

Fylde Council Local Plan to 2032

FYLDE BOROUGH COUNCIL STATEMENT

MATTER 7

THE ECONOMY – SITE ALLOCATIONS AND DELIVERY

Stage 2 Hearing Sessions

June 2017



Contents

Matter 7	The Economy – Site Allocations and Delivery	Page
<i>Issue – Does the Plan set out a positively prepared strategy for the delivery of economic development (Employment, Retail Centres, Leisure Culture and Tourism Development) within Fylde that is justified, effective and consistent with national policy?</i>		
<u>Site Allocations – policies SL1 – SL4 and EC1</u>		
48.	Are these policies up-to-date with regards to the allocation of employment sites? Is there justification for the allocation of any other sites (such as land SW of junction 3 of the M55, Corner Hall Farm)?	6
49.	Is Policy EC1 allocating sites and if so should it state this? Does the policy duplicate allocations set out in Policies SL1-SL4?	7
50.	Is the methodology for site assessment and selection robust and justified?	7
51.	Are the proposed site allocations justified and deliverable? Is there justification for some sites to be removed from the policies (such as ES1)?	8
52.	Policy EC1 lists appropriate use classes for each site – are these justified and effective? Is there justification for some sites to be allocated for other uses (such as sites MUS2, ES4, ES5, ES6)? What is the purpose of including the term ‘where <i>unacceptable harm is not caused, the following uses will be permitted.....</i> ’ when appropriate uses are already listed within the policy?	9
53.	Where Policy EC1 refers to alternative uses for allocated and existing sites should cross reference be made to other Plan policies such as Policies GD7 and GD8?	10
54.	Is it effective to list existing employment sites in Policy EC1? Is the list justified, based on up-to-date evidence and in accordance with paragraph 22 of the Framework? Are all sites still active employment sites or is there justification for some sites to be removed from the list (such as Mythop Lodge)? Is the list consistent with Appendix 6 as referred to in paragraph 9.17?	10

Policy EC2 – Employment Opportunities

55.	Is there justification for other economic development uses as defined in the Framework, to be supported in this policy? Would this be consistent with national policy?	12
-----	--	----

Policies EC4 and T3 – Blackpool Airport Enterprise Zone

56.	Do the policies support delivery of the objectives and purposes of the Enterprise Zone designation and the long term operation of the airport? Would the relocation of the aviation functions closer to the runway and within the Green Belt be justified? Is the inclusion of ‘enabling development’ appropriate and justified?	12
-----	--	----

Policy EC5 – Retail Centres

57.	Paragraphs 9.38-9.51 of the Plan set out the findings of the Retail Study (2011) and the Update (2013). These include additional requirements for comparison and convenience floorspace during the Plan period. Does Policy EC5 clearly set out where and when this will be provided?	13
-----	---	----

58.	Are the centre boundaries and primary and secondary shopping frontages justified and consistent with national policy?	14
-----	---	----

59.	Paragraph 9.54 sets out a local threshold of 750sqm at which an impact assessment for retail, leisure and office development outside town centres will be required. Is this threshold justified and based on robust evidence? Can the Council clarify why it is in the supporting text and not set out in the policy?	14
-----	---	----

Policies EC6 and EC7 – Leisure, Culture and Tourism Development

60.	In relation to Policy EC6: a. Should the policy safeguard the potential impact of leisure, culture and tourism development on the operational requirements and communication systems of the Warton Aerodrome? Is this justified? b. Does the policy clearly define leisure, culture and tourism uses? c. Should the policy support large scale rural tourism at appropriate sites? Is this justified and consistent with national policy? Does the policy accord with Policy GD5 in this regard?	14
-----	---	----

61.	In relation to Policy EC7: a. Are the Holiday Areas justified and based on robust evidence? b. Is the retention of holiday caravan pitches for holiday use justified? Should the policy include reference to alternative uses if the existing use was to become unviable? Would this be justified?	15
-----	--	----

Matter 7 – The Economy – Site Allocations and Delivery

Issue – Does the Plan set out a positively prepared strategy for the delivery of economic development (Employment, Retail Centres, Leisure Culture and Tourism Development) within Fylde that is justified, effective and consistent with national policy?

Site Allocations - Policies SL1-SL4 and EC1

48. Are these policies up-to-date with regards to the allocation of employment sites? Is there justification for the allocation of any other sites (such as land SW of junction 3 of the M55, Corner Hall Farm)?

48.1 To quantify the requirement for employment land during the plan period the Council has relied upon three different methodological approaches; labour demand, labour supply and historic land ‘take-up’. Each of these approaches attempts to quantify the number of jobs likely to be created or required at some point in the future. For reasons previously set out in the Council’s Stage 1 MIQ response and at the Hearing Sessions the Council has elected to rely mostly on the projection of a robustly evidenced employment land average annual take-up rate from 1989 to 2015. This ‘longer-term’ approach was a preferred method for taking account of some of the considerable variance and relative uncertainty present in the commercial property market and the local economy more widely. Accordingly the requirement for employment land is 46.6ha.

48.2 Policies SL1 to SL5 and EC1 seek to meet in full this requirement through the provision/allocation of sites. These policies seek to strike a balance between taking a flexible approach and avoiding allocating sites for employment use where there is no prospect of a site being used for that purpose. Foremost in the thinking of the Council is the need to provide a range of available and deliverable sites to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances. The findings and recommendations of the Fylde Employment Land and Premises Study (2012) (ED041a) were reviewed by the Council in 2015 and a summary of the findings can be seen at Appendix 6 of the Local Plan. The Council considers that these two documents are adequate, up-to-date and relevant evidence and as such can be relied upon for the allocation of employment sites.

48.3 The Council considers that the Local Plan currently strikes the right balance between the provision of a range of deliverable sites and avoiding the allocation of sites for which there is little prospect of a site being used for that purpose. The Council has been mindful to include sufficient employment land to be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances. The evidence upon which the Local Plan relies is considered by the Council to be in accordance with paragraphs 18 to 22 and also 160 to 161 of the NPPF.

48.4 In respect of the specific site at Corner Hall Farm, it is not considered necessary to allocate additional sites into the plan, given that the existing allocations in the plan provide built-in flexibility. The site is in any case poorly located, being remote from the nearest settlement Kirkham/Wesham, close to the Junction 3 of the M55 which has issues of capacity and would result in additional traffic movements on the A585, which has significant issues of congestion.

49. Is Policy EC1 allocating sites and if so should it state this? Does the policy duplicate allocations set out in Policies SL1-SL4?

49.1 Policy EC1 is not allocating sites, it is providing clarity on the collection of sites allocated by Policies SL1 to SL5 to meet in full the objectively assessed employment land needs throughout the plan period. Policy EC1 consolidates all employment sites into one policy and provides further details on appropriate use classes whilst also setting out the existing employment sites; necessary for the functioning of Policy EC2. Clarification could be provided by the following modification if required:

*“The residual requirement will be met on the following sites, which are allocated in Policies SL1-SL5 and also identified on the **Policies Map** accompanying this plan.”*

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

50.1 The Fylde Employment Land and Premises Study (2012) (ED041a) sets out the methodological approach to assessment and selection of employment sites. In addition to this a number of sites are allocated in response to planning applications received or approved during the plan making process. The Fylde Employment Land and Premises Study (2012) (ED041a) is an independent piece of work based on both credible and robust evidence which is set out from Section 11 onwards. This approach is considered by the Council to be both robust and justified. Potential alternative employment sites are considered in this document and only the most appropriate and deliverable sites are allocated to meet in full the objectively assessed need for employment land. Much of the technical assessments undertaken can be seen in Appendix 4 (Site Proformas), Appendix 6 (Appraisals) and Appendix 9 (Employment Areas) of the document. The findings and recommendations of the Fylde Employment Land and Premises Study (2012) (ED041a) were reviewed by the Council in 2015 and a summary of the findings can be seen at Appendix 6 of the Local Plan.

51. Are the proposed site allocations justified and deliverable? Is there justification for some sites to be removed from the policies (such as ES1)?

51.1 The Council considers the proposed site allocations to be the most appropriate strategy for fully meeting the objectively assessed needs for employment land during the plan period. Concerning the matter of deliverability, of the 11 sites identified in Policy EC1 all sites are either adjacent to existing employment uses, part occupied or the subject of a planning application for appropriate employment uses.

51.2 The Council considers that the Local Plan currently strikes the right balance between the provision of a range of deliverable sites and avoiding the allocation of sites for which there is little prospect of a site being used for that purpose. The Council has been mindful to include sufficient employment land to be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances.

51.3 Accordingly if it were considered appropriate to include this flexibility for the employment land considerations in Fylde then this may provide the justification for the allocation of additional sites. The Council considers the potential removal of some sites from the supply (without replacement) would potentially conflict with paragraphs 19 and 21 of the NPPF.

51.4 Policies EC1 and GD8 make sufficient provision to meet the requirements of paragraph 22 of the NPPF and in the view of the Council provide for the appropriate mechanism for the potential removal of sites from the supply subject to the various criteria within each policy at the appropriate point in time.

51.5 On 3rd November 2016 the Council determined to refuse planning permission for 115 dwellings on site ES1 (see Appendix 1 to this document). Of the 7 reasons for refusal, reason 3 relates to the supply of employment land. It reads as follows;

'The proposed development would result in the loss of 4 hectares of employment land to a residential use which is contrary to Policy EMP2 of the Fylde Borough Local Plan which allocates it for retention in class B uses. It is also contrary to Policy EC1 of the Publication Version Fylde Local Plan to 2032 which also allocates it for class B uses. No compelling justification has been presented to accept that the loss of this site would not unacceptably diminish the supply of land available for such uses in the Borough and particularly around Lytham St Annes as its main settlement, or that the application site is no longer viable for employment uses within the Plan period up to 2032. Residential use of this scale at this site would undermine the overall allocation of the employment land in the Borough which has been assessed in accordance with NPPF paragraph 158 and would not represent a sustainable form of development across the borough.'

51.6 The Council considers that site ES1 should be allocated for employment uses in accordance with Policy SL1. The Fylde Employment Land and Premises Study (2012) (ED041a) recommends at paragraph 12.41 that '...it is important that the Borough has a balanced portfolio of employment

land allocations, not just by type and size, but also spatially in relation to its settlement pattern.' Site ES1 alone represents over 70% of the employment land provision for Strategic Location 1 – Lytham and St Annes, a strategic location which faces considerable constraints in allocating any additional or replacement sites.

52. Policy EC1 lists appropriate use classes for each site – are these justified and effective? Is there justification for some sites to be allocated for other uses (such as sites MUS2, ES4, ES5, ES6)? What is the purpose of including the term 'where unacceptable harm is not caused, the following uses will be permitted.....' when appropriate uses are already listed within the policy?

52.1 The appropriate use classes, as identified in Policy EC1, are considered to be justified as they are the most appropriate uses when considered against reasonable alternatives. They are also justified when judged against the evidence of need for sites and premises within those use classes, as set out in the Employment Land and Premises Study (2012) (ED041a) and in the findings of the Council's review of sites in 2015; the summary findings of which can be seen at Appendix 6 of the Local Plan.

52.2 As to whether the use classes identified in Policy EC1 are effective, in the view of the Council, Policy EC1 is generally permissive of all use classes within the general use class of 'B', with only one site (ES8) the subject of the removal of use class B8 owing to site specific constraints, in response to evidence presented to the Council in the independent Employment Land and Premises Study (2012) (ED041a). The appropriate use classes set out in Policy EC1 are also considered by the Council to be effective as they meet an identified need, for sites and premises in those use classes, from Blackpool, a neighbouring authority. The Council and the Local Plan propose to meet this request from a neighbouring authority in full (both in quantum of land and appropriate use classes) under the provisions of the 'Duty to Co-Operate'.

52.3 The Council does not consider it appropriate to allocate the sites identified within Policy EC1 for alternative use classes. Policy EC1 is not allocating land (see response to question 49 above), it is identifying the amount of land within the allocations (made by Policies SL1 to SL5) for which the appropriate use classes are those listed. The area of land referenced in Policy EC1 refers to the amount of land within each wider site area that should be brought forward to meet in full the objectively assessed need for employment land, within the appropriate use classes as listed.

52.4 Policies EC1 and GD8 make sufficient provision to meet the requirements of paragraph 22 of the NPPF and in the view of the Council provide for the appropriate mechanism for the potential removal of sites from the supply subject to the various criteria within each policy at the appropriate point in time, this includes provision for alternative uses.

52.5 The Council considers the following modification to these paragraphs could be made in order to deal with the matters raised in this question and question 53 below:

“Appropriate uses for each site are listed in the table above. Development proposals for alternative uses to those listed above in these locations will be resisted, unless it is demonstrated to the satisfaction of the Council that there is no reasonable prospect of the site being used for the specified purposes, having satisfied the tests of Policy GD8. Proposals for alternative uses will also have to satisfy the requirements of other policies of the Plan, in particular Policy GD7.

Where unacceptable harm is not caused, the following uses will be permitted:

- ~~employment development **Class B1. Business** – B1(a) as an office other than a use within class A2 (financial and professional services); B1(b) for research and development of products or processes; or B1(c) for any industrial process, being a use which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.~~
- ~~**Class B2. General Industrial** and~~
- ~~**Class B8. Storage or distribution.”**~~

53. Where Policy EC1 refers to alternative uses for allocated and existing sites should cross reference be made to other Plan policies such as Policies GD7 and GD8?

53.1 Upon reflection the Council considers that appropriate wording to make cross reference to Policies GD7 and GD8 would be acceptable and provide greater clarity. The Council considers this should be amended by way of a modification. The modification in paragraph 52.5 above relates to the new provision; in respect of the existing sites, the following is suggested, if considered necessary:

“Within the existing business and industrial areas, listed below, land and premises in ~~Class B Business and Industrial~~ uses will be retained in that use class within the acceptable use classes shown in the table below, unless it is demonstrated to the satisfaction of the Council that there is no reasonable prospect of the site being used for those purposes, having satisfied the tests of Policy GD8. Proposals for alternative uses will also have to satisfy the requirements of other policies of the Plan, in particular Policy GD7.”

54. Is it effective to list existing employment sites in Policy EC1? Is the list justified, based on up-to-date evidence and in accordance with paragraph 22 of the Framework? Are all sites still active employment sites or is there justification for some sites to be removed from the list (such as Mythop Lodge)? Is the list consistent with Appendix 6 as referred to in paragraph 9.17?

54.1 The Council is aware of the omission of one site from Appendix 6, namely Queensway Industrial Estate, Snowdon Road, St Annes. The Council would ask for this to be amended by way of

a modification which would include the wording of the Council's 2015 review of Existing Employment Sites as follows:

'Although the estate is generally of low quality, it is a useful source of budget accommodation to local bad neighbour occupiers. This includes waste disposal services. The estate is almost fully occupied and most land and property is well used.

There is a 3.8ha greenfield expansion site to the east which could be connected to the existing industrial estate via Snowdon Road or Scarfell Road, expansion options elsewhere are constrained by adjacent uses (housing and Blackpool Airport). The industrial estate should therefore be retained and protected as an established local employment area. The lack of alternative infill/expansion options suggest that the allocated expansion site should be retained for employment uses.'

54.2 The existing employment sites in Policy EC1 are reflective of a moment in time, as is the Local Plan, and follows directly on from the Council's 2015 review of Existing Employment Sites, itself based on the Employment Land and Premises Study (2012) (ED041a). The Council considers that the list of sites in Policy EC1 are those selected from Appendix 6, to which it is appropriate to apply the criteria of EC1.

54.3 Concerning the site Mythop Lodge, Mythop Road, Weeton with Preese, the Council relied upon the independent evidence put forward in the Employment Land and Premises Study (2012) (ED041a) and subsequent review by the Council in 2015, the summary findings of which are set out in Appendix 6, to include the site under the Existing Employment Sites in Policy EC1. The Council considers it important that a range of sites of varying size, location and quality are available in order to provide choice and to meet a range of needs and uses for different types of employers. This is in part based on the reasonable assumption that existing employment opportunities are a finite resource and once lost to a non-employment use they are unlikely to return to employment use. The Council considers this approach to be in accordance with the intentions of paragraphs 18 to 21 of the NPPF.

54.4 However the Council is aware of the need to strike a balance between the various paragraphs of the NPPF and accordingly considers that Policies EC1 and GD8 make sufficient provision to meet the requirements of paragraph 22 of the NPPF and provide for the appropriate mechanism for the potential removal of sites from the 'stock' of land subject to the various criteria within each policy at the appropriate point in time, this includes provision for alternative uses. Furthermore the site Mythop Lodge presents an opportunity to further satisfy the intentions of paragraph 28 of the NPPF given the rural location and in particular its location in the north of the Borough; an area of Fylde with limited employment sites or opportunities. The Council considers that the inclusion of the site in Policy EC1 is a justified approach to meeting the various requirements of paragraphs 18 to 22 and 28 of the NPPF.

Policy EC2 – Employment Opportunities

55. Is there justification for other economic development uses as defined in the Framework, to be supported in this policy? Would this be consistent with national policy?

55.1 Economic development is defined in the NPPF as development, including those within the B Use Classes, public and community uses and main town centre uses (but excluding housing development). The intention of Policy EC2 is to retain continued employment use of current employment sites. Therefore the following modification to Policy EC2 is suggested, if considered necessary, for the purpose of clarification;

~~‘The availability of land in the borough for employment opportunities is limited. Therefore, the Council seeks to retain continued employment use of existing employment sites. This could include any type of employment use, including agriculture, and may not be restricted to B1, B2 and B8 land uses.’~~

‘The availability of land in the borough for employment opportunities is limited. Therefore, the Council seeks to retain continued employment use of current employment sites. This could include any type of employment use, including agriculture, and may not be restricted to B1, B2 and B8 land uses.’

Land and premises will be retained unless it is demonstrated to the satisfaction of the Council that there is no reasonable prospect of the site being used for those purposes having satisfied the tests of Policy GD8. Proposals for alternative uses will also have to satisfy the requirements of other policies of the Plan, in particular Policy GD7.”

55.2 Policy EC2 seeks to respond to paragraphs 18 to 21 of the NPPF in providing for uses outside of the B Use Classes whilst also clearly supporting the growth and expansion of all types of business where this is in accordance with other policies in the Local Plan. In particular it is seeking to ensure a reasonable supply of a choice by size and location of sites (and use classes) to ensure the Local Plan is flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances.

Policies EC4 and T3 – Blackpool Airport Enterprise Zone

56. Do the policies support delivery of the objectives and purposes of the Enterprise Zone designation and the long term operation of the airport? Would the relocation of the aviation functions closer to the runway and within the Green Belt be justified? Is the inclusion of ‘enabling development’ appropriate and justified?

56.1 Policies EC4 and T3 seek to support the delivery of the objectives and purposes of the Enterprise Zone as set out by Government. Policy EC4, Criterion c ‘Local Development Order’ (subject to minor modification MNR024 in the Schedule of Proposed Minor Modifications (SD014))

provides the flexibility for the Local Plan to respond to changing circumstances as they become known, through the development of the Masterplan.

56.2 Policy EC4 commits to explore the potential for the relocation of operational buildings and facilities closer to the runway, in line with the stated desire of both the airport operators and owners of the site. This could already be achieved through the exercise of certain permitted development rights but any form of development outside of these nationally granted planning permissions would still be required to demonstrate the very special circumstances to justify development in the Green Belt. The Council has sought to clarify Policy EC4 in relation to this matter with Minor Modification MNR021 in the Schedule of Proposed Minor Modifications (SD014).

56.3 Policy EC4, Criterion b 'Enabling Development' makes provision for the potential of alternative (alternative to employment) uses within the Enterprise Zone under certain circumstances. No specific allocations or detailed further provision is made at this stage as these options will become detailed in a future Masterplan and potential Local Development Order (LDO) as set out in criterion c. The form of words included within Policy EC4 relating to 'enabling development' is considered by the Council to be both an appropriate and justified response to a request from Blackpool Council (the accountable body for the delivery of the Enterprise Zone) to ensure the Local Plan is flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstance.

Policy EC5 – Retail Centres

57. Paragraphs 9.38-9.51 of the Plan set out the findings of the Retail Study (2011) and the Update (2013). These include additional requirements for comparison and convenience floorspace during the Plan period. Does Policy EC5 clearly set out where and when this will be provided?

57.1 Policy EC5 supports provision to meet identified retail requirements through a criteria based policy rather than through specific allocations. The Council considers this appropriate given the relatively limited size of the identified need.

57.2 The Framework requires a sequential approach to be adopted, which will ensure that individual proposals will have regard to designated centres in the policy, as well as those in neighbouring boroughs. Recent retail development has been successfully located on suitable town centre fringe sites.

58. Are the centre boundaries and primary and secondary shopping frontages justified and consistent with national policy?

58.1 The Council considers the boundaries for primary and secondary shopping frontages are justified and consistent with national policy and the evidence from a boundary review is set out in Appendix 3 to the Local Plan.

59. Paragraph 9.54 sets out a local threshold of 750sqm at which an impact assessment for retail, leisure and office development outside town centres will be required. Is this threshold justified and based on robust evidence? Can the Council clarify why it is in the supporting text and not set out in the policy?

59.1 The Council considers the proposed threshold to be justified and based on robust and credible evidence. The evidence for the threshold is set out in the document titled 'Locally Set Floorspace Threshold (2014)' (ED038). The threshold level is set out in the supporting text but also within Policy EC5 under Development Outside of Town Centres.

Policies EC6 and EC7 – Leisure, Culture and Tourism Development

60. In relation to Policy EC6:

a. Should the policy safeguard the potential impact of leisure, culture and tourism development on the operational requirements and communication systems of the Warton Aerodrome? Is this justified?

60a.1 The Council considers that the provisions of 'The town and country planning (safeguarding aerodromes, technical sites and military explosives storage areas) direction 2002' along with Policies EC3 and T2 are sufficient to safeguard the operational requirements and communication systems of Warton Aerodrome. If these provisions and policies were considered to be insufficient then any policy alterations to make specific provisions should be wider than Policy EC6 alone.

b. Does the policy clearly define leisure, culture and tourism uses?

60b.1 Policy EC6 does not define leisure, culture and tourism through use classes, rather it allows a flexible approach to economic sectors which are constantly changing in response to people's choices. This allows a flexible approach to the application of a criteria based policy.

60b.2 Leisure, culture and tourism are terms used in the Framework, without further definition. This implies that they are widely understood terms that do not require further definition. The Council does not seek to narrow the application of these terms from the widely understood meaning.

c. Should the policy support large scale rural tourism at appropriate sites? Is this justified and consistent with national policy? Does the policy accord with Policy GD5 in this regard?

60c.1 Specific provision for large scale rural tourism at appropriate sites is not considered necessary within Policy EC6. Policy EC6 is not itself restrictive of large-scale tourism development, rather it is a positively-framed policy that encourages the provision of small-scale tourism developments. Policy GD5 deals with the redevelopment of existing large developed sites in the countryside generally.

61. In relation to Policy EC7:

a. Are the Holiday Areas justified and based on robust evidence?

61a.1 The Council conducted a Holiday Area Boundary review in February 2015. The summary findings are presented in Appendix 4 and the Council considers this to be the most appropriate strategy and based on robust evidence.

61a.2 The Council considers that wording of Policy EC7 could be clarified to be more effective by the following modification:

~~“Non-serviced~~ Loss of tourist accommodation in these areas will be resisted.”

b. Is the retention of holiday caravan pitches for holiday use justified? Should the policy include reference to alternative uses if the existing use was to become unviable? Would this be justified?

61b.1 The Council considers that the alternative use of holiday caravan pitches is covered for in the scope of Policy GD8, under the provisions within that policy for leisure uses.