use of previously developed land. Furthermore, whilst the NPPF seeks to build a strong competitive economy it does not support placing unnecessarily onerous restrictions on the redevelopment / reuse of employment land or buildings for alternative uses, particularly when there is a need for housing land. This is reflected by the fact that paragraph 51 of the NPPF states that local planning authorities should normally approve planning applications for changes to residential use from commercial buildings (currently in the B use classes) where there is an identified need for additional housing in that area and provided that there are not strong economic reasons why such development</p>

Main Modification MM31 Policy GD8	
Representor	Text of Representation
	<p>would be inappropriate. Paragraph 22 also states that planning policies should avoid the long term protection of sites for employment use where there is no reasonable prospect of a site being used for that purpose and that applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.</p> <p>In this context the proposed modifications to policy GD8 would stipulate that in order to be granted planning permission a proposal for the re-use or redevelopment of an existing/former employment site or building for a non-employment use, would essentially have to:</p> <ol style="list-style-type: none"> 1. Demonstrate that the continued use of the site for its existing use is no longer viable (criterion a), or that it is no longer suitable for the existing use (criterion b) and 2. Demonstrate that marketing of the land / property indicates that there is no demand (criterion c) <p>West Lancashire Local Plan 2012-2027 Publication Version</p> <p>If a site is demonstrated to be commercially unviable for continued employment use or that it is no longer suitable for such a use (i.e. criterion a) or b) are satisfied), then the requirement for the site / premises to be marketed to demonstrate a lack of demand is a futile exercise, which simply places unnecessary obstacles in the face of development. This flies in the face of the NPPF.</p> <p>Furthermore, irrespective of whether a site could in principle be suitable and viable for an employment re-use, if an adequate marketing exercise has been undertaken which shows a lack of demand or interest in the land / property then there is no justification to prevent its re-use for housing and essentially force the property / site to remain vacant. To do so would fly in the face of the NPPF. However, the amended wording to the policy no longer allows demand to be taken into account in isolation – either criterion a) or b) would still also have to be satisfied.</p> <p>The modification is therefore consider unsound and the policy should simply require one of criteria a), b) or c) to be complied with.</p>

Main Modification MM32 Policy EC1	
Representor	Text of Representation
18 Greenhurst Investments - Indigo	Policy EC1 (MM32)

Main Modification MM32 Policy EC1	
Representor	Text of Representation
Planning	<p>We object to the proposed modification as we consider the suggested text referring to proposals for alternative uses having to satisfy the requirements of other policies of the plan to be unnecessary. The default starting point in assessing applications is that they should be determined in accordance with the development plan. Such proposals will in any event be assessed against the plan as a whole and it is not necessary to reference other policies. Therefore, the proposed text should be rejected.</p> <p>We support the proposed deletion of text referring to “<i>where unacceptable harm is not caused</i>” as we consider this to be an improvement over the existing wording.</p> <p><i>Changes required to Policy EC1 (MM32)</i></p> <p>We request the sentence “<i>Proposals for alternative uses will also have to satisfy the requirements of other policies of the Plan, in particular Policy GD7</i>” be deleted from the policy as its inclusion is not necessary to soundness of the plan.</p> <p>Without this amendment, we consider the modification is not effective under paragraph 182 of the NPPF.</p>

Policy EC1	
Representor	Text of Representation
50 Nuclear Decommissioning Authority - GVA	<p>We are writing to you on behalf of the Nuclear Decommissioning Authority (NDA) to respond to the current consultation on the Schedule of Proposed Main Modifications.</p> <p>GVA has made representations on behalf of the NDA at the <i>Publication Version</i> consultation stage (dated 13th September 2016), and also at the Stage 2 Examination Hearings (Hearing Statement dated 7th June 2017). As set out in these previous representations, the NDA is the strategic authority responsible for managing the effective and efficient clean-up of the UK’s nuclear legacy. This includes the Springfields site in Fylde.</p> <p>We would like to respond to the consultation in respect of an ‘additional modification’ rather than a ‘main modification’, albeit we appreciate the consultation primarily relates to the latter, and that the additional modifications are only intended to be factual updates to supporting text. Nonetheless, it is our view that additional modification AM27 is an important change and it is supported, in part, by the NDA.</p> <p>As set out in the Hearing Statement dated 7th June 2017, prepared by GVA, it is noted that paragraph 9.17 of the Local Plan has been updated to acknowledge that the Springfields site will be subject to on-going activities associated with the processing of materials and wastes</p>

Policy EC1	
Representor	Text of Representation
	<p>from nuclear fuel fabrication and decommissioning of redundant facilities, in addition to the employment uses specified in Policy EC1. As previously set out, it is considered that these additional uses would be more appropriately included within Policy EC1 itself, rather than as supporting text at paragraph 9.17. Policy EC1 lists the uses appropriate at each allocated employment site. For Springfields, this includes uses associated with the processing of materials and wastes from nuclear fuel fabrication and decommissioning of redundant facilities. In its current, modified form, Springfields would be the only allocated existing employment site in the Local Plan that includes appropriate uses in both Policy EC1 and its supporting text. The other allocated existing employment sites would have all their appropriate uses listed in Policy EC1. This represents an inconsistent approach in our view.</p> <p>In summary, the NDA is supportive of the Local Plan acknowledging the appropriateness of uses associated with the processing of materials and wastes from nuclear fuel fabrication and decommissioning of redundant facilities at Springfields. However, it is considered that the Plan should be amended to include this provision within the text of Policy EC1, together with the designated employment uses at the site. I trust this is clear but should you require anything further then please contact me.</p>

Main Modification MM34 Paragraph 9.12 and Table 3	
Representor	Text of Representation
	No comments received

Main Modification MM35 After paragraph 9.15	
Representor	Text of Representation
	No comments received

Main Modification MM36 Policy EC2	
Representor	Text of Representation
18 Greenhurst Investments - Indigo Planning	<p>Policy EC2 (MM36)</p> <p>We object to the proposed modification as we consider the suggested text referring to land and premises being retained in employment use to be repetitious of the approach set out in Policy EC1. Again, proposals will be assessed against the plan as a whole and it is not necessary to reference other policies. Therefore, the proposed text should be rejected. However, if the modification is accepted by the Inspector, the proposed text should be reworded to clarify the approach to retaining allocated sites.</p> <p><i>Changes required to Policy EC2 (MM36)</i></p> <p>We request the proposed modification be rejected as its inclusion is not necessary to soundness of the plan and therefore the modification as proposed is not effective under paragraph 182 of the NPPF.</p>

Main Modification MM37 Policy EC4	
Representor	Text of Representation
4 Blackpool Council	<p>FYLDE LOCAL PLAN TO 2032 – SCHEDULE OF PROPOSED MAIN MODIFICATIONS FOR CONSULTATION</p> <p>1.1 Thank you for consulting Blackpool Council on the Schedule of Proposed Main Modifications. Please find our response below.</p> <p>Policy EC4 Blackpool Airport Enterprise Zone (MM37)</p> <p>1.2 We welcome and support the following amendment to Policy EC4, as set out in MM37:</p> <p><i>.....The Enterprise Zone will help improve the local economy and also increase the contribution to national growth through targeting the energy industry, advanced manufacturing and engineering, food and drink manufacture and the digital and creative sector.</i></p> <p>1.3 However, with respect to Policy EC4 we note that whilst the Additional Modification AM29 deletes the reference to ‘employment’ no modification is proposed in relation to the concerns we set out in our responses to the Publication Local Plan (22 September 2016) and to the Inspector’s Matters, Issues and Questions Stage 2 Hearing Sessions (12th June 2017), in relation to the identification of retail and leisure as potential enabling development at the Airport Enterprise Zone site. Therefore, we would like to reiterate these concerns and draw the Inspector’s attention to draft findings in the emerging Blackpool Retail, Hotel and Leisure Study.</p>

Main Modification MM37		Policy EC4
Representor	Text of Representation	
	<p>1.4 It is acknowledged that there may be a case for limited small scale retail facilities in the form of a local centre development within the Enterprise Zone towards the eastern side to support the business community at this location in accordance with the Enterprise Zone Masterplan and it is the intention to reflect this in policy in the draft Blackpool Local Plan Part 2. However, the wording proposed in Policy EC4 b. of the Fylde Local Plan provides no guidance in terms of an appropriate scale of any retail or leisure enabling development and therefore could act to encourage proposals for large scale retail and leisure development on the site, which we do not consider appropriate in the context of the strategy for retail and leisure as set out in the adopted Blackpool Local Plan Part 1 - Core Strategy.</p> <p>1.5 The Core Strategy highlights that Blackpool Town Centre is the sub-regional centre for the Fylde Coast and plays a pivotal role in driving the local economy and providing Fylde Coast residents and visitors with shopping facilities to meet a wide range of needs. However, it notes that it does not provide the quality or range of shops that is necessary to reflect its sub-regional role and that unsustainable levels of expenditure flow out to out-of-centre retail parks and other competing destinations. Therefore, to protect the vitality and viability of the town centre, Core Strategy Policy CS4 identifies Blackpool Town Centre as the focus for major new retail development and other town centre uses.</p> <p>1.6 The Council has commissioned WYG Planning to undertake a Retail, Leisure and Hotel Study for Blackpool, to update the evidence for the emerging Blackpool Local Plan Part 2. This evidence is in the process of being finalised, and the draft study finds that the market share of Blackpool Town Centre has fallen substantially since 2010, whereas the popularity of Blackpool’s main out of centre retail parks has increased. The draft study suggests that the continued growth of out-of-centre formats represents a threat to the future vitality and viability of Blackpool Town Centre and that it is important that the Council continues to control the expansion of out-of-centre development. Reference is specifically made in the emerging study to the strengthening offer at Blackpool Retail Park which is co-located with the Enterprise Zone. This emerging evidence supports the approach taken in the Core Strategy and further highlights the vulnerability of Blackpool Town Centre to out-of-centre development.</p> <p>1.7 The Core Strategy also emphasises the importance of tourism to Blackpool, which is England’s largest and most popular seaside resort. However, it sets out that whilst Blackpool remains at the heart of UK tourism and visitor economy, it has experienced a significant decline in visitor numbers from the 1980s onwards contributing to an underperforming economy and very high levels of deprivation, particularly in the inner areas of the town. Core Strategy Policy CS21 (Leisure and Business Tourism), focuses leisure tourism and investment within the Resort Core and Town Centre, where regeneration and positive change is most needed. The Council is actively pursuing new leisure development on sites such as the Leisure Quarter (Core Strategy Policy CS20) and at the Winter Gardens (Core Strategy Policy CS18). New leisure development elsewhere could undermine planned resort regeneration.</p> <p>1.8 Therefore, we would like to reiterate our concerns in relation to the positive identification of retail and leisure as enabling development in Policy EC4 b, which would compromise the adopted policy framework in the Blackpool Core Strategy and is not supported by emerging evidence in the draft Blackpool Retail, Leisure and Hotel Study. In light of the above we request that the Inspector considers a modification to</p>	

Main Modification MM37 Policy EC4	
Representor	Text of Representation
	<p>Policy EC4 that removes the specific references to retail and leisure as enabling development to address the concerns we have raised and align with our adopted retail and leisure strategy.</p> <p>1.9 As the Airport Enterprise Zone lies within both Fylde and Blackpool authorities a policy on the Airport Enterprise Zone is proposed in the emerging Blackpool Local Plan Part 2 as highlighted in the Regulation 18 Consultation document (June 2017), with an expected draft Plan scheduled for consultation in summer 2018. In line with the emerging Blackpool evidence base it is not proposed to identify retail and leisure as potential enabling development within our Enterprise Zone policy.</p> <p>1.10 In requesting the modification to the Fylde Local Plan on this issue we are seeking to ensure that both the Fylde Local Plan and the Blackpool Local Plan policy frameworks align to appropriately support the successful development of the Enterprise Zone to boost the Fylde Coast economy whilst at the same time not compromising Blackpool’s wider town centre, retail and leisure planning strategy.</p> <p>1.11 MM37 also amends the text of EC4 to state:</p> <p><i>.....Fylde Council supports the sustainable development of Blackpool Airport, including working to explore the potential to restore commercial aeronautical activity and to relocate operational buildings and facilities closer to the runway, in the areas outside the green belt, unless there are overriding operational requirements that constitute very special circumstances and which justify development in the Green Belt.</i></p> <p>1.12 We suggest that the above paragraph of Policy EC4 is amended to acknowledge that some airport related development is permissible in the Green Belt as it is permitted development in accordance with Part 8 of Schedule 2 of The Town and Country (General Permitted Development) (England) Order 2015. A suggested amended wording to provide clarity on this issue is set out below:</p> <p><i>.....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, in the first instance, in the areas outside the green belt. For development proposed in the Green Belt (which constitutes inappropriate development and which does not fall within permitted development in accordance with Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015), very special circumstances will have to exist (in accordance with the Framework) to justify the development.</i></p>

Main Modification MM38 Policy EC5	
Representor	Text of Representation
	No comments received

Main Modification MM39 Policy EC7	
Representor	Text of Representation
	No comments received

Main Modification MM40 Policy H1	
Representor	Text of Representation
60 Taylor Wimpey - Lichfields	<p>Main Modification MM40</p> <p>Policy H1: Housing Delivery and the Allocation of Housing Land</p> <p><i>Housing Requirement</i></p> <p>MM40 proposes to amend the housing requirement identified in Policy H1, Part (a) to 415 net homes per annum for the plan period 2011-2032. The stated reason for this modification is to reflect updated evidence within the Fylde Addendum 3 to the SHMA.</p> <p>The Additional Evidence Document¹ [§2.1] asserts that the Council’s paper entitled ‘<i>The Objectively Assessed Housing and Economic Development Needs and the Fylde Local Plan to 2032</i>’² published in May 2017 “provides justification for the new Housing Requirement figure of 415 dwellings per annum (dpa) over the plan period.” Taylor Wimpey disagrees with this statement.</p> <p>As set out its representations submitted in relation to the Examination in Public Stage 2 Hearings³, the paper provides no justification for the 415 dpa figure other than that it sits somewhere within the 410dpa – 430dpa range identified by Turley in its ‘<i>Fylde Addendum 3: Analysis of the OAN in light of the 2014-based SNPP and SNHP</i>’ [Fylde Addendum 3] which forms Appendix 1 of Annex 1 of the Additional Evidence Document.</p>

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	<p>There is no reference anywhere within Fylde Addendum 3 that states the Borough’s housing requirement is 415dpa. In fact, the document clearly suggests that the full need for housing is more closely aligned with the upper end of the range identified i.e. 430dpa. It states:</p> <p><i>“Whilst a range of OAN for housing has been concluded – associated with the range of job growth considered reasonable within the Independent Economic Assessment – it is recognised that this report concludes that it is ‘expected...that the likely level of employment growth will be at the upper end of this range’. It is therefore considered that the full need for housing will be more closely aligned with the upper end of the identified OAN range”.</i> [§6.38]</p> <p>Taylor Wimpey therefore remains firmly of the view that the Borough’s housing requirement is higher than 415dpa. Our detailed justification for this position was set out in our response to Consultation on Additional Evidence in Support of the Fylde Local Plan⁴. However, we have summarised the key issues raised below as it is critical for these issues to be given due consideration in order to ensure that an increased housing requirement figure is identified:</p> <p>1 Affordable Housing - In terms of affordable housing, the 2014 SHMA suggested that the level of affordable housing need is 207dpa, rising to 249dpa in Addendum 1. The Council’s position set out in the Additional Evidence Document [§2.8] is that <i>“it would not be possible to meet the full calculated need for affordable housing”</i>. Rather than simply accepting that the affordable housing need is so acute that it cannot be met in full, the Council should adopt a more positive and proactive approach and allocate additional sites in sustainable locations that can come forward in the short term and provide for a mix of market and affordable housing.</p> <p>2 Job Growth - The Council’s position completely disregards the creation of new jobs at the Enterprise Zones over the plan period. This not only conflicts with its economic strategy, but also fails to take into account the need to attract more residents of working age to the Borough in order to create a more balanced community and one that is able to provide a better match with the skilled employment opportunities that are likely to be generated. This gives further weight to the argument that the OAHN should be at the upper end of the 410dpa – 430dpa range identified by Turley in its Fylde Addendum 3.</p> <p>3 Balancing Housing Needs and Employment Growth - It is imperative that the Council is planning for realistic levels of growth and it is disingenuous for the Additional Evidence Document [§2.20] to state that <i>“planning for the provision of 415 dwellings per annum evidently provides a significant level of headroom against this lower projection of need.”</i> In seeking to balance housing needs and employment growth, the Council should ensure that its economic and housing strategies are aligned. A failure to do so means that the plan is not positively prepared and the full housing needs of the Borough will not be met.</p> <p>4 Housing Delivery - It is clear from the Council’s own evidence that the Borough has consistently under-delivered housing in the past. However, the Council has failed to acknowledge that this is a result of a lack of supply rather than delivery, including the severe lack of any housing allocations in its Local Plan, its reliance on windfall development and a moratorium on housebuilding which effectively lasted seven years. The previous under-delivery of housing does not therefore justify the Council’s selection of an OAHN at the lower end of the range</p>

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	<p>identified in its evidence base. The backlog of households whose needs have not been met have not gone away or been met elsewhere. As such, there is a need to address this shortfall as a matter of urgency. There is significant demand for housing in Fylde, and by failing to plan adequately for growth, the Council is perpetuating the problem of historic under-delivery.</p> <p>The Additional Evidence Document makes several references to the Council reaching a ‘planning judgement’ in selecting an OAHN from within the range to form the basis of its housing requirement. Taylor Wimpey wishes to reiterate that the OAHN needs to provide a positive approach to planning for housing needs in Fylde. It must be set at a level that would significantly boost housing delivery and fully address worsening market signals, affordable housing needs and economic growth requirements.</p> <p>MM40 also amends the wording of Policy H1, Part (c) to state: <i>“Ensuring there is enough deliverable land suitable for house building capable of providing a continuous 5 year supply calculated using the “Liverpool” method from the start of each annual monitoring period and in locations that are in line with the Policy DLF1 (Development Locations for Fylde) and suitable for developments that will provide the range and mix of house types necessary to meet the requirements of the Local Plan”.</i></p> <p>The July 2017 HSS identifies that since 2011, the Council has only met the annual housing requirement in one year (2016/17) and this constitutes persistent under delivery. The Council considers that there has been a cumulative under delivery (shortfall) of 952 homes against the annual housing requirement [July 2017 HSS §5] based on an OAHN of 415dpa. Taylor Wimpey considers the backlog to be 1,042, as delivery since 2011 should be set against the correct OAHN of 430dpa.</p> <p>Therefore, as previously set out in its Matter 5 Hearing Statement relating to the Stage 2 hearing sessions [Technical Appendix - §§2.9-2.10], Taylor Wimpey continues to support the application of the 20% buffer to the requirement and backlog combined in accordance with the Framework [§47].</p> <p>At the Stage 2 hearing sessions round up session, the Council attempted to justify the use of the Liverpool method rather than the Sedgefield method of treating backlog. However, following the stage 2 hearings sessions, the Inspector wrote to the Council on 3rd July setting out points on which she sought clarification. As part of the request for clarification the Inspector stated that: <i>“...the factors that were highlighted by the Council in the session, on their own, do not provide sufficient justification for use of the Liverpool approach.”</i> In response, the Council attempted to provide further justification for continuing to advocate the Liverpool method as the preferred method for calculating the 5-year supply from the adoption of the plan [Additional Evidence Document - §3.19]. The Council’s justification [Additional Evidence Document - §§3.20-3.27] is:</p> <p>1 That there are constraints beyond the control of the Council, such as the delivery of the Preston Western Distributor Road, and the developers’ own intentions regards delivery. These mean that no sites can be brought forward from later in the plan period and the trajectory in the 2017 HSS is the best that can be achieved in terms of delivery of sites;</p>
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	<p>2 There are no additional sites that are able to deliver in accordance with the development strategy where it has been demonstrated that the broad constraints facing sites within the borough have been addressed satisfactorily. In trying to find sites to make up any deficiency within the 5 years, larger sites would be offered that would deliver later and destabilise the strategy, by threatening the delivery of the key sites which are critical to the delivery of the housing strategy and associated infrastructure, that principally deliver in the latter part of the plan period;</p> <p>3 The other authorities in the HMA (Blackpool and Wyre) are unable to contribute to Fylde’s 5YHLS under the duty to co-operate; and,</p> <p>4 The housing requirement figure of 415dpa represents a marked increase in housing delivery over recent years and the new housing requirement will therefore represent a significant boost to the supply of housing, in line with the Framework [§47]. A consistently higher requirement may not be achievable because of factors such as a temporary slowdown in the housing market and this may result in the failure of the Local Plan development strategy.</p> <p>As Taylor Wimpey has maintained throughout the Examination, it is a well-established principle, and one with clear precedent, that under-delivery against requirements should be addressed within the 5-year period (the 'Sedgefield approach'), rather than being recovered over the lifetime of the plan period (to 2032). The shortfall accrued represents a backlog of households whose needs have not been met. These needs have not gone away or been met elsewhere and as such there is a need to address this shortfall as a matter of urgency.</p> <p>To postpone dealing fully with the backlog now, and by taking the 'residual approach' advocated by the Council, would only delay meeting the identified needs of the community for new homes and give rise to social problems.</p> <p>The Council’s claim that no additional sites are available to deliver in accordance with the development strategy, and that any large sites would deliver later in the plan period and de-stabilise the strategy, is plainly wrong and the Council has provided no evidence to demonstrate that this would be the case. Large sites such as Taylor Wimpey’s site at Weeton Road, Wesham are available and deliverable and can therefore make a contribution to the 5YHLS. In any case, delivery later in the plan period from additional sites would not destabilise the development strategy but in fact help to stabilise it. The Council currently has very limited headroom in the overall supply of sites for the plan period (1.2%) and therefore additional sites should be identified to provide the necessary flexibility to deliver the development strategy in a situation where one or more large sites failed to deliver the anticipated housing.</p> <p><i>Failure to address wider housing needs across the HMA</i></p> <p>The fact that Wyre and Blackpool are unable to contribute to meeting Fylde’s housing needs is irrelevant to the people of Fylde who are in need of housing now. Low rates of past delivery in Fylde do not provide a reason for not meeting the objectively identified need for housing that exists now. With regard to this matter, the Statement of Compliance with the Duty to Co-operate (August 2016) produced by FBC notes that Wyre Council wrote to the Council in May 2016, under the Duty Cooperate, to request that Fylde assist Wyre in meeting its housing</p>
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	<p>need. It states:</p> <p><i>“The OAN figures for the three Fylde Coast Authorities originate from the ranges set out in the original SHMA 2014 and its updates which considered revised population and household formation data. For Wyre Council this gave an OAN of between 400 and 479 dpa from 2011 to 2031. Wyre Council considers 479 dpa to be an appropriate housing requirement figure which ties in with the economic evidence and this figure was accepted by Wyre Council on 14th April 2016.”</i></p> <p>The Statement notes that Wyre Council considered that its supply of deliverable land is constrained by highway capacity, Flood Risk and Green Belt:</p> <p><i>“The evidence base in relation to these issues is incomplete and the exact extent of the unmet need is unknown. It is also unclear what provision other neighbouring authorities will be able to make. Fylde Council are aware of this important issue, however at this stage the precise numbers of homes that will need to be delivered outside Wyre Council’s administrative area has not been assessed.</i></p> <p><i>It is crucial that Fylde’s Plan is not delayed, an up to date plan must be adopted as soon as possible. However, in accordance with the Duty to Cooperate, Fylde Council is committed to continuing to work with Wyre and its other neighbours, once the evidence base relating to Wyre’s constraints is complete, in order to address the above mentioned issues.” [§§ 3.24-3.26]</i></p> <p>In response to this matter FBC is proposing to undertake an early review of the Fylde Local Plan to examine this issue. Main Modification MM1 proposes the following text for paragraph 1.27 of the Local Plan:</p> <p><i>“Fylde Council recognises that Wyre Council have identified difficulties in planning to meet its objectively assessed need for housing. Any need that remains unmet following the adoption of Wyre’s Local Plan will need to be addressed. Fylde Council will undertake an early review of the Fylde Local Plan (whether full or partial) to examine this issue, working with other authorities adjoining Wyre under the Duty to Co- Operate. The objective of this process would be to ensure that any unmet need is met within the Housing Market Area and/or in other appropriate locations, where consistent with the achievement of sustainable development”.</i></p> <p>It is therefore clear that FBC is also choosing to ignore Wyre Council’s request for assistance and is failing to address the housing shortfall from elsewhere in the HMA. To ensure that the Fylde Local Plan is positively prepared and effective, an appropriate approach would be to consider the quantum of assistance that would be required to meet the HMA housing shortfall now, and then plan to provide it in suitable locations close to the Wyre Borough boundary within the emerging Local Plan, rather than seeking an early review.</p> <p><i>Housing Land Supply</i></p> <p>At the Stage 2 Hearing Sessions the Inspector acknowledged that the Council had failed to justify the use of the Liverpool method and invited the Council to do so. However, WBC has failed to provide robust evidence as part of its Additional Evidence Document to justify the use of the Liverpool method. Taylor Wimpey has sought legal advice, a copy of which has previously been shared with the Inspector and Council and</p>
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	<p>appended to our Additional Evidence consultation response. With respect to the treatment of the backlog, given that the Council has not sought to identify any additional sites, the legal advice states that:</p> <p><i>“...the Council cannot use the alleged inability of early delivery as a reason for adopting the Liverpool approach it seeks to advocate contrary to the inspector’s clear indication in favour of the orthodox Sedgefield approach.”</i> [§12]</p> <p>Taylor Wimpey strongly objects to the use of the Liverpool approach and supports the use of the Sedgefield method as set out in Table 1 of the July 2017 HSS. The use of the Liverpool approach would conflict with the objective of the Framework to <i>“boost significantly’ the supply of housing”</i> [§47].</p> <p>With regard to this matter, we note that the Draft Planning Practice Guidance also recommends that the level of deficit or shortfall should be calculated from the base date of the adopted plan and should be added to the plan requirements for the next five year period.⁵</p> <p>Our response to the Stage 3 Hearing Sessions⁶ identified a claimed supply of 4.9 years from the Council (as set out in the Council’s October 2017 Response) but a supply of just 4.2 years based on Taylor Wimpey’s analysis of the 5 year supply, based on the Sedgefield method and an OAN of 415dpa. Using an OAN of 430dpa (which should be the minimum) would result in a supply of just 4.0 years.</p> <p>We have updated Table 2 of our previous response to the Inspector’s Questions for the Stage 3 Hearing Sessions to reflect the most up to date five year supply position⁷.</p> <p>As we have previously made comments on the delivery of committed sites, we have amended the delivery figure to account for any changes in the updated supply position for these sites. The Council now claims a 5.1 year supply using the ‘Sedgefield’ approach. However, based on Taylor Wimpey’s analysis of the 5 year supply and an OAN of 415dpa, we consider there to be a supply of just 4.3 years. Using an OAN of 430dpa, which should be the minimum, would result in a supply of just 3.9 years. Table 1 shows these calculations.</p> <p>There is therefore, a clear and pressing need for further sites to be allocated. Without further housing allocations, there is no certainty that a five year supply can be provided and therefore the Local Plan cannot be found sound.</p> <p>Table 1 Fylde 5 Year Housing Land Supply Position at 1st October 2017 based on the Sedgefield Approach</p>

Representor	Text of Representation						
	Housing Requirement (2017/18-2022/23)	FBC Approach (415 dpa)		Lichfields Approach (415 dpa)		Lichfields Approach (430 dpa)	
5-year Requirement 01/10/17-30/09/23	(5x415)	2,075	(5x415)	2,075	(5x430)	2,150	
Backlog (2011-2017)		890		890		987	
Requirement + Backlog		2,965		2,965		3,137	
Framework 20% Buffer		593		593		627	
Outstanding 5 Year Requirement Requirement + Backlog + Buffer		3,558		3,558		3,764	
Residual Annual 5-Year Requirement		712		712		753	
Existing Supply							
Large Sites		3,201		2,737		2,737	
Small Site Commitments		322		322		322	
Sub Total		3,253		3,253		3059	
Potential Supply							
Small sites and windfall allowance (unallocated sites)		80					
Long Term Empty Homes re-entering market		50		50		50	
Sub Total		130		50		50	

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Allowances						
10% Reduction from Small Sites		-32				
20% Reduction from Small Sites				-65		-65
Sub Total		-32		-65		-65
Demolitions Allowance		-5		-5		-5
Total Supply		3,616		3,039		3,039
Over/Under Supply 5 year period (Under Supply Expressed as a Minus)		+58		-519		-725
5-year Housing Supply (Expressed as Years of Residual Requirement)		5.1		4.3		3.9

Source: FBC (Housing Land Supply Statement Base dated 30th September and Lichfields' analysis

Failing the Tests of Soundness

It is therefore considered that MM40 fails to meet all of the tests of soundness in accordance with the Framework [§182] for the following reasons:

- 1 **Positively Prepared** – The plan has not been prepared based on a strategy which seeks to meet objectively assessed development. There is no reference anywhere within Fylde Addendum 3 that states the Borough’s housing requirement is 415dpa.
- 2 **Justified** – The identified housing requirement of 415 dpa is not based on proportionate evidence. The Fylde Addendum 3 document clearly suggests that the full need for housing is more closely aligned with the upper end of the range identified i.e. 430dpa
- 3 **Effective** – The use of the Liverpool approach to addressing backlog could result in a situation where one or more large sites fails to deliver the anticipated housing threatening the Council’s ability to demonstrate a 5 year housing land supply and deliver its housing requirement over the Plan period.
- 4 **Consistent with National Policy** – The application of a 415 dpa housing requirement and the use of the Liverpool approach to addressing backlog would conflict with the objective of the Framework to 'boost significantly' the supply of housing [§47]

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	<p><i>Suggested Change</i></p> <p>It is considered that the following changes are required to make Policy H1 sound:</p> <ol style="list-style-type: none"> 1 The text to Policy H1 should be amended to identify a housing requirement of at least 430dpa. 2 Reference in the policy text to the 'Liverpool' method to address backlog should be removed and replaced with reference to the 'Sedgefield' method. 3 The remainder of the Policy and the accompanying explanatory text should be amended accordingly to reflect these changes. <p>1 Examination document ref EL7.002</p> <p>2 Examination document ref: EL5.003f</p> <p>3 Examination document ref:EL6.015a 'Matter 5 Hearing Statement and Technical Appendix - Taylor Wimpey (060)'</p> <p>4 Representations to Consultation on Additional Evidence in Support of the Fylde Local Plan to 2032 dated 14th September 2017</p> <p>5 Draft Planning Practice Guidance - Draft updates to planning guidance which will form part of the Government's online Planning Practice Guidance (March 2018), page 13</p> <p>6 Stage 3 Hearing Sessions – Response to Inspector's Questions dated 28 November 2017</p> <p>7 Fylde Council has not produced an updated 5YHLS statement or detailed trajectory to accompany the Main Modifications consultation. However, the Council's Policy Officers have advised that the Housing Land Supply Statement base dated 30th September 2017 remains the most appropriate document to use for this purpose as it aligns with the Main Modifications proposed to the Local Plan.</p>
23 Home Builders Federation	<p>Modification MM40 is an improvement and sees the housing requirement increased to 415 net homes per annum. However, the housing requirement remains below level recommended by HBF.</p> <p>The HBF does not support the insertion of 'calculated using the 'Liverpool' method'. The use of the Liverpool method is not supported, and the HBF considers that this amendment to the policy should be deleted.</p>

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51 Oyston Estates - Cassidy & Ashton	<p>Modification MM6 and MM40 are an improvement on the initial figure set out in the local plan and sees the housing requirement increased to 8,715. However, this figure still falls below the housing requirement recommended by the majority of representatives to the local plan and those who appeared at the various hearing sessions. Although it is considered the figure should be higher, there should at least be clarification that this is a net, not a gross figure.</p> <p>Furthermore, I have seen no clear justification for the use of the 'Liverpool' method'. This is not supported and this reference should be deleted.</p>
18 Greenhurst Investments - Indigo Planning	<p>Policy H1 (MM40)</p> <p>We object to the proposed insertion of text in part (c) of the policy which states the five year housing land supply will be calculated using the 'Liverpool' approach.</p> <p>Draft Planning Practice Guidance (PPG) (March 2018) states local planning authorities should deal with deficits or shortfalls against planned requirements within the first five years of the plan period (ie the 'Sedgefield' approach). If an authority wishes to deal with past under delivery over a longer period (ie the 'Liverpool' approach), then this should be established as part of the plan making and examination process. Where authorities are unable to address past shortfalls over a five year period due to the scale of shortfalls, they may need to reconsider their approach.</p> <p>We remain unconvinced the council has provided sufficient justification for the 'Liverpool' approach. There are no major constraints or environmental designations which would prevent additional land being allocated for housing in sustainable locations on the edge of settlements now, which would greatly assist in demonstrating a five year supply under the 'Sedgefield' approach.</p> <p>The draft NPPF and PPG clearly show the government's direction of travel is to significantly boost the supply of homes, and therefore to "make good" the shortfall as quickly as possible. Instead of gradually addressing the shortfall over a longer period, the council should be taking appropriate action now through the plan making process by allocating a sufficient amount and variety of land to meet needs, in accordance with paragraph 60 of the draft NPPF.</p> <p><i>Changes required to Policy H1 (MM40)</i></p> <p>We request the proposed modification be rejected as the amendments are unsound and therefore not justified, effective or consistent with national policy under paragraph 182 of the NPPF.</p>

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<p>67 Wainhomes - Emery Planning</p>	<p>4. MM40 - Policy H1</p> <p>4.1 The proposed modification to criterion a) of this policy states that the council will apply a minimum housing requirement figure of 415 dwellings per annum for the plan period 2011-2032. We object to the proposed minimum requirement figure on the basis that it is lower than the upper end of the OAN range and there is no evidence provided to justify why the 430 dwelling requirement cannot be met. This is a serious and fundamental failing of the plan as whilst this may be 15 dwellings per annum over the plan period this means that there are 315 households not being provided with a home.</p> <p>4.2 The Objectively Assessed Housing and Economic Development Needs and the Fylde Local Plan to 2032 document was prepared as part of the emerging Local Plan evidence base. It sets out the evidence for the proposed housing requirement based on demographic modelling and growth projections.</p> <p>4.3 The demographic modelling aligned with the employment growth projections indicates the need for a range of between 408 to 432 dwellings to be provided per annum to ensure that the available labour supply does not constrain the anticipated economic growth.</p> <p>4.4 In section 5.5 of the ‘Summary of the Implication for OAN’ the concluding paragraph (5.5.3) states that: <i>“it is therefore considered that the full need for housing will be more closely aligned with the upper end of the identified OAN range.”</i></p> <p>4.5 The NPPG, at paragraph Reference ID 2a-004-20140306, states that <i>“The assessment of development needs is an objective assessment of need based on facts and unbiased evidence. 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. However, these considerations will need to be addressed when bringing evidence bases together to identify specific policies within development plans.”</i></p> <p>4.6 The Council on the one hand acknowledges that the upper limit of the identified OAN is an appropriate housing requirement, but then fails to adopt this as the identified housing requirement for the plan. Furthermore, the proposed Main Modifications does not provide any explanation for a lower requirement. We strongly object to this figure and recommend the requirement is adjusted to the ‘upper limit’ of 432 dwellings per annum as set out and recommended in the Council’s own evidence base. If not the plan is not sound.</p> <p>4.7 Should the Council consider that supply is so constrained that it is not possible to identify a housing supply which will address the full OAN, they should be seeking to address the shortfall by other means rather than suppressing the full OAN. This would require that unmet housing need of 315 dwellings being met elsewhere under the Duty to Cooperate. No such request has been made and this is a failing contrary to national policy and guidance.</p> <p>4.8 Furthermore, it is considered that the upper target of 432 should be considered to be a minimum requirement. There has already been an</p>
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	<p>under-delivery of housing during the early plan period, which suggests that the Council has not identified a flexible enough supply to ensure the required delivery. Suppressing the proposed housing requirement will exacerbate this problem and create future shortfalls in delivery.</p> <p>4.9 The proposed modification to paragraph 10.13 of the emerging Local Plan acknowledges the evidence set out above, stating that:</p> <p><i>“The 2014-based household projections to 2039 for England were published on 12 July 2016, and provide a new ‘starting point’ for the assessment of housing needs in line with the PPG. A further piece of work was commissioned by Fylde to take account of the 2014 SNHP and updated economic forecasts – The Objectively Assessed Housing and Economic Development Needs and the Fylde Local Plan to 2032(May 2017) (Addendum 3). Addendum 3 concludes that the evidence indicates an Objectively Assessed Need (OAN) of between 410-430 dwellings per annum. The Council has considered the findings and has determined the housing requirement for the 2011-2032 plan period is 415 net dwellings per annum.”</i></p> <p>4.10 Again, no evidence is presented to justify the departure from the Council’s own findings in the evidence base. We acknowledge the Inspector will assess the evidence as part of preparing her report but following a thorough review of the evidence, our position is that there is no justification for pursuing a suppressed housing requirement in the Fylde.</p> <p>The ‘Liverpool Method’ for shortfall delivery</p> <p>4.11 The proposed modification to criterion c) of policy H1 states that the Council will manage the delivery of new housing through the application of the ‘Liverpool Method’, which distributes the delivery of the identified housing shortfall over the remaining plan period.</p> <p>4.12 The proposed modification to paragraph 10.17 of the emerging plan states that:</p> <p><i>“1,538 dwellings have been completed in Fylde from 2011- 2017, an average of 256 dwellings per annum. When this figure is subtracted from the overall plan period requirement of 8,715, it gives a residual requirement of 7,177 dwellings to be completed from 2017 to 2032. This figure (7,177) includes the shortfall which has accrued during the early years of the plan when large sites were in the planning process. This equates to 479 dwellings per annum for the remaining years of the plan period. This is the ‘Liverpool’ method, for the purpose of calculating the 5 year housing land supply and is necessary in order to provide the most effective strategy to facilitate the delivery of housing during the plan period.”</i></p> <p>4.13 As stated previously, no justification beyond the above is provided to justify the selection and reliance of the ‘Liverpool Method’ in the policy or supporting justification. The lack of any evidence was an issue raised by the Inspector in her letter dated 3rd July 2017 (EL5.014) where she stated:</p> <p><i>“3. However the factors that were highlighted by the Council in the session, on their own, do not provide sufficient justification for use of the Liverpool approach. Can I therefore ask the Council to respond to the following queries:</i></p>

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	<p><i>i. Can any sites proposed to be delivered later in the Plan period be realistically brought forward into the five year supply?</i></p> <p><i>ii. Are there any additional sites available within the Borough that would conform to the Plan’s development strategy and be deliverable within the first five years?”</i></p> <p>4.14 The consultation on the Additional Evidence in support of the Fylde Local Plan to 2032 dated August 2017 (EL7.002) and specifically paragraphs 3.19 to 3.27. However these are not new reasons and were the same points raised at Stage 2 and have not addressed the Inspector’s concerns in EL5.014.</p> <p>4.15 We therefore address the Council’s reasons as to why the ‘Liverpool Method’ would be justified and set out why each should not be applied.</p> <p>4.16 The Framework does not specifically state how the backlog should be addressed. However, it did introduce a requirement to “boost significantly” the supply of housing (paragraph 47), and importantly the backlog is a shortfall in supply which exists at the start of the 5 year requirement. Therefore, to defer addressing it until the end of the plan period makes little sense in the light of paragraph 47 when there are 890 households who have not been provided with a home in the Fylde. The purpose of the planning system must be to provide these households with a home and not to defer meeting this need in full until 2032.</p> <p>4.17 Clear guidance is set out in paragraph 3-035 of the PPG (Reference ID: 3-035-20140306): “How should local planning authorities deal with past under-supply?”. It states:</p> <p><i>“Local planning authorities should aim to deal with any undersupply within the first 5 years of the plan period where possible. Where this cannot be met in the first 5 years, local planning authorities will need to work with neighbouring authorities under the ‘Duty to Cooperate’.”</i></p> <p>4.18 We consider this guidance is a clear expression by the Government that local planning authorities should aim to deal with the backlog within 5 years. This is the Sedgefield approach. Whilst the PPG recognises that there may be circumstances when this is not possible, it is important to clarify that these circumstances do not apply in Fylde. This is because the only departure from the Sedgefield approach is for local planning authorities to work with neighbouring authorities under the ‘Duty to Co-operate’. This does not justify the use of the Liverpool approach. Rather, it advises that the unmet need should be addressed by making immediate provision in adjacent authorities. The overarching point is that the PPG does not endorse deferring meeting the shortfall over a longer period than five years as it requires it to be met somewhere (i.e. an adjacent authority) within 5 years. This must be correct as the only way to boost supply and meet the backlog.</p> <p>4.19 There is therefore no support in either policy or guidance for the Council’s approach to addressing the backlog through the ‘Liverpool’ methodology and relying on neighbouring authorities to address the backlog is not an option for the Fylde. Indeed, Wyre Borough Council has requested that Fylde assists in meeting at least 1,300 homes of its OAHN under the Duty to Cooperate. These 890 homes cannot be just left unmet beyond the 5 year period which is seemingly the case.</p>

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4.20 In summary, addressing the backlog by the Liverpool method is contrary to the clear guidance in the PPG and contrary to the aim in the Framework to boost supply.

4.21 As noted above, the Council's most recent position on the use of the Liverpool methodology is set out in their "Response to Inspector's Questions Stage 3 Hearings November 2017". A number of points arise.

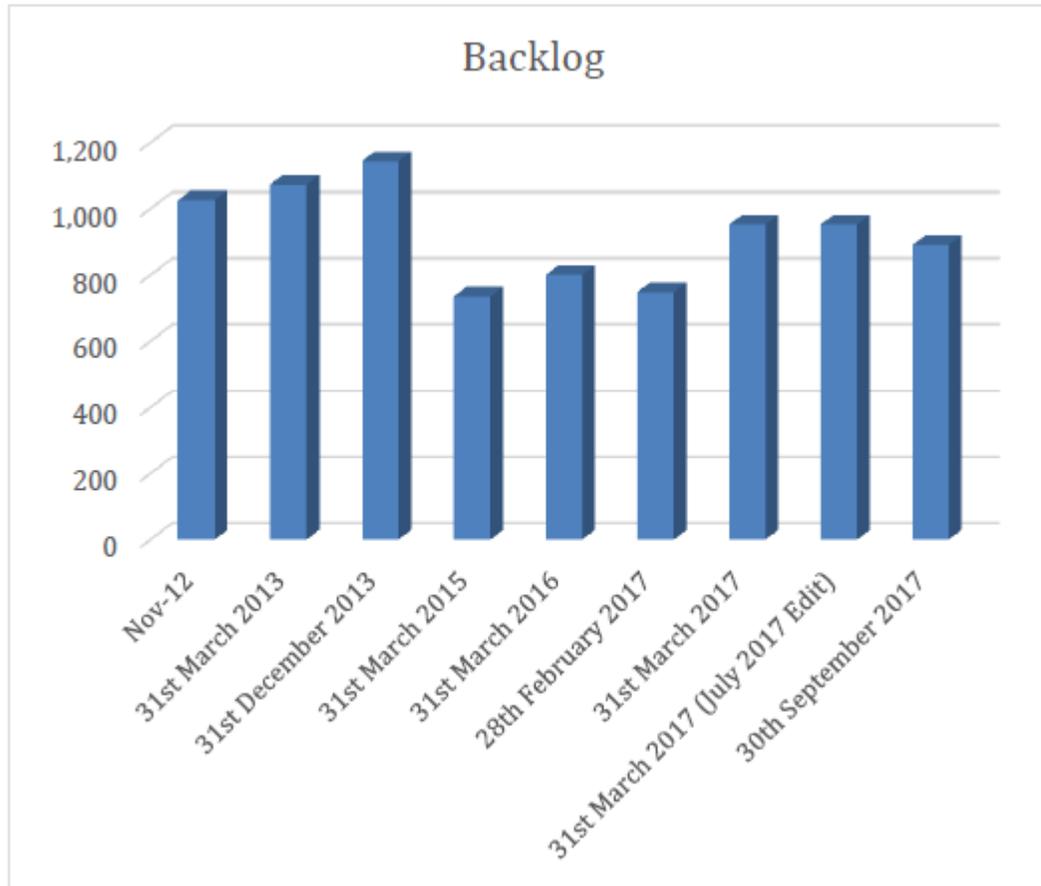
4.22 The first has been the Council's position for the determination of applications and appeals. Below is a table showing the buffer and the methodology adopted in each of the published housing position statements by the Council since 2012.

Base Date of Five Year Housing Supply Statement	Buffer	Methodology applied	Years Supply
November 2012	20%	Liverpool to 2021 which was end date for RSS	3.8
31st March 2013	20%	Liverpool to 2021 which was end date for RSS	3.1
31st December 2013	20%	Liverpool to 2021 which was end date for RSS	4.5
31st March 2015	20%	Sedgefield	4.3
31st March 2016	20%	Sedgefield	4.3
28th February 2017	20%	Sedgefield	5.58
31st March 2017	20%	Sedgefield	4.8
31st March 2017 (July 2017 Edit)	20%	Both Sedgefield and Liverpool set out	5.1 or 6.4

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	30th September 2017	20%	Both Sedgefield and Liverpool set out	5.1 or 6.3
	<p>4.23 The table demonstrates that the 20% buffer has consistently been applied and Sedgefield has been applied since 2015 for decision taking. The change from Liverpool in 2015 was when the Council sought to apply the emerging OAHN rather than measuring performance following the revocation of the RSS.</p> <p>4.24 The two latest position statements set out the supply against both methodologies although during this time the Council and Inspectors have applied the Sedgefield method for decision taking. For the reasons set out, the Liverpool method is not justified and it is considered that the the Council has sought to apply the Liverpool method to seek to arithmetically boost its land supply figure for the purposes of paragraph 49 of the Framework so that the plan would not be out of date soon after adoption, rather than actually boosting the delivery of new homes as required by paragraph 47 of the Framework by applying Sedgefield and allocating more land for development.</p> <p>4.25 The second is that applying Liverpool is denying those in need of a home which is a significant number, as seen in Figure 1 below which sets out the number of homes not delivered in each of the Position Statements. The current backlog is 890 households. This is not just a theoretical number but is the number of households in need of a home.</p>			

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4.26 The first three columns in Figure 1 above was the shortfall when assessed against the RSS. The remaining columns are when it was compared to the emerging OAHN which was applicable at that point in time.

4.27 The third is that the Council states that *“there does not exist any potential to bring sites forward, beyond the realistic assessment of delivery already accounted for within the plan”*. This is not correct as there are omission sites which could be allocated to increase supply to

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	<p>those already allocated in the plan. Our client’s Wrea Green site is one such example. Its allocation would assist the Council in providing a more flexible housing land supply that would deliver an appropriate level of housing for the first time in a number of years in an authority that has a persistent record of under-delivery.</p> <p>4.28 The fourth is the Council’s belief that the Liverpool approach is <i>“likely to satisfy the principal objective of paragraph 47 of the Framework to identify a deliverable supply of housing land”</i>. With due respect that is not based on a full reading of paragraph 47 which seeks to boost the supply of housing rather than deferring it across the plan period or a local plan review.</p> <p>4.29 The fifth is reference to an appeal decision in Huby, Hambleton (Appeal APP/G2713/A/13/2194376) which is used to seemingly endorse the Council’s approach. However paragraph 60, which is set out below, clearly endorses the Sedgefield approach. It states:</p> <p><i>“60. It has become established practice to add all of any previous under-delivery during the plan period into the five year equation unless local circumstances suggest otherwise. The NPPG supports this ‘Sedgefield’ method of dealing with under-delivery and I have followed that practice. Furthermore, the Gresty1 Lane Secretary of State decision confirms that the buffer should not be applied to the backlog.”</i></p> <p>4.30 The sixth is that there is no evidence for this approach is provided in the Main Modifications document, and none was provided at the hearings beyond intimation from the local plan Inspector that the ‘Sedgefield’ approach would result in a supply so marginal as to potentially be subject to challenge and the plan could be out of date soon after adoption. This in itself does not constitute justifiable evidence or reasoning for applying the ‘Liverpool’ method which would ultimately prevent sustainable sites from delivering much needed housing in the early part of the plan.</p> <p>4.31 The seventh is the concern that <i>“the imposition of the Sedgefield approach through the Local Plan process would create a risk, that through unexpected events (e.g. market conditions) that are no fault of the Council, the tilted balance could suddenly be applied, and the plan strategy consequently be put at risk”</i>. This concern does not justify the fact that the plan is not providing sufficient housing where no flexibility has been provided and is a concern that every local authority could point to in order to justify pursuing a suppressed housing requirement. If Liverpool is adopted it sets an unfortunate precedent for local authorities to not met its OAHN but also defer meeting its undersupply to date. Indeed Wyre Council now states:</p> <p><i>“The use of the Liverpool method allows for a realistic housing land supply which minimises the risk of the Local Plan being deemed out of date shortly after it is adopted.”</i></p> <p>4.32 Indeed, paragraph 47 of the Framework specifically states that <i>“Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change”</i>. The solution therefore is not to artificially suppress much needed delivery through a constrained housing requirement target and delivery method, but rather to acknowledge the reality on the ground and implement the Sedgefield approach with additional allocations to ensure a flexible, deliverable supply of housing through the plan period that addresses the real and urgent housing</p>

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	<p>shortfall as soon as possible.</p> <p>4.33 The eighth is the concern that the largest sites in the plan “<i>are dependent on substantial early infrastructure investment to allow for their delivery, which could be threatened if the housing market became flooded through the application of the tilted balance</i>”. That is an unsubstantiated comment as there has been no evidence to the Examination or anywhere else that the application of Sedgefield would delay the delivery of any allocated site or harm the development strategy in any way. With all the key allocated sites delivering or progressing through the planning system then there is no evidence as to why the development strategy would be harmed. That must be evidenced if it is to be used as justification by the Council. It has not.</p> <p>4.34 The various applications and appeal approved in settlements such as Wrea Green and other settlements¹ have demonstrated development is acceptable. Indeed where these decisions were approved but considered contrary to the development strategy there was no adverse impacts of the development would not significantly and demonstrably outweigh the benefits.</p> <p>4.35 Adopting the ‘Liverpool Method’ on this basis on the basis of the development strategy would therefore require further assessments and would need to be properly evidenced and justified by the authority.</p> <p>4.36 The ninth is that the “<i>Liverpool method has been adopted in the Preston Local Plan, on which the Inspector reported in June 2015, after the revision to PPG relating to 5-year supply methodology</i>”. It then states that “<i>the Preston Local Plan is dependent on delivery of large strategic sites and associated highways infrastructure, which is similar to the position relating to the Fylde Local Plan sites at Queensway and Whyndyke</i>”.</p> <p>4.37 There are three points arising which are addressed under the following headings:</p> <ul style="list-style-type: none"> o Queensway; o Whyndyke; and, o Preston Local Plan. <p>Queensway</p> <p>4.38 The delivery rate of Queensway has been the subject of considerable debate at the Local Plan Examination. Kensington Developments confirm that they have no objection to the application of the Sedgefield approach and their delivery rates are not affected by its application. Referring to any infrastructure requirements on this site as part of the justification for applying the ‘Liverpool Method’ to delivering Local Plan housing shortfall would therefore not be appropriate.</p> <p>Whyndyke</p>

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	<p>4.39 Whyndyke is a strategic site within Fylde but on the edge of Blackpool. Again, this site has been the subject of debate at the Examination and the agent for the owner advised the Examination of their lead in times and delivery rates. In their statement for Matter 5, they state:</p> <p><i>“In particular Queensway and Whyndyke Garden Village have each taken many years to progress to a reserved matters/outline application stage with no certainty of when delivery is likely to commence. Both are subject to s106 agreements of some complexity with the former reliant upon the delivery of a link road for which funding is not yet guaranteed and the latter the subject of ongoing negotiations of a cross boundary nature which has hindered progress for many years.</i></p> <p><i>At the time of preparing this statement, the s106 agreement for Whyndyke Farm remained incomplete despite first being supported by Committee in June 2015. The delay is not due to the developer, rather it relates to ongoing discussions between the other interested parties. It is therefore not clear when either site will commence.”</i></p> <p>4.40 In their statement to the Stage 3 hearing, they state:</p> <p><i>“Given the ongoing failure of the respective local planning authorities, namely Fylde and Blackpool to agree to the terms of the s106 agreement for Whyndyke Farm, questions must begin to be asked about the extent to which this site will make a full contribution to the housing land supply of Fylde over the plan period.”</i></p> <p>4.41 Therefore, the application of Sedgefield would not have any impact on the delivery of Whyndyke as it is the local planning authorities delaying the site coming forward rather than any infrastructure constraint. Referring to any infrastructure requirements on this site as part of the justification for applying the ‘Liverpool Method’ to delivering Local Plan housing shortfall would therefore not be appropriate.</p> <p>4.42 The Preston Local Plan is then used as a direct comparator.</p> <p>Preston Local Plan (2012-26)</p> <p>4.43 The Preston Local Plan (2012-26) was adopted on the basis that the housing shortfall would be addressed via the ‘Liverpool Method’. The Inspector’s Report on the examination into the Preston Local Plan concluded that the shortfall via the ‘Liverpool Method’ was appropriate in that case. The Inspector acknowledged that the Sedgefield approach is <i>“consistent with the thrust of the Framework in positively seeking to increase housing supply”</i> and is consistent with the aims of the PPG.</p> <p>4.44 However, the ‘Liverpool Method’ was considered to be the relevant method nonetheless, as set out in paragraphs 70 to 73 of the Inspectors Report which are set out below with specific parts highlighted for ease of reference. They state:</p> <p><i>“70. A further factor in determining what should be the plan requirement for housing supply in the first five year period is how quickly any previous under-supply is made good. The options are either to aim to make good any shortfall entirely during the first five years (the ‘Sedgefield’ approach) or, alternatively, to spread the requirement over the whole plan period (the ‘Liverpool’ approach). Neither approach is</i></p>
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	<p><i>advocated as policy in the NPPF although paragraph 03519 in the PPG states that Local Planning Authorities should aim to deal with any undersupply within the first 5 years of the plan period where possible. As indicated in paragraph 65 above, the under-provision situation in Preston actually grew during the first three years of the plan period to April 2014. Realistically, any correction can only be applied from the latter date.</i></p> <p>71. Policy 4 in the adopted Core Strategy makes specific reference to the treatment of ‘prior under-provision’. The policy states that it is to be made up over ‘the remainder of the plan period’, which is given as 2010-2026. So that covers the whole of the period of this local plan. It would not be logical to apply a different approach to under-supply arising since 2011 with that which occurred earlier. The Inspectors report into his examination of the Core Strategy was issued in June 2012 and it is clear that he took the NPPF into account in making his recommendations²⁰. Adoption was in July 2012. The PPG is guidance not policy and, although the ‘Sedgefield’ approach is consistent with the thrust of the Framework in positively seeking to increase housing supply, the Courts have indicated that the ‘Liverpool’ approach is equally valid. This local plan, by making provision for a significant quantum of housing development on the strategic site of Cottam and in the North West Preston Strategic location in accordance with Core Strategy Policy 1, makes positive provision for increasing housing supply in the future.</p> <p>72. It is undoubtedly desirable to make up for past under-supply as quickly as possible but, as discussed below, the evidence suggests that the constraints to the delivery of housing are now primarily due to market considerations rather than the result of there being insufficient land either with planning permission or through the allocation of sites in the local plan, especially in NW Preston. As the requirement figures in CS Policy 4 are minima there would be no policy bar to provision over and above those set in the plan. The September 2014 figures based on an updated portfolio of sites suggest capacity to make up for the full under-supply within the first five years should market conditions improve.</p> <p><i>73. Taking the above factors into account I do not find there to be a compelling reason to require a higher level of housing provision during the five years from April 2014 than that provided for in the adopted Core Strategy. In other words, the prior under-provision at the start of the plan period should be made good over the remaining plan period. It follows that the plan should make provision for the development of a minimum of 7301 dwellings over the remaining 12 years of the plan period to 2026, that is 608 dwellings a year. In that regard, there are references in the submitted plan to a plan period of 2011-2026 with statistics, for example on prior under-supply, relating to the 2011 base date. Other statistics on housing supply relate to a 2013 base with proposed changes to update to 2014. In putting forward changes, PCs 41, 42, 45-48 and SMs 21- 24 inc., the Council recognise the need to remove text which would become outof-date. For the plan to be fully effective, all essential statistics to explain the background to allocations made in the plan should be as up-to-date as possible. At the time of writing that is a March 2014 base date (MM9).”</i></p> <p>4.45 Emery Planning was involved with the Central Lancashire Core Strategy and Preston Local Plan Examination as well as giving housing land supply and planning evidence at planning inquiries in both authority jurisdictions. Therefore, we are well placed to consider the</p>

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	<p>situations in Preston and the Fylde. As a result, we make the following points to demonstrate they are simply not comparable or a precedent which assists the Council through the local plan process.</p> <p>4.46 The first is that in paragraph 71, the Local Plan Inspector concluded that as the Core Strategy Inspector has previously endorsed the Liverpool approach then it would not be logical to apply a different approach. In the Fylde the Local Plan is not bound by any such approach from another part of the development plan. Indeed, the position adopted by Inspectors and the Council for the determination of planning applications has been consistently based on Sedgefield, as demonstrated above.</p> <p>4.47 The second is market considerations. The issue in Preston was that the North West Preston Strategic Location was for around 5,000 homes and was dependent on new road infrastructure and a new junction onto the M55. The market considerations were having a significant number of developers building on the site resulting in a highly competitive market thereby reducing the annual delivery rate per developer. In Fylde, the vast majority of the delivery rates are agreed and there is no site of a scale such as that in Preston.</p> <p>4.48 The third is that there would be no <i>“policy bar to provision over and above those set in the plan”</i>. In short, the Inspector was concluding that further planning permissions over and above those in the plan would not be prevented and there was potential for additional supply to come forward. Whilst this is applicable in the Fylde, the fact that there are a number of appeals being contested demonstrates that sustainable development is being frustrated due to an in principle objection on need across the Fylde and in Wrea Green.</p> <p>4.49 The fourth is that the plan’s delivery was predicated on strategic sites that depended upon infrastructure requirements forming a significant part of the supply. These evidenced physical infrastructure constraints meant it would be impossible to deliver these strategic allocations early in the plan period. Consequently, the local plan inspector took a view, based on analysis of the evidence and constraints, that the ‘Liverpool Method’ would be appropriate to ensure that delivery of the identified shortfall was possible.</p> <p>4.50 There are no such constraints in Fylde as all the sites are coming forward and are not dependent on infrastructure as was the case in Preston. Therefore, comparing Fylde to Preston is simply untenable.</p> <p>4.51 The fifth is that the portfolio of sites <i>“suggest capacity to make up for the full under-supply within the first five years should market conditions improve”</i> and therefore the Inspector applied Liverpool based on this understanding. In summary, what this means is that the existing allocations could have come forward quicker if the market changed. However, this has not occurred and Preston has had to contend with appeals being allowed due to the lack of a 5 year land supply, even with the Liverpool approach being endorsed. This is because they did not allocate sufficient sites at the outset and applications and appeals have had to be approved to make good the shortfall. In the Fylde the only sound solution would be to allocate more sites now by uplifting the requirement and adopting the Sedgefield method of addressing the existing shortfall.</p>

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	<p>Draft NPPF</p> <p>4.52 The Draft NPPF was published on 9th March 2018 for consultation and therefore does not form Government policy and is not a consideration for plan's under examination. Nevertheless it shows the direction of the new policy and draft guidance on how to address any shortfall has also been issued. There are a number of relevant parts of the consultation.</p> <p>4.53 Under a heading, "How can shortfalls in housing completions against planned requirements be addressed?" it states:</p> <p><i>"A shortfall will occur when completions fall below the housing requirement in the plan over a relevant time period. The level of deficit or shortfall should be calculated from the base date of the adopted plan and should be added to the plan requirements for the next five year period."</i>[My emphasis]</p> <p>4.54 It then states under "How quickly should past shortfalls be addressed?" that:</p> <p><i>"Local planning authorities should deal with deficits or shortfalls against planned requirements within the first five years of the plan period. If an area wishes to deal with past under delivery over a longer period, then this should be established as part of the plan making and examination process rather than on a case by case basis on appeal.</i></p> <p><i>Where local planning authorities are unable to address past shortfalls over a five year period due to the scale of shortfalls they may need to reconsider their approach."</i></p> <p>4.55 The identified shortfall in the Fylde, whilst urgent and real, is not of a scale that would justify its distribution over the remainder of the plan period and could be delivered in the first five years. As set out above, there are no policy, physical or technical constraints in the Fylde that justify the 'Liverpool Method' either.</p> <p>4.56 Consequently, the Inspector should ensure that policy H1 is amended to reflect a commitment that the identified housing shortfall will be addressed via the Sedgfield Method in order to ensure the soundness of the plan going forward.</p> <p>5 Year Housing Land Supply</p> <p>4.57 Criterion d) of policy H1 is proposed to be modified as follows:</p> <p><i>"The delivery of the developable sites, which are allocated for housing and mixed use from 1 April 2011 to 31 March 2032 and provided for through allowances, to provide a total for a minimum of 7,891 8,715 homes."</i></p> <p>4.58 We support the inclusion of the word 'minimum' in this policy.</p> <p>4.59 However, the proposed modification to paragraph 10.16 is as follows:</p>

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	<p><i>“The historic rate of delivery of new homes in Fylde, before the recession, averaged around 250 homes each year. The annual housing requirement for Fylde is 370 415 net dwellings per annum. A calculation of 370 415 net dwellings per annum for 21 complete calendar years from 1 April 2011 to 31 March 2032 produces an overall net housing requirement figure of a minimum of 7,768 8,715 for the Plan period. The Council has identified sufficient sites, including an allowance for small sites and windfalls, to provide a supply figure of 7,891 8,819 homes over the Plan period.”</i></p> <p>4.60 Therefore, with what is considered to be an already suppressed housing requirement, the Council has identified a total of 104 surplus units throughout the plan period to 2032. This is a surplus of 1.19%. This is inappropriate and particularly precarious for plan making, and it is considered to fundamentally put the soundness of the plan at risk. Should there be slippage in delivery of a very modest number of identified sites, the Council would no longer be able to demonstrate a five year supply of housing land and the housing requirement for the plan period would not be met. Even if Liverpool is adopted the supply is well below the 6.3 years claimed.</p> <p>4.61 Our significant concerns at Publication and at the Examination as to whether the plan would provide sufficient land to meet that requirement remain. Further, following evidence compiled as part of conjoined planning appeals APP/M2325/W/17/3179277, 3179809, 3176410 & 3181216, our concerns have increased as at least 435 units allocated in the latest Fylde housing land supply position (Housing Land Supply Statement Base dated 30th September 2017) will not come forward in the next five years. This could fundamentally compromise the figures set out in the emerging Local Plan and the housing trajectory (MM72). The consequence is therefore not providing for the minimum delivery of 8,715 required as part of an already suppressed housing requirement target. Furthermore, it would compromise the Council’s 5 year supply as set out in the Housing Land Supply Statement Base dated 30th September 2017.</p> <p>4.62 Below is a table setting out the Council’s position as well as that of the 4 Appellants.</p> <table border="1" data-bbox="392 981 1272 1300"> <thead> <tr> <th></th> <th>Council Supply of 3,616</th> <th>Appellants Supply of 3,181</th> </tr> </thead> <tbody> <tr> <td>20% and Sedgfield 3,558</td> <td>5.08</td> <td>4.47</td> </tr> <tr> <td>20% and Liverpool 2,858</td> <td>6.33</td> <td>5.57</td> </tr> </tbody> </table> <p>4.63 On the basis of the Appellants’ figures then even applying Liverpool the surplus would be 323 dwellings which is a marginal oversupply.</p> <p>4.64 Consequently, the plan in its current form is not sound and must be amended accordingly. Our evidence on delivery as set out in the</p>		Council Supply of 3,616	Appellants Supply of 3,181	20% and Sedgfield 3,558	5.08	4.47	20% and Liverpool 2,858	6.33	5.57
	Council Supply of 3,616	Appellants Supply of 3,181								
20% and Sedgfield 3,558	5.08	4.47								
20% and Liverpool 2,858	6.33	5.57								

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	<p>Housing Land Supply Statement Base dated 30th September 2017 is appended to these representations at EP1.</p> <p>4.65 In light of this and other evidence presented above, it is considered that a flexibility allowance is required, in the order of 20% additional land to be allocated. This would give a reasonable degree of security that should sites not deliver at the rates anticipated a 5 year housing land supply could still be maintained and the overall housing requirement could be met.</p> <p>4.66 The plan as it stands fails to deliver a 5 year supply and fails to meet the suppressed housing requirement. Significant changes are required.</p> <p>¹ Please see decisions EL4.001 to EL4.012</p>
52 Persimmon Homes	Again Persimmon Homes supports the increase for housing delivery across the borough to 415 units per annum.
16 Gladman Developments	<p>Notwithstanding the comments already raised relating to the proposed housing requirement, Gladman question the justification behind the continuous use of the 'Liverpool' method in the policy wording over the duration of the plan period. Gladman has previously commented upon the use of the Liverpool method and the fact that its use does not provide an effective guarantee that it will be able to address any shortfall that may accrue over the plan period. The use of the Liverpool method within the policy wording will also mean that decision takers will not be able to apply the Sedgefield methodology even if they consider it to be a more appropriate methodology to remedy any housing shortfall.</p> <p>Furthermore, whilst the Government is currently seeking comments on the draft NPPF, which introduces the new housing delivery test, it is uncertain whether this approach will be implemented as currently proposed, until it is formally adopted.</p>
36 Metacre Ltd - De Pol Associates	<p>MM40 – Policy H1 and paragraph 10.16</p> <p>The proposed modifications include inserting references to the "Liverpool" method being applied in the annual monitoring reports throughout the lifetime of the plan. It is also suggested in the amendments to para 10.17 and in MM73 Indicator 2. This is entirely inappropriate.</p> <p>Previous representations have highlighted why the Sedgefield method is both preferable and more in line with NPPF objectives and guidance in the NPPG. Indeed this has been accepted by several appeal inspectors considering s.78 appeals in Fylde over the preceded few years. It is</p>

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	<p>not considered necessary to repeat our previous representations to the Local Plan and EIP Hearings.</p> <p>It is acknowledged that the Local Plan Inspector may disagree with our previous representations and conclude that for the purposes of producing this Local Plan it is not 'un-sound' to spread the shortfall pre-2018 across the remainder of the Local Plan period. However, the reasons for this may cease to be applicable as the plan period progresses. Irrespective of which approach is applied at this particular moment in time, circumstances may change and an alternative method of addressing any shortfall may be considered more appropriate in the future. This is a matter for consideration when the annual monitoring reports are produced and the delivery of housing is assessed and updated. It is inappropriate and unsound for the Local Plan to predetermine this by stating that the Liverpool method will always be applied for the next 13 years.</p> <p>It is considered that to be sound the references to the Liverpool approach being applied should be deleted from policy H1, its justification text and monitoring indicator 2.</p>
22 Hollins Strategic Land	<p>Main Modifications 6, 40, 41</p> <p>2.4 MM6, 40 and 41 propose to modify the minimum number of homes that the eLP will provide sites for. MM41 states the following:</p> <p><i>A calculation of 370-415 net dwellings per annum for 21 complete calendar years from 1 April 2011 to 31 March 2032 produces an overall net housing requirement figure of a minimum of 7,768 8,715 for the Plan period. The Council has identified sufficient sites, including an allowance for small sites and windfalls, to provide a supply figure of 7,891 8,819 homes over the Plan period.</i></p> <p>2.5 In previous Representations, HSL has stated that the oversupply of only 104 homes does not provide sufficient flexibility through the plan period and that additional sites must be allocated so that the Council can ensure that it meets its minimum housing requirement and provides a sound plan.</p> <p>2.6 At present, if only one of the larger strategic sites, such as HSS12 (see below), were not to come forward for housing during the plan period, the eLP would not meet its minimum housing requirement.</p> <p>Main Modifications 40 and 41</p> <p>2.11 MM40 states the Council will provide for and manage the delivery of new housing by (inter alia):</p> <p><i>Ensuring there is enough deliverable land suitable for house building capable of providing a continuous 5 year supply calculated using</i></p>

Main Modification MM40 Policy H1	
Representor	Text of Representation
	<p><i>the “Liverpool” method from the start of each annual monitoring period</i></p> <p>2.12 MM40 states that the Liverpool method is necessary “<i>in order to provide the most effective strategy to facilitate the delivery of housing during the plan period</i>”. HSL has stated in previous Representations that the Sedgefield approach should be utilised; the Council has not satisfactorily considered a number of matters in seeking to justify the Liverpool method of calculating housing land supply (HLS).</p> <p>2.13 HLS was discussed during the eLP Hearings in December 2017 and the LPA did not submit any additional evidence on the sites/units found to be undeliverable by the Inspector for appeal 3164516. The Council’s latest Housing Land Supply Statement (HLSS) was issued on 11/01/18, following the eLP Hearings. The HLSS does not cite additional evidence. HSL remains of the opinion that the LPA cannot demonstrate a five-year HLS.</p> <p>2.14 Further to previous Representations, the latest position with regard site HSS12 is also relevant to the HLS. The HLSS includes the provision of 30 dwellings in year 5 via site HSS12. The uncertainty surrounding application 17/0851 demonstrates that the site should not be considered deliverable at the present time.</p> <p>2.15 Hallam Land Management (HLM) has submitted a very similar application to 17/0851, in relation to land at Clifton House Farm (CHF), Warton. The outline permission for the CHF site includes the same condition as that for site HSS12, having been imposed by the Secretary of State (SoS). It is considered likely that LCC will not issue a consultation response on this application until after mid-April either and as such, this must cast further doubt on its deliverability. The HLSS states that CHF would contribute 15 dwellings to the five-year HLS, but this should also be removed.</p> <p>2.16 Even if the HLSS were correct on all sites other than HSS12 and CHF, the HLS would be marginal and fragile. It is also of note that the HLS requirement will rise due to Fylde having to assist WC with its significant unmet need.</p> <p>2.17 It is considered that the Council must adopt the Sedgefield approach to HLS calculation and reduce its supply to take account of the lack of evidence supporting the inclusion of many sites, such as HSS12 and CHF.</p>
59 Strategic Land Group - Turley	<p>Five Year Supply – Sedgefield v Liverpool</p> <p>3.22 Policy H1 (as amended) identifies that the Council will use the Liverpool method, for the purpose of calculating five year supply. SLG maintains its objection to the Council’s preference for employing the Liverpool method.</p> <p>3.23 The use of the Liverpool method means that housing needs identified now will not be delivered in full until much later in the plan period. This is the antithesis of national policy which seeks to significantly boost housing now and the principles set out in PPG (ID 3-035).</p>

Main Modification MM40 Policy H1	
Representor	Text of Representation
	3.24 SLG maintain that the Sedgefield approach is the most appropriate way to address shortfalls and deficiencies in delivery as soon as possible.

Main Modification MM41 Paragraphs 10.15 to 10.19	
Representor	Text of Representation
34 Mactaggart & Mickel - Colliers International	<p>In terms of Main Modification 41, it is noted that the Council have been provided with a OAN range of dwellings per annum from 410-430 units, based on the 2014 household projections to 2039 and have elected to pursue 415 units per year, at the lower end of this range. Mactaggart and Mickel attended the Stage Three Hearing Session and sought to ascertain and be advised by Fylde Council of the basis for arriving at the figure of 415 units per annum. It is considered that based on the paucity of reasoning offered at this session and the fact that the Council, based on their own calculations, will barely be able to demonstrate a five year housing land supply, using the Sedgefield Method, that 430 units per annum should be provided for in this main modification. This will seek to ensure that there is a sufficient range and choice of housing that is deliverable and this may also assist the Council in meeting their five year housing land supply target going forward. A matter they have constantly struggled with to date. By way of comparison and as noted in MM1, in paragraph 1.24, the adjoining Wyre Council OAN range was from 400-479 units per year. Wyre Council accepted the 479 units per annum as their appropriate housing requirement figure. It is the view of Mactaggart & Mickel that seeking to provide 430 units per annum in Fylde Borough would go towards significantly seeking to boost the housing land supply, as advocated in paragraph 47 of the Framework. The Inspector is requested to confirm that 430 units per annum are required in Fylde Borough over the lifetime of the Local Plan.</p> <p>There is a fine margin by which the identified housing supply of 8,819 units, meets the minimum housing requirement of 8,715 units, is detailed in paragraph 10.16 for MM41. Having attended the Hearing Sessions of the Local Plan, this position is barely credible and demonstrates the Council's view of seeking to do the bare minimum to provide the houses required for its population over the plan period. This is reaffirmed by the local authority's delays in producing a Local Plan, its glacial pace in terms of progress and the fact that a further consultation was required during the Examination Session on the OAN.</p> <p>To ensure that a five year housing land supply is provided for consistently in the future, further housing sites are required to be</p>

Main Modification MM41 Paragraphs 10.15 to 10.19	
Representor	Text of Representation
	<p>allocated, in order for this new Local Plan to be considered “sound” going forward and importantly from its adoption date. The Inspector is requested to consider this point, as there are a significant number of potential housing sites that can be allocated to “boost” the housing land supply. This may require a further Hearing Session of the Local Plan, where the merits of further potential housing sites can be considered by the Inspector. This will allow for only a partial review early review, as indicated in paragraph 1.27 of MM1, to concentrate solely in accommodating additional need from neighbouring Wyre Borough.</p> <p>It is also considered that the Sedgefield method should be used for calculating the five year housing land supply, as the backlog in under provision of housing since 2011 is now building up. These are homes that are required now and which the Council has failed to provide for, without further delay, in order to accommodate the Council areas population and these are certainly needed in the next five years, as a minimum pre-requisite. This matter is brought into stark contrast in the new text at the bottom of paragraph 10.16 where the Council have provided an average of 256 units per annum from 2011-17 to date. A significant boost to the supply of housing is now required in Fylde Borough. The suggestion from the Council that they wish to spread the under supply accumulated so far, over the remainder of the plan period, via the Liverpool method, is an unacceptable proposition to Mactaggart & Mickel. This is based on the systemic failure of Fylde Borough to meet its housing requirements in recent years, which was self-evident at the Stage Three Hearing Session of the Local Plan.</p> <p>The trajectory is detailed in MM41 and in Appendix Two. Mactaggart & Mickel consider it to be entirely unrealistic in terms of programmed housing delivery over the next few years. It is considered that the level of homes anticipated for delivery, over 700 units for a four year period from now, 2017/18 to 2020/21 is unrealistic. In our client’s experience, whilst there will be an increase in homes delivered after the Local Plan is adopted, this will take place at a lower rate and over a longer period and the trajectory should be amended to reflect this realism. In suggesting over 700 units per annum for the next four years, the Council are setting themselves up for further failure to deliver at such a high return. The trajectory needs to be credible. This will also allow for new, smaller and deliverable housing sites to come forward in the short term to ensure the five year housing land supply is met in full and consistently.</p> <p>It is respectfully requested that the Inspector takes these comments into account, before finalizing and issuing the Examination Report. There is now an opportunity to address the systemic failure of Fylde Borough to deliver a suitable level of housing to accommodate their OAN. This Local Plan presents a potential once in a decade chance to correct this matter going forward and to ensure that the government’s aim to significant boost the land supply is met for Fylde Borough and that their new Local Plan is sound from adoption and can demonstrate a consistent five year housing land supply after its adoption date.</p>

Main Modification MM41 **Paragraphs 10.15 to 10.19**

Representor	Text of Representation
22 Hollins Strategic Land	<p>Main Modifications 6, 40, 41</p> <p>2.4 MM6, 40 and 41 propose to modify the minimum number of homes that the eLP will provide sites for. MM41 states the following: <i>A calculation of 370-415 net dwellings per annum for 21 complete calendar years from 1 April 2011 to 31 March 2032 produces an overall net housing requirement figure of a minimum of 7,768 8,715 for the Plan period. The Council has identified sufficient sites, including an allowance for small sites and windfalls, to provide a supply figure of 7,891 8,819 homes over the Plan period.</i></p> <p>2.5 In previous Representations, HSL has stated that the oversupply of only 104 homes does not provide sufficient flexibility through the plan period and that additional sites must be allocated so that the Council can ensure that it meets its minimum housing requirement and provides a sound plan.</p> <p>2.6 At present, if only one of the larger strategic sites, such as HSS12 (see below), were not to come forward for housing during the plan period, the eLP would not meet its minimum housing requirement.</p> <p>Main Modifications 40 and 41</p> <p>2.11 MM40 states the Council will provide for and manage the delivery of new housing by (inter alia): <i>Ensuring there is enough deliverable land suitable for house building capable of providing a continuous 5 year supply calculated using the “Liverpool” method from the start of each annual monitoring period</i></p> <p>2.12 MM40 states that the Liverpool method is necessary “<i>in order to provide the most effective strategy to facilitate the delivery of housing during the plan period</i>”. HSL has stated in previous Representations that the Sedgefield approach should be utilised; the Council has not satisfactorily considered a number of matters in seeking to justify the Liverpool method of calculating housing land supply (HLS).</p> <p>2.13 HLS was discussed during the eLP Hearings in December 2017 and the LPA did not submit any additional evidence on the sites/units found to be undeliverable by the Inspector for appeal 3164516. The Council’s latest Housing Land Supply Statement (HLSS) was issued on 11/01/18, following the eLP Hearings. The HLSS does not cite additional evidence. HSL remains of the opinion that the LPA cannot demonstrate a five-year HLS.</p> <p>2.14 Further to previous Representations, the latest position with regard site HSS12 is also relevant to the HLS. The HLSS includes the provision of 30 dwellings in year 5 via site HSS12. The uncertainty surrounding application 17/0851 demonstrates that the site should not be considered deliverable at the present time.</p> <p>2.15 Hallam Land Management (HLM) has submitted a very similar application to 17/0851, in relation to land at Clifton House Farm (CHF),</p>

Main Modification MM41 Paragraphs 10.15 to 10.19	
Representor	Text of Representation
	<p>Warton. The outline permission for the CHF site includes the same condition as that for site HSS12, having been imposed by the Secretary of State (SoS). It is considered likely that LCC will not issue a consultation response on this application until after mid-April either and as such, this must cast further doubt on its deliverability. The HLSS states that CHF would contribute 15 dwellings to the five-year HLS, but this should also be removed.</p> <p>2.16 Even if the HLSS were correct on all sites other than HSS12 and CHF, the HLS would be marginal and fragile. It is also of note that the HLS requirement will rise due to Fylde having to assist WC with its significant unmet need.</p> <p>2.17 It is considered that the Council must adopt the Sedgefield approach to HLS calculation and reduce its supply to take account of the lack of evidence supporting the inclusion of many sites, such as HSS12 and CHF.</p>
59 Strategic Land Group - Turley	<p>(For this section, no specific modification is indicated by the representor, but it would seem to be intended to relate to MM41)</p> <p>3. Housing Supply and Trajectory</p> <p>3.1 The Fylde mid-year Housing Land Supply Statement (HLSS)(base date 30th September 2017) includes a five year supply statement and housing trajectory for the next five years and for the remaining plan period.</p> <p>3.2 The updated HLSS indicates that the Council are able to demonstrate a 5.1 year supply of deliverable housing sites using the Sedgefield method and a 6.3 year supply of deliverable housing sites using the Liverpool method.</p> <p>3.3 Our previous representations, appended to this report, identify SLG's concerns regarding the trajectory. The main concern remains the suggestion that land at Queensway, St. Annes is expected to deliver 100 units per annum from 2019/2020 and achieve full delivery (1,150 dwellings) within the plan period.</p> <p>3.4 SLG continue to assert that the suggested level of output is unrealistic and based on inadequately evidenced assumptions. The objections stated within our previous representation have not been addressed by the proposed Modification and therefore remain.</p>

Main Modification MM42 Policy H2	
Representor	Text of Representation
23 Home Builders Federation	The HBF consider that the insertion of ‘normally’, helps to increase flexibility in relation to a minimum net density of 30 homes per hectare. Further text in relation to residential densities and the potential for lower net residential densities to reflect and enhance the local character of the area is generally welcomed.
67 Wainhomes - Emery Planning	<p>5. MM42 – Policy H2</p> <p>5.1 MM42 adds in text to ensure flexibility. However the flexibility is only based on a future assessment of housing need. We consider there should be flexibility to take account of site specific issues and demand. This is an issue considered as part of the Sefton Local Plan and Policy HC2 states:</p> <p><i>“1. In developments of 25 or more dwellings, the mix of new properties provided must be as follows unless precluded by site specific constraints, economic viability or prevailing neighbourhood characteristics:”</i></p> <p>5.2 This allows for exceptions to be made should there be site specific constraints or viability issues. A similar approach should be followed as MM42 has been added to provide flexibility. We agree with that approach but is not flexible enough.</p>
52 Persimmon Homes	Persimmon Homes supports the policy to introduce a minimum of 30 homes per hectare across the borough.
36 Metacre Ltd - De Pol Associates	<p>MM42 – Policy H2</p> <p>The Council state that the insertion of <i>“These requirements will be adjusted in response to the findings of future Housing Needs Assessments conducted on behalf of the Council”</i> will allow some flexibility. Suggesting that a Housing Need Assessment may be undertaken in the future but that in the meantime all development will have to comprise 50% 1, 2 and 3 bed properties and 33% 1 and 2 bed properties in Tier 1 and 2 settlements, does not provide flexibility. Our client’s concerns on this policy have already been expressed in previous representations to the Local Plan.</p>
22 Hollins Strategic Land	<p>Main Modification 42</p> <p>2.18 MM42 relates to housing mix policy H2 and states:</p>

Main Modification MM42 Policy H2	
Representor	Text of Representation
	<p><i>All developments of 10 or more dwellings will therefore be required to include at least 50% of dwellings that are 1-, 2- or 3-bedroom homes. Developments within or in close proximity to the Tier 1 Larger Rural Settlements or Tier 2 Smaller Rural Settlements should include at least 33% 1- or 2-bedroom homes. <u>These requirements will be adjusted in response to the findings of future Housing Needs Assessments conducted on behalf of the Council.</u></i></p> <p>In previous Representations, HSL has questioned whether this policy has been justified and stated that its imposition would impact on the viability of developments. This is particularly so of sites which obtained outline planning permission in advance of this policy gaining any significant weight in the decision-making process and of course, the majority of the housing supply identified in the eLP does already have outline permission. The imposition of this policy on reserved matters applications could prevent sites from coming forward or result in applications for 106 Agreements to be varied to reduce affordable housing or off-site contributions.</p> <p>Furthermore, the eLP does not commit the Council to a review of the Housing Need Assessment (HNA) work. The findings of the most recent HNA could very quickly become out of date but the Council would impose the requirements of policy H2 unless applicants provided evidence to show that it was not appropriate to do so. It is considered that, if this policy is adopted, it must commit the Council to annual reviews of the HNA.</p>

Main Modification MM43 Paragraph 10.25	
Representor	Text of Representation
23 Home Builders Federation	The HBF consider that the insertion of 'normally', helps to increase flexibility in relation to a minimum net density of 30 homes per hectare. Further text in relation to residential densities and the potential for lower net residential densities to reflect and enhance the local character of the area is generally welcomed.
52 Persimmon Homes	Persimmon Homes supports the policy to introduce a minimum of 30 homes per hectare across the borough.

Main Modification MM44 Policy H4	
Representor	Text of Representation
	No comments received

Main Modification MM45 Policy H5	
Representor	Text of Representation
73 National Federation of Gypsy Liaison Groups	<p>We object to the modifications to policy H5. They have made a bad policy worse.</p> <p>The reduction in pitch requirement from 26 to 3 is a cynical attempt to exploit the change in definition as a means of the Council avoiding its responsibility to make proper provision for Gypsies and Travellers. It is not based on a robust assessment of need. The updated GTAA was not a comprehensive assessment of need and did not properly distinguish between those who did and those who did not meet the revised definition.</p> <p>Even if it was a robust assessment, provision still needs to be made for those Travellers who fall outside the revised definition but no such provision is being made.</p> <p>The requirement which states that a need must be established before planning permission will be granted is discriminatory because no such requirement would be sanctioned in regard to mainstream housing and, furthermore, it is not compliant with national guidance in Planning Policy for Traveller Sites (PPTS). Paragraph 10 of PPTS requires that Local Plans must set out criteria to be used in determining applications that come forward irrespective of need.</p> <p>Criterion (b) remains unacceptable in restricting sites within “An Area of Separation.”</p> <p>Criterion (d) remains too restrictive. It should say “not significantly harm....”</p>

Main Modification MM46 Justification to Policy H5	
Representor	Text of Representation
	No comments received

Main Modification MM47 Policy H6	
Representor	Text of Representation
	No comments received

Main Modification MM48 Policy H7	
Representor	Text of Representation
36 Metacre Ltd - De Pol Associates	<p>MM48 – Policy H7</p> <p>This policy, as proposed to be modified, states that a replacement or extended home will be permitted where it is increased in size by no more than 33% calculated in relation to the ground floor area (GFA) of the original home.</p> <p>Whilst it is acknowledged that a guideline would be helpful for both applicants and decision makers in terms of what is likely to be considered a proportionate increase in the size of an original home, the policy, as worded, is effectively placing a limit in every possible scenario for replacement dwellings and residential extension proposals in the countryside. Whilst such a figure may be considered a maximum proportionate addition in a number of scenarios, it cannot realistically be considered appropriate in every possible circumstance. There are likely to be a wide range of circumstances whereby an increase of over 33% would be acceptable, without detriment to the objectives of the policy.</p> <p>It is suggested that the policy be amended so that the 33% is referred to as a guideline within the policy justification text rather than an absolute limit within the policy itself.</p>

Main Modification MM49 Policy H7	
Representor	Text of Representation
	No comments received

Main Modification MM50 Policy HW1	
Representor	Text of Representation
65 Treales Roseacre & Wharles Parish Council	<p>2. Main Modification Ref : MM50 - Policy HW1 Health and Well-Being - page 41</p> <p>We have previously highlighted that the Local Plan development process has failed to take account of the Health Impact Assessment (HIA) conducted with regard to two of the fracking surface works sites in the Fylde. These were specifically: the in-progress Preston New Road site; and the proposed Roseacre Wood site. The Director of Public Health for Lancashire made representations that this should have been included as part of the consultation and we attached reference to that HIA . At that time 61 health and well-being recommendations were required, however there has yet to be a report published which evidences the status of these recommendations. As a result, these recommendations can only be considered to be extant. We have still seen no evidence of these representations being considered. These representations were made in submission EL6.30 and appendices i-xi and xiii.</p> <p>To avoid repetition of this in the future and to ensure the plan is effective we propose the following insertion of the following</p> <p>“....for heavy industrial activities such as shale gas exploration and development and”</p> <p>This is shown in bold in the paragraph of the main modifications document below:- .</p> <p>Ref Policy HW1 p41</p> <p>“In order to help reduce health inequalities, the Council will require health impact screening to be undertaken for all major development proposals for heavy industrial activities such as shale gas exploration and development and on each Strategic Site (100 or more homes) within the Strategic Locations for Development strategic sites through the submission of a masterplan. A full independent Health Impact Assessment will be required if the screening demonstrates a need. The Health Impact Assessments will be assessed by Lancashire County Council, as the public health authority. The outcomes of the screening process should be reflected in the development proposal and should be a consideration in decision-making. “</p>

Main Modification MM50 Policy HW1	
Representor	Text of Representation
	This is for consistency with Policy M1, and effectiveness. To ensure that the policy has effect.

Main Modification MM51 Policy HW2	
Representor	Text of Representation
31 Lancashire County Council	Policy HW2 (P42) – Proposed Modification includes the following " <i>The Council will work with the Education Authority to identify and deliver a site for a new secondary school once a need is demonstrated within the plan period</i> ". LCC are disappointed to note this sentence, as the authority have consistently requested the need for Fylde Council to take a strategic decision on the provision of a secondary school site which is identified and secured within the Local Plan. Please explain what additional information is required.

Main Modification MM52 Justification to Policy HW2	
Representor	Text of Representation
31 Lancashire County Council	Policy HW2 (P44) - Proposed Modification includes the following "The Council will work with the Education Authority to identify and deliver a site for a new secondary school once a need is demonstrated within the plan period". As above, LCC are disappointed to note this sentence, as the authority have consistently requested the need for Fylde Council to take a strategic decision on the provision of a secondary school site which is identified and secured within the Local Plan. Please explain what additional information is required.
142 Department for Education (Late response)	<p>Comments on the Local Plan</p> <p>4. As you will be aware, the primary focus at this stage of the Local Plan's preparation is on the soundness of the plan, with regard to it being positively prepared, justified, effective and consistent with national policy. The following detailed comments set out the ESFA's view of the</p>

Main Modification MM52 Justification to Policy HW2	
Representor	Text of Representation
	<p>plan’s soundness in respect of education provision.</p> <p>5. The ESFA supports the Council’s allocation and safeguarding of land for schools as set out in the following policies:</p> <ul style="list-style-type: none"> • HW2 Community Facilities <p>In addition, the Infrastructure Delivery Plan (2016) provides helpful detail, in paragraph 6.17, regarding the requirement for future school places within Fylde. In particular, we commend the detail provided regarding the need for a new one and half form entry primary as part of the Queensway development at St Annes. For other development sites likely to generate a significant level of need, we would encourage the identification and allocation of sites for new schools. This will help to ensure the local plan is as effective as possible in terms of its approach to the planning and delivery of education infrastructure.</p> <p>Forward Loan Fund</p> <p>6. In light of Policy HW2 Community Facilities, emerging ESFA proposals for forward funding schools as part of large residential developments may be relevant, for example if viability becomes an issue. The ESFA aims to be able to clarify forward funding options for schools in 2018. We would be happy to meet to discuss this opportunity further once the options have been finalised and if/when relevant. Any offer of forward funding would seek to maximise developer contributions to education infrastructure provision while supporting delivery of schools where and when they are needed.</p> <p>Developer Contributions and CIL</p> <p>7. One of the tests of soundness is that a Local Plan is ‘effective’ i.e. the plan should be deliverable over its period. In this context and with specific regard to planning for schools, there is a need to ensure that education contributions made by developers are sufficient to deliver the additional school places required to meet the increase in demand generated by new developments. The ESFA notes that a draft CIL draft has been out for consultation and is currently being progressed towards adoption. The ESFA would be particularly interested in responding to any update to the Infrastructure Delivery Plan or review of infrastructure requirements, which will inform any CIL review and/or amendments to the Regulation 123 list. As such, please add the ESFA to the database for future CIL consultations.</p>

Main Modification MM53 Policy HW3	
Representor	Text of Representation
141 Sport England	<p>Modifications to policy HW3 – I note that this policy is to be modified by the deletion of the footnotes. This policy was developed in close consultation with ourselves, including the addition of the footnote. I do not see the need to delete points 1 and 3, and do not understand the reasons given for their demise.</p> <p>Both footnotes 1 and 3 reference the Playing Pitch Strategy and Built Sports Facility Strategy as qualifying as a needs assessment. The reason given for this change is that they will become out of date. Given there is no date in brackets listed with these documents this seems strange, particularly as the note is referring to documents well understood to be the key evidence base material for formal sport. I read this reference as generic, as in any strategy of this type produced at any point in time. It is the council’s responsibility to ensure that the evidence base material is kept up to date and it is the strategy’s steering group responsibility to ensure implementation is monitored and action plans reviewed as necessary; as well as commissioning a full strategy refresh if required. This would not stop a developer seeking to produce playing field or sports site specific research to create more up to date data following the PPS or BSFS methodologies, if pursuing a planning application for instance, where the council’s evidence base is found lacking.</p> <p>I am very concerned that the loss of these references in the footnote would create a worrying flexibility in this policy meaning any ‘needs assessment’ could be done without following the nationally recognised methodology, produced by ourselves as a national body on community sport and recognised in the planning practice guidance linked to the NPPF. Loss of a sports facility without following strategies recognised by us, would most certainly lead to an objection from Sport England. On playing field land this would be very likely to give rise to a statutory objection.</p> <p>I have no objection to the loss of footnote 2.</p> <p>If you would like to discuss the issues raised here further please get in touch.</p>

Main Modification MM54 Introduction to Chapter 12	
Representor	Text of Representation
	No comments received

Main Modification MM55 Justification to Policy INF1	
Representor	Text of Representation
	No comments received

Main Modification MM56 Policy INF2	
Representor	Text of Representation
	No comments received

Main Modification MM57 Justification to Policy T1	
Representor	Text of Representation
	No comments received

Main Modification MM58 Policy T2	
Representor	Text of Representation
2 BAE Systems – Cass Associates	Thank you for contacting us in relation to the above. We write in response on behalf of our clients BAE Systems Properties Ltd. Our clients support the proposed main modifications in relation to policy T2 ‘Warton Aerodrome’ and its associated justification text.

Main Modification MM59 Justification to Policy T2	
Representor	Text of Representation
2 BAE Systems – Cass Associates	Thank you for contacting us in relation to the above. We write in response on behalf of our clients BAE Systems Properties Ltd. Our clients support the proposed main modifications in relation to policy T2 ‘Warton Aerodrome’ and its associated justification text.

Main Modification MM60 Policy T3	
Representor	Text of Representation
4 Blackpool Council	<p>Policy T3 – Blackpool Airport – Modifications MM60 an MM61</p> <p>1.13 If the Inspector is minded to agree with the proposed amendment relating to Policy EC4 and Blackpool Airport, this would also need to be reflected in MM60 in relation to Policy T3 (Blackpool Airport) and MM61 in relation to the Justification for Policy T3. Suggested wording for MM60 and MM61 to provide clarity could be:</p> <p>MM60</p> <p>The land designated as green belt within open lands of the airport, which is 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, unless there are overriding operational requirements which require non-airport related development to be located in the Green Belt. For any inappropriate development proposed in the Green Belt which does not fall within permitted development (in accordance with Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015), very special circumstances will have to exist (in accordance with the Framework) to justify the development.</p>

Main Modification MM61 Justification to Policy T3	
Representor	Text of Representation
4 Blackpool Council	<p>Justification - MM61</p> <p>The majority of the residual airport lands are designated as Green Belt in order to retain the separation between Blackpool and St. Annes. The Council will safeguard the residual airport lands in the interests of the airport and the Green Belt. Land within the airport complex that falls outside the Green Belt is available to facilitate further airport operational development. Development proposals within the Green Belt, whether to provide for airport operational development, or other development associated with the Enterprise Zone, would have to demonstrate very special circumstances to justify the need to use Green Belt land.</p> <p>1.14 I hope our comments are of assistance. If you require any further clarity please do not hesitate to contact myself or Steve Lamb on 01253 476267.</p>

Main Modification MM62 Policy T4	
Representor	Text of Representation
64 Trams to Lytham	<p>I would like to make a comment on part of the "SCHEDULE OF PROPOSED MAIN MODIFICATIONS FOR CONSULTATION" and "Sustainability Appraisal Addendum – Post Submission Main Modifications" documents with relation to the Fylde Local Plan to 2032 as part of the ongoing consultation.</p> <p>A modification to policy T4 (Reference MM62) suggests the addition of the following text for 'clarification': "Improve and upgrade the North Fylde Railway Line and the South Fylde Railway Line, including improved service frequency on the latter".</p> <p>However, it is mentioned within the Sustainability Appraisal Addendum and the Local Plan itself that the "provision of a rail/bus/tram interchange" is an aspiration. This scheme would presumably be located along the South Fylde Line, so why is there no detail on how this would be achieved? If it is necessary to add context to achieving higher service frequency on the line, then it is my belief that the interchange suggestion should also have more context (for example the addition of "by extending Blackpool's light rail network into the borough" or a similar comment).</p>

Main Modification MM62 Policy T4	
Representor	Text of Representation
139 Tim Armit	Thank you for this. My only comment would be we are still very weak on cycling. The Fylde is flat and has very wide, very straight flat roads. There are fewer places in the UK better designed to support designed cycling solutions. We see a push towards environmentally sound solutions, we see a desire for health and fitness, reduction of obesity and diabetes. We have a desire to reduce cars from the road and improve air quality. The fylde with the right design can lead the UK in this. We see in London and Manchester designed cycle ways. I believe a kerb separated cycle way from the Lemon Tree to Lea gate is possible using existing “white line” painted cycle ways used as car parking bays. I believe this would save lives at danger on the roads, increase the number of cyclists and link the schools to the towns and reduce parental drops offs. I would very much support a stronger detail on this in the plan. We know the white lines don’t work and LCC have confirmed this, we know shared areas don’t work for cyclists but we in the Fylde can do better and lead the way.

Main Modification MM63 Policy CL3	
Representor	Text of Representation
	No comments received

Main Modification MM64 Policy CL3	
Representor	Text of Representation
	No comments received

Main Modification MM65 Paragraph 13.54	
Representor	Text of Representation
	No comments received

Main Modification MM66 Policy ENV1	
Representor	Text of Representation
	No comments received

Main Modification MM67 Justification to Policy ENV1	
Representor	Text of Representation
7 CAPOW	Page 50 MM67 Does this Valued Landscapes document exist and form part of this Plan? It was intended to be prepared in 2017. The wording “intended” used now does not match with a January 2018 preparation date for this Modifications document. NOTE – “2017” is deleted in Additional Modifications Page 14 AM46.
22 Hollins Strategic Land	<p>Main Modification 67</p> <p>2.21 MM67 relates to valued landscapes and policy ENV1, stating:</p> <p style="text-align: center;"><i>The Council intends to prepare a Valued Landscapes SPD in 2017, to accompany policy ENV1. Valued Landscapes are identified by the Council through Policy ENV1 in accordance with paragraph 109 of the Framework.</i></p> <p>2.22 It is acknowledged that the minor modifications propose the removal of “in 2017”. However, it is understood that no progress has been made on the SPD as yet. It is acknowledged that this may be as a result of the eLP Examination. However, it is also understood that the Council intends the SPD to effectively allocate land as valued landscapes. This should not be undertaken as a SPD; rather, a DPD should be produced.</p>

Main Modification MM68 Policy ENV2	
Representor	Text of Representation
	No comments received

Main Modification MM69 Policy ENV3	
Representor	Text of Representation
65 Treales Roseacre & Wharles Parish Council	<p>1. Main Modification Ref : MM69 – Policy ENV3 - Protecting Existing Open Space - page 50</p> <p>In our previous submissions we noted that the policy ENV3 Protecting Existing Open Space, actually only specified “public” open space.</p> <p>We now note that ENV3 para c (p51) recognises that designated “Existing Open Space can be considered to be essential to the setting, character, ... or visual amenities ofrural settlements”, which we support.</p> <p style="padding-left: 40px;">c. Development will not be permitted on Existing Open Space (the Green Infrastructure network) which is considered essential to the setting, character, recreational benefits for residents, or visual amenities of Key Service Centres, Local Service Centres and rural settlements.</p> <p>However, the Major Modification document at p50 states categories of open space which are still only restricted to public open spaces:</p> <p>Existing Open Space is identified on the Policies Map denoted by the following descriptions:</p> <ul style="list-style-type: none"> • Parks and Gardens • Semi-Natural Greenspaces • Amenity Greenspace • Children’s Play Areas • Local Areas and Local Equipped Areas for Play • Youth Provision Allotments • Cemeteries/Churchyards • Football Pitches • Rugby Pitches • Cricket Pitches <p>We propose a further category of “visual amenity area” should be added to the above list, consistent with para c.</p>

Main Modification MM69 Policy ENV3	
Representor	Text of Representation
	<p>We then propose that the area around Treales identified in Fig A of our submission reference EL2.020b-ii. Should be subject to policy ENV3. This is the area of undeveloped designated countryside adjacent to Carr Lane (to the north of the railway line), Kirkham Road, Treales Road (to Dagger Road)</p> <p>The rural settlement community of Treales in central Fylde is characterised by hedge-lined roadside fields and woodlands interspersed with former estate farmsteads. These open spaces form the essential intrinsic character of the setting, reflecting the heritage of this rural community, It is therefore considered essential that this protection is applied to this community asset.</p> <p>By way of precedent the current Adopted Plan allocates Policy EP2 to an open space, which is not accessible to the public, toward the western end of Treales on the north east side of the junction of Carr Lane, Moorside and Kirkham Road, where for reference :-</p> <p style="padding-left: 40px;">POLICY EP2 - Open Spaces Within Towns and Villages</p> <p style="padding-left: 40px;">DEVELOPMENT WILL NOT BE PERMITTED UPON OPEN SPACES, DEFINED ON THE PROPOSALS MAP, WHICH ARE CONSIDERED TO BE ESSENTIAL TO THE SETTING, CHARACTER OR VISUAL AMENITIES OF TOWNS AND VILLAGES.</p> <p>You may recall that at your Inspection Meetings in Public, Councillor Smith asked at the end of two of the events whether you had considered our proposal and you indicated that you had not at that stage. Consultation with FBC indicates that they have not considered our previous proposal, nor have received advice from you rejecting or supporting our previous representation.</p> <p>We now be most grateful that you would consider our proposal and be minded to adopt our proposals to protect this essential valued visual amenity of our village environs.</p>

Main Modification MM70 Policy ENV5	
Representor	Text of Representation
	No comments received

Main Modification MM71 Glossary	
Representor	Text of Representation
	No comments received

Main Modification MM72 Appendix 2 Housing Trajectory	
Representor	Text of Representation
34 Mactaggart & Mickel - Colliers International	<p>The trajectory is detailed in MM41 and in Appendix Two. Mactaggart & Mickel consider it to be entirely unrealistic in terms of programmed housing delivery over the next few years. It is considered that the level of homes anticipated for delivery, over 700 units for a four year period from now, 2017/18 to 2020/21 is unrealistic. In our client's experience, whilst there will be an increase in homes delivered after the Local Plan is adopted, this will take place at a lower rate and over a longer period and the trajectory should be amended to reflect this realism. In suggesting over 700 units per annum for the next four years, the Council are setting themselves up for further failure to deliver at such a high return. The trajectory needs to be credible. This will also allow for new, smaller and deliverable housing sites to come forward in the short term to ensure the five year housing land supply is met in full and consistently.</p> <p>It is respectfully requested that the Inspector takes these comments into account, before finalizing and issuing the Examination Report. There is now an opportunity to address the systemic failure of Fylde Borough to deliver a suitable level of housing to accommodate their OAN. This Local Plan presents a potential once in a decade chance to correct this matter going forward and to ensure that the government's aim to significant boost the land supply is met for Fylde Borough and that their new Local Plan is sound from adoption and can demonstrate a consistent five year housing land supply after its adoption date.</p>

Appendix 6 Existing Employment Sites Review	
Representor	Text of Representation
18 Greenhurst Investments - Indigo Planning	<p><u>Appendix 6 (AM57)</u></p> <p>We object to the modification as we do not consider the inclusion of site ES1 within Appendix 6 (existing employment sites review) to be</p>

Appendix 6 Existing Employment Sites Review	
Representor	Text of Representation
	<p>necessary to soundness.</p> <p>Paragraph 9.17 (existing employment sites) of the submission Local Plan refers to boundaries of existing business and industrial areas, together with sites that have become employment related uses since the start of the plan period (on 1 April 2011). However, site ES1, whilst allocated, comprises undeveloped land. It has a proposed, rather than an existing employment use. It therefore cannot be retained in an existing employment use because it has no current use (ie a nil use). Therefore, the site should be excluded from the list of existing employment sites.</p> <p><i>Changes required to Appendix 6 (AM57)</i></p> <p>The modification as proposed is not justified or effective under paragraph 182 of the NPPF. Therefore, the following text should be deleted from AM57:</p> <p><i>“The lack of alternative infill/expansion options suggest that the allocated expansion site should be retained for employment uses.”</i></p>

Main Modification MM73 Appendix 8 Monitoring Framework	
Representor	Text of Representation
23 Home Builders Federation	<p>Monitoring Framework</p> <p>The HBF is generally supportive of the addition of ‘Trigger for Action’ and ‘Contingency / Action’ columns. However, it is considered that the actions identified would benefit from being more definitive and pro-active.</p>
18 Greenhurst Investments - Indigo Planning	<p>Appendix 8 Monitoring Framework (MM73)</p> <p>We object to the proposed insertion of text relating to the indicators for measuring housing delivery and triggers for action as they are not consistent with the draft NPPF and PPG.</p> <p>Paragraph 75 of the draft NPPF states the presumption in favour of sustainable development will apply if the local planning authority cannot demonstrate a five year supply of deliverable housing sites or where the Housing Delivery Test indicates that delivery has been substantially</p>

Main Modification MM73 **Appendix 8 Monitoring Framework**

Representor	Text of Representation
	<p>below the housing requirement over the previous three years.</p> <p>Paragraph 211 states the Housing Delivery Test will apply from November 2018. The requirements become stricter each year. From November 2020, substantial under-delivery means where delivery falls below 75% of the housing required over the previous three years. Paragraph 74 explains a 20% buffer will be applied where delivery falls below 85%. Further details are set out by the draft PPG. This clearly sets out the government’s direction of travel and the plan should reflect this.</p> <p>The proposed modification also has direct relevance upon the effectiveness of Policy H1 as the monitoring framework is referred to in part (b) of that policy. The monitoring framework should therefore follow these requirements.</p> <p><i>Changes required to Appendix 8 Monitoring Framework (MM73)</i></p> <p>We request the proposed modification be amended to reflect the requirements and triggers for action (including the Housing Delivery Test) set out in the draft NPPF and PPG. Currently the amendments as worded are unsound and therefore not effective or consistent with national policy under paragraph 182 of the NPPF.</p>
<p>16 Gladman Developments</p>	<p>MM73 updates the Performance Monitoring Framework that will be used to monitor the Local Plan’s implementation. In this respect:</p> <ul style="list-style-type: none"> • Notwithstanding our comments on the status of the draft NPPF above and the Housing Delivery Test, Indicator 1 sets out that the Presumption in Favour of Sustainable Development will be invoked when there is a failure to deliver 65% of the Council’s housing requirement over a three year period. This is inconsistent with the Housing Delivery Test contained in the draft NPPF, which stipulates that the relevant trigger would be the failure to deliver 75% of an authority’s housing target over the same period; • Indicator 2 sets out that the Council will consider granting planning permission for sites of between 10 and 15 homes on sites not allocated in the plan, adjacent to settlement boundaries of the Strategic Locations for Development. Should the Council’s proposed allocations fail to deliver it is important that this contingency provides greater flexibility and that the specific caps to development should be removed and should instead be reworded so that development will be permitted where it is well related in size and scale to the settlement. • Indicator 3 identifies that the Council will consider reviewing their site allocation policies where there is a 20% shortfall on the cumulative requirement of the housing trajectory, but doesn’t specify over what period this will be assessed. Clearly any mitigation measures will need to be implemented in a reasonable time frame – and not at the end of the plan period, to maintain a continuous supply of housing land; and • Indicator 4 describes how the Council will consider the reasons for an imbalance in housing delivery, where a) the Strategic Locations for Development deliver less than 80% of the borough’s housing requirements, and b) the non-strategic locations deliver more than

Main Modification MM73 Appendix 8 Monitoring Framework	
Representor	Text of Representation
	15%. If sites are being brought forward the Council should consider the allocation of alternative sites in Strategic Locations for Growth.
36 Metacre Ltd - De Pol Associates	<p>MM73 – Indicator 1</p> <p>Suggested trigger point 3) is a failure to deliver 65% of the requirement over a 3 year rolling period. If this is meant to be in line with national guidance, and presumably the recently published draft Planning Practice Guidance, then this figure should be 75%.</p> <p>MM73 – Indicator 2</p> <p>For reasons set out in relation to MM40 above, it is inappropriate for this indicator to state that the Liverpool method will be used. Furthermore, the suggested contingency is also not in compliance with the Framework and is unjustified. If there is not a deliverable five year supply there is no basis to suggest that only sites of between 10 and 15 dwellings on the edge of Strategic Locations for Development will be considered for development. In the absence of a five year supply NPPF 49 states that relevant policies for the supply of housing should not be considered up-to-date. In these circumstances the NPPF para 14 presumption in favour of sustainable development should apply and there should be no arbitrary ceiling to individual developments, nor a restriction on the site having to be at the Strategic Locations for Development. Proposed development should be considered on its merits in line with NPPF paragraph 14.</p>
59 Strategic Land Group - Turley	<p>Monitoring and Housing Review Mechanism</p> <p>3.25 The FLP Main Modifications proposes the introduction of a monitoring regime for the FLP. This seeks to put in place measures to rectify any deficiencies in housing land supply. The mechanism is welcomed and broadly reflects that which was proposed in the Government’s housing white paper.</p> <p>3.26 The Draft NPPF clarifies when the triggers for measures to address deficiencies in delivery shortfall should take effect (i.e. when housing shortfall is considered substantial³). This sets out that corrective measures should be taken when delivery against the requirement is 25% in 2018 and increasing to 75% in 2020. This needs to be incorporated into the FLP.</p> <p>3.27 Moreover, the suggestion that a substantial shortfall in housing delivery would also precipitate a review of the FLP or its housing allocation policies is welcomed. This is reflective of the need to ensure an up to date development plan in a plan-led system. However SLG recommends that the mechanism should state that in considering additional allocations and or in considering the grant of planning permission for new additional housing development, they should be fully in line with the established development strategy of the FLP – that</p>

Main Modification MM73 **Appendix 8 Monitoring Framework**

Representor	Text of Representation
	<p>being the focus of housing delivery within the Strategic Locations for Development within Fylde.</p> <p>3.28 As explained above, SLG firmly consider that the test is a welcome addition to rectify shortfalls in housing delivery. However this should be in addition to the need for further housing allocations to be introduced into the FLP to ensure further flexibility and responsiveness in its overall housing supply.</p> <p>³ See paragraph 211, Annex 1, draft NPPF consultation draft, 2018</p>

Infrastructure Delivery Plan

Representor	Text of Representation
<p>31 Lancashire County Council</p>	<p>EL10.004 Schedule of Proposed Additional Modifications</p> <p>IDP Para 6.11 (P18) – Proposed Modification includes the following "LCC seeks £13,474.53 per primary school place". Please amend amount to £14,217.31 (April 2017).</p> <p>IDP Para 6.12 (P18) - Proposed Modification includes the following "LCC seeks £20,303.59 per secondary school place". Please amend amount to £21,423.27 (April 2017).</p> <p>IDP Para 6.24 (P20) – Proposed Modification includes the following "LCC is legally obliged to provide a school place for every child of school age however they do not have the authority to provide places in Unitary Authorities within Lancashire. Therefore, if there are schools on the periphery within Blackpool, the choice of one school over another would be down to parental preference. Therefore, cross-boundary considerations are important when determining the need for school places in the borough, particularly as there is also pressure on primary school places in Blackpool. The Fylde-Blackpool periphery is predicted to have a significant shortfall of primary school places within the next five years. In support of cross boundary issues the proposed development at Whyndyke Farm (site) MUS2), will deliver a new primary school and would address demand from Lancashire and Blackpool. To ensure that children residing in the new housing development can access a place in their locality LCC is likely to commend a Geographical Priority Area to the governors of the new primary school.</p> <p>Please change the highlighted word "provide" to "offer";</p> <p>Remove the highlighted word "Therefore";</p>

Infrastructure Delivery Plan	
Representor	Text of Representation
	<p>Change the highlighted word "would" to "could"; and</p> <p>Add the highlighted sentence to the end of the paragraph.</p> <p>IDP Appendix 2 Education (P 22) - Proposed Modification includes the following "£13,474.53 (for primary schools) and £20,303.59 (for secondary schools)". Please amend amount to £14,217.31 (for primary schools) and £21,423.27 (for secondary schools) (April 2017).</p> <p>I trust these comments are helpful in the consultation on the Fylde Local Plan to 2032 – Schedule of Proposed Main Modifications for Consultation.</p> <p>Should you have any queries please do not hesitate to contact me.</p>

