

Independent Examination of the Fylde Local Plan

Hearing Statement submitted on behalf of
The Strategic Land Group (Representor
No:59)

Matter 5: Housing – Site Allocations and
Delivery

June 2017

1.1 This statement has been prepared on behalf of The Strategic Land Group Ltd (SLG). It considers the issues and questions posed in relation to Matter 5 (Housing- Site Allocations and Delivery), and responds to those of relevance to SLG.

Issue – Does the Plan set out a positively prepared strategy for the supply and delivery of housing that is justified, effective and consistent with national policy?

1.2 SLG has significant concerns over the adequacy of the housing land supply being relied upon to deliver the Local Plan’s housing requirement. It has previously raised these concerns through representations (at Publication stage).

1.3 Previous representations noted that based on the proposed requirement of 7,768 dwellings, the supply identified by Fylde exceeded this figure by just c.1.6% (122 dwellings). SLG were very concerned that such a small contingency figure did not provide sufficient flexibility, particularly as not all sites which make up this supply are guaranteed to come forward.

1.4 It also expressed concerns that windfall sites were included within the supply, despite no provision for doing so within the National Planning Policy Framework (‘the Framework’).

1.5 These points were reiterated in SLG’s Matter 3 Statement (Q23 and 24) and a number of other participants in the Stage 1 Examination Sessions raised similar concerns.

1.6 There is no need to repeat SLG’s response in full but in summary it set out that:

- The assumptions used in the housing trajectory were flawed and contrary to the National Planning Policy Framework (‘the Framework’) in respect of identifying a suitable supply (in relation to windfall housing allowance).
- Fylde proposed to use the Liverpool Method to address historical shortfall over the plan period contrary to the National Planning Practice Guidance (PPG).
- Assumptions over lead-in times, particularly on the larger strategic sites were overly optimistic. It is noted that Policy M1 requires each allocated site within Strategic Locations to have a masterplan and design code prepared and adopted as a Supplementary Planning Document. This was noted to have a potentially significant effect on the lead-in time for the delivery of sites.

1.7 SLG’s previous response that contingencies should be put in place to allow for the trajectory not being delivered is strengthened, particularly as the supply identified in the Housing Trajectory¹ now exceeds the requirement by less than 1%. Even greater reliance is therefore placed on delivery of the supply it identifies. For reasons set out below the prospects of meeting the minimum housing requirement now proposed are much reduced.

1.8 This should be remedied by building in extra flexibility. This should be achieved through identifying additional sites to provide a more robust supply and added certainty of delivery of the requirement to reduce the reliance on the delivery of the sites identified.

¹ EL5.003G

- 1.9 At present significant emphasis is placed on ensuring full delivery across all identified sites and means that, as drafted, the Plan is inflexible in the event that this is not achieved. The simple reality is that there will inevitably be slippage, even where planning permission has been granted as abnormal costs increase, land deals are not concluded and legal issues are unresolved. Recent DCLG analysis² has indicated that between 10 and 20% of residential planning permissions are not delivered at all. Even a modest slippage of 10% would leave an inadequate provision for even the minimum requirement and would undermine the ability of the plan to ensure an adequate supply of housing, let alone significantly boost the supply of housing.
- 1.10 This strongly supports the needs to identify additional deliverable and developable sites and include them within the housing trajectory. It is known that such sites exist, including SLG's land at Peel Hill Farm, located in the Fylde Blackpool Periphery Strategic Location. The inclusion of such sites will provide the necessary flexibility and ensure a robust Local Plan which takes a positive and proactive approach to the provision of housing land.
- 1.11 It is also instructive to note that the approach to identifying housing supply was considered by the Local Plan Expert Group³. It recommended that local plans should make a further allowance, equivalent to 20% of their housing requirement, as developable reserve sites, for a minimum fifteen year period from the date of plan adoption. Its report states that the purpose of reserve sites is to provide extra flexibility to respond to change (for example, to address unmet needs) and/or to help address any actions required as a result of the Government's proposed housing delivery test. Whilst a slightly different approach to incorporating flexibility, it is seeking to address the same issue – the need to ensure an adequate and responsive supply of housing land. Fylde has given no regard to this recommendation, despite it being considered to represent good practice.
- 1.12 In light of the concerns set out above, SLG is firmly of the view that the plan does not set out a positively prepared strategy for the delivery of housing, and is not effective and as such is contrary to the requirements of the Framework. It is therefore unsound.

1. In relation to the 5 year supply does the Plan clearly set out annual targets, completions to date, the approach to catching up the shortfall and the buffer to be applied?

- 1.13 The Fylde Local Plan (FLP) proposes that the housing requirement is set at 370 dwellings per annum (dpa) (Policy H1a). It is noted that this is based on an overall requirement of 7,768 dwellings rather than the requirement of 415 dpa now proposed by Fylde⁴. Extrapolating the increased requirement across the plan period equates to 8,715 dwellings.
- 1.14 The policy is clear that the annual requirement is a minimum figure. SLG supports this unequivocal statement, though it is unclear how it would be capable of being exceeded without a supply of additional sites, beyond those in the housing trajectory, being

² DCLG Presentations to HBF Planning Conference (September 2015)

³ Report to the Communities Secretary and to the Minister of Housing and Planning, Local Plans Expert Group, March 2016

⁴ EL05.003F

identified. It considers that stating the figure as a minimum provides certainty in terms of the rate of housing delivery and aligns with Government priorities to boost the supply of housing. Paragraph 47 of the Framework places an onus on Local Planning Authorities to take positive action to ensure that this takes place.

1.15 The Council's evidence base⁵ and housing trajectory confirm that based on completions for every year of the plan period for which actual completions data exists (i.e. 2011 – 2016) it has under delivered against the housing requirement of 370 dpa requirement in the Publication draft of the FLP (with the extent greater against the 415 dpa). As such it acknowledges that Fylde is a 20% authority (in accordance with paragraph 47 of the Framework). This conclusion is again supported by SLG.

1.16 However, the Council's approach to dealing with the under-provision of 992 dwellings against the increased requirement, is to add it to the remainder of the plan period⁶ (the Liverpool method). This is contrary to the PPG which states that:

'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.'

1.17 There is therefore an implicit requirement, or presumption, that the undersupply will be met within the first five years. However, no explanation is given as to why Fylde do not propose to deal with the undersupply within the first 5 years. This is in contrast to the approach that the Annual Monitoring Report⁷, prepared in 2016 and covering the period 2015/16 which advocates the Sedgfield approach, as does the Council's Five Year Housing Land Supply Statement⁸.

2. Appendix 2 of the Plan includes a housing trajectory for the Plan period. In light of the Council's recent evidence this is proposed to be updated. However is it necessary to include site specific details given it may quickly become out of date? Should a housing trajectory graph be included in the Plan?

1.18 Inclusion of a housing trajectory is appropriate as it provides clarity on the composition of Fylde's housing supply. SLG recognise that it will change as the FLP progresses (and post-adoption should it be adopted), however there is scope to update, with post-adoption updates included in Annual Monitoring Reports and / or Housing Land Supply Reports.

1.19 It is noted that the supply includes several very large sites (1000+ dwellings) including Queensway⁹ (1,150 dwellings) and Whyndyke Farm¹⁰ (1,350 dwellings). Neither site yet has full planning permission¹¹. The trajectory is misleading as it suggests that full

⁵ ED008, page 40

⁶ FLP, para 10.19

⁷ ED008, page 40

⁸ Five Year Housing Supply Statement, base date 31st March 2017, Fylde Council

⁹ Site ref. HS1

¹⁰ Site ref. MUS2

¹¹ Reserved matters approval (ref. 13/0257) has been granted for a small proportion of the overall dwellings at Queensway, but an application for full planning permission for 927 dwellings (ref. 15/400) has yet to be approved.

capacity of these sites have planning permission, categorising them as committed supply. In fact they only have outline planning permission. No application for Reserved Matters approval has yet been submitted for any part of the Whyndyke Farm development.

- 1.20 Despite this, the housing trajectory assumes that they will begin delivering dwellings in 2017/18 and 2019/20 respectively, i.e. within 10 months and 22 months. Whilst the Queensway site could potentially begin delivering some dwellings within this timescale (110 dwellings have permission following the grant of Reserved Matters approval, though a number of pre-commencement conditions remain outstanding with one undetermined application submitted more than four years ago), the delivery rate assumes that two developers will be delivering housing. This is unrealistic given the limited extent which has full planning permission and the vast majority of dwellings are yet to receive full planning permission. Furthermore, the Council's own evidence (EL1.001b) confirms a single developer (Kensington Developments Ltd). Some slippage has already occurred since the trajectory in the publication draft of the FLP was prepared; that version forecast 30 dwellings being delivered by 31st March 2017; this has now slipped by a year.
- 1.21 Similarly, part of the site at Heyhouses Lane¹² – 160 dwellings – was granted outline permission in October 2016, but the trajectory assumes it will begin delivering dwellings in 2018/19, i.e. within 29 months from outline permission being granted, despite no application having even been submitted for reserved matters approval.
- 1.22 It is noted that of the identified supply (8,793 dwellings), 7.3% (644 dwellings) have a resolution to grant planning permission (in full or outline). This includes 265 dwellings at Cropper Road East¹³. Until permission is granted for these sites, reduced weight should be given to their contribution to the housing supply reflecting the greater level of uncertainty.
- 1.23 A report by Lichfields¹⁴ provided analysis of the time taken for sites across England to being delivering completed dwellings. It found that the average period on sites of less than 2,000 dwellings was 1.7-1.8 years following the grant of planning permission (i.e. following reserved matter approval or grant of full planning permission). This reflects the complexities of dealing with the typical plethora of pre-commencement conditions and carrying out enabling works and providing necessary infrastructure.
- 1.24 The significance in relation to the housing trajectory is that any delay in the delivery of dwellings beyond that envisaged or delivery at rates below those expected will result in fewer being delivered within the plan period. The lack of flexibility in the supply identified, and the issues identified in relation to policy H1, limit the ability to remedy. These factors contribute to the potential undersupply of housing and the plan failing to meet Fylde's requirement.

¹² Site ref. MUS4

¹³ Site ref. MUS1

¹⁴ Start to Finish, Lichfields, November 2016

Site Allocations - Policies SL1-SL5

3. In light of further planning permissions that have been brought to my attention, do these policies need updating with new sites?

No comment.

4. Policy SL5 relates to sites that are not within Strategic Locations for Development (SLD). Is its inclusion within the chapter on SLD appropriate and effective?

No comment.

5. The policies refer to masterplans and design codes for each site without planning permission in the case of Policies SL1 and SL2 and specific strategic sites without planning permission for Policies SL3 and SL4. Are these justified and consistent with Policy M1?

- 1.25 It is considered that the requirement for masterplans and design codes to be formally adopted as supplementary planning documents (SPDs) is an onerous requirement. It has the potential to constrain delivery of strategic sites whilst the SPDs are prepared, consulted on and work their way through the Council's approval process.
- 1.26 The objective of achieving a high quality of design could be achieved by other means, such as an informally approved document or the submission of a comprehensive site masterplan with a future planning application proposing the development of only part of an allocated site.
- 1.27 If the policy is retained in its current form, proper consideration of the effect on lead-in times for allocated sites in Strategic Locations needs to be factored into any assessment of the housing trajectory.

6. Is the methodology for site assessment and selection robust and justified?

- 1.28 SLG notes that all of the sites included within Policy SL2 either have planning permission or a resolution to grant planning permission, with the exception of part of HS6 (22 dwellings). As such it does not comment on the inclusion of these sites.
- 1.29 More pertinent is the assessment process by which sites have been considered, leading to suitable housing sites, such as the land at Peel Hill Farm being excluded from the plan.
- 1.30 The Site Assessments (2015 and 2016¹⁵) make their recommendations following an assessment of potential sites in terms of:
- Deliverability
 - Sustainability

¹⁵ ED003 and ED004

- Deliverability in Relation to Infrastructure

- 1.31 However, the assessments are inconsistent across different sites. For example, the land at Peel Hill Farm is concluded to be isolated from settlements and services despite other development (Whyndyke Farm) to the east of Preston New Road and adjacent to the M55, with an almost identical relationship to the urban area of Blackpool, having been granted planning permission.
- 1.32 The conclusions in respect of landscape character and visual impact are similarly flawed, with the Council concluding that a detrimental impact would result from development at Peel Hill Farm. However, a Landscape and Visual Impact Assessment prepared by TPM Landscape in respect of emerging proposals for the development of Peel Hill Farm demonstrates that the site is not sensitive in landscape terms and that the visual impact would be limited.
- 1.33 No methodology is given for the Council's assessment of impact on landscape character and visual amenity. No such assessment was undertaken by the Council for the Whyndyke Farm Strategic Assessment, despite it occupying a similar position relative to the urban area.
- 1.34 Appendix 1 provides SLG's assessment of the land at Peel Hill Farm against the criteria used in the Council's Site Assessments. It concludes that the site represents a suitable housing site capable of making an important contribution towards Fylde's housing requirement. A development prospectus prepared to demonstrate that the site is a suitable, available and achievable site – i.e. is deliverable – is provided at Appendix 2.
- 1.35 SLG recognises that the merits of omission sites are not going to be discussed at the Examination, however the serious shortcomings in the Council's assessment have led to suitable housing sites being overlooked. Allied to the concerns raised in relation to the adequacy of the housing supply, it is an important issue that goes to the ability of the FLP to ensure the supply of housing and therefore the soundness of the plan (due to the plan not being justified, effective or consistent with national policy).

7. Are the proposed housing site allocations in Policies SL1-SL5 justified and deliverable? Are the delivery rates for the sites reasonable and achievable?

See response to Q2.

8. In Policy SL5 no sites are listed for Elswick as these will be determined as part of the Neighbourhood Plan (NP). What is the timescale for the NP and is this approach justified?

No comment.

Policy H1

9. H1b refers to performance monitoring in relation to housing delivery. Can the Council clarify the purpose of the rolling 3 year review period and how 'the delivery of uncommitted sites will be adjusted' if completions targets are missed by 20%? Is this justified and effective?

- 1.36 Policy H1 attempts to put in place a mechanism to ensure the provision and delivery of new housing (parts b and c of the policy). How the mechanism will operate in practice is unclear however.
- 1.37 For example it refers to *'the delivery of uncommitted sites will be adjusted as appropriate'*. There is no explanation either within the policy or the justification as to what this means in practice. What is the source of the uncommitted sites and how will delivery be adjusted?
- 1.38 All of the sites within the housing trajectory are either allocated and/or have planning permission (or a resolution to grant planning permission), with the exception of the small sites and windfall allowance (400 dwellings) and an allowance for long-term empty homes (50 dwellings). SLG's concerns regarding the inclusion of a windfall allowance are set out above but setting that aside, together these sources represent 5% of the supply identified by the Council. Furthermore, the Council has no control over when these sites will come forward (and has assumed no windfall before year 12 of the plan period) and cannot positively influence the delivery of additional sites through the policy as drafted.
- 1.39 In the absence of clarity of explanation as to how the policy will operate, and the limited scope to bring forward uncommitted sites, this part of the policy is simply not effective. It is unclear why a three-year period has been selected.
- 1.40 The inclusion of additional suitable housing sites within the housing trajectory would provide some flexibility. A clearly explained mechanism for their early delivery in the event that completions targets are not achieved, such as favourable consideration being given to such sites in Strategic Locations in the event of a shortfall, is also required.
- 1.41 Consideration should be given to the implications of the proposal within the Housing White Paper that Local Planning Authorities would be required to act to address a shortfall of more than 5% of its annual requirement.

Policy H2 - Density and mix of new residential development

10. A minimum density of 30 dph is proposed under Policy H2. Is this justified across all development sites, whether small or large?

- 1.42 It is noted that the policy supports an approach to developing layouts on housing sites which balance a number of competing aspects; the need to make the efficient use of land and environmental aspects. It is considered that there may be circumstances whereby as a consequence of that balancing exercise the density is below 30 dwellings per hectare.
- 1.43 The policy should not therefore be so prescriptive in this regard.

11. Does the policy adequately address the needs of different groups in the community in accordance with the first two bullet points in paragraph 50 of the Framework?

No comment.

12. Should the policy include specific reference to the proportion of dwellings to be provided by size? Is this justified or could the data become out-of-date during the Plan period? Is it clear what proportions of dwelling size would be required in different locations?

1.44 Overall the policy remains overly prescriptive and is based on past trends. It therefore fails to adopt the forward looking, flexible approach as required by the Framework paragraph 50. Whilst it makes provision for alternative approaches in specified circumstances it makes no such provision for future demographic changes, such as the influx of younger people in the event of employment growth.

13. The policy requires the delivery of at least 20% of homes on sites of 20 or more dwellings to be designed to accommodate the elderly. Is this justified and based on robust evidence?

No comment.

14. Is the requirement for specialist accommodation to include compliance with the optional technical standard for wheelchair adaptable dwellings justified and based on robust evidence of identified need? Has the impact of applying these standards on viability of schemes been considered? (Also see Policy GD7).

No comment.

15. Evidence set out in supporting text to Policy H2 states that rural areas have significantly fewer 1 and 2 bedroom homes than other parts of the Borough. Therefore whilst H2 states that 50% of developments of 10 or more dwellings should be 1-3 bed, 33% of home in rural settlements should be 1- 2 bed. What is the source of this?

No comment.

16. Does the policy provide sufficient flexibility to react to market forces?

1.45 As noted above, the policy is inflexible.

Policy H4 - Affordable housing

17. It has been suggested that Policy H4 should be amended so that residential developments at the Fylde-Blackpool periphery should provide financial contributions for affordable housing to be spent in Blackpool. Has this approach been considered by the Council and is it reasonable?

No comment.

18. Under tenure the policy refers to the provision of starter homes. Is this appropriate in light of the Housing White Paper?

No comment.

Policy H5 – Gypsies, Travellers and Travelling Showpeople’s Sites

19. In light of the new needs evidence (Blackpool, Fylde and Wyre Gypsy and Traveller Accommodation Assessment Update 2016 (EL1.002)) what implication does this have for Policy H5?

No comment .

Policies H6 and H7 – Homes in the Countryside

20. Do these policies apply to the countryside, Areas of Separation and the Green Belt? Is this clear within the policies?

No comment .

21. Is Policy H6 consistent with paragraph 55 of the Framework?

No comment .

22. Is the increase in size of a replacement or extended home by no more than 33% of the ground floor area of the original home justified and based on robust evidence?

No comment .

Appendix 1: SLG Assessment of the Land at Peel Hill Farm

Criteria	Fylde's Assessment	SLG Response
Deliverability	There is developer interest in the site	<p>Site is being promoted by an established and successful land promoter with a view to securing an allocation in the FLP and enabling a housebuilder(s) to deliver a substantial number of dwellings.</p> <p>Major housebuilders have confirmed interest in the site</p>
Sustainability	Good motorway access to Junction 4 of the M55.	Agreed.
	In close proximity to employment land and premises at Whitehills.	There is clear logic to, and sustainability benefits that arise from, co-locating jobs growth with housing growth – it is a central principle of the Framework.
	The surrounding roads, including the motorway, form barriers to movement, and the site is isolated from settlements and services	<p>Development to the east of Preston New Road and adjacent to the M55 has been granted planning permission (Whyndyke Farm). That site has an almost identical relationship to the urban area of Blackpool, located to the east of Preston New Road. In doing so it was recognised that there was scope to improve the connectivity, principally through improved public transport provision.</p> <p>The same principle and approach can be taken in respect of this site to ensure connectivity with its surroundings.</p> <p>The provision of a local centre and primary school on the site will also serve to maximise the accessibility of important services to residents.</p>
	Development of the site would have a detrimental effect on	As summarised above the LVIA undertaken demonstrates that the site is not sensitive in landscape terms and that

	<p>landscape character and visual impact, as the site rises up and is prominent</p>	<p>the visual impact would be limited.</p> <p>No methodology is given for the Council's assessment. There is no justification as to how they have arrived at a Moderate-High Sensitivity to development.</p> <p>A landscape of Medium-High Sensitivity would typically have a particular Value (usually through public use/ footpaths etc), or for it to be a regionally recognised area (eg an Area of Special Landscape Area or something similar), and would be a good landscape representative of the defining characteristics of the wider area. The site landscape in this case is more akin to a Low-Medium sensitive one, if the methodology used in the LVIA is followed.</p> <p>No such assessment was made for the Whyndyke Farm Strategic Assessment, despite it occupying a similar position relative to the urban area.</p>
<p>Deliverability in Relation to Infrastructure</p>	<p>Improvements to Junction 4 of the M55 will be required.</p>	<p>A Transport Note assessing the impact of the proposed development demonstrates that the will be capacity at J4 in the future. Further improvements can be made to increase the capacity.</p>
	<p>No rail access.</p>	<p>The FLP evidence base recognises the scope to improve and / or create bus services to access railway stations at Blackpool from sites within the FBP.</p>
	<p>Poor bus service and there are no schools in this area.</p>	<p>A critical mass of development being delivered in the FBP will enable improved bus services, by making them more feasible and viable.</p>
<p>Recommendation</p>	<p>Too much development in this area would be unsustainable, development should be distributed throughout the borough in accordance with the</p>	<p>The FLP proposes the greatest proportion of new housing in the FBP reflecting its suitability to do so. The provision of a further c.700 dwellings would represent a c.5% increase and would not fundamentally alter the proportion of housing growth to be accommodated in the FBP but would instead build on its strengths as a strategic location of sub-</p>

	<p>sustainability appraisal of the Issues and Options and Preferred Option. Given that the site is detached from the built-up area, along with the physical barriers and visual impact, this site is the least sequentially preferable of the potential strategic sites in this area.</p>	<p>regional importance with good and improving levels of sustainability. A far higher level of growth has previously been planned in this area through the M55 Hub conceptual masterplan.</p> <p>The site is adjacent to existing and planned development and substantial physical features such that it will be seen as being part of (or at least adjacent to) the built up area.</p> <p>There are no unacceptable visual impacts that will result from the development of this site. The Council's own assessment set out in its Strategic Site Assessment recognised the ability to address its concerns through the types of mitigation set out above in relation to landscape and visual impact.</p> <p>Our evidence (transport) demonstrates that there is no impediment to further sustainable growth at the FBP.</p> <p>As a deliverable and sustainable site capable of making an important contribution to meeting Fylde's housing supply it should be allocated for housing. There are no physical or policy reasons for not doing so.</p> <p>It is SLG's view that the most appropriate and sustainable planning strategy is to accommodate further housing sites within the FBP.</p>
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Appendix 2: Development Prospectus : Land at Peel Hill Farm

