



Fylde Council Local Plan to 2032

Fylde Council's response to
Inspector's Questions
Stage 3 Hearings
November 2017

Page left intentionally blank

Fylde Council Local Plan Examination

Stage 3 Responses to Inspector's Questions

The Council's responses are set out below.

1. Is the OAHN range justified and supported by robust evidence

Yes. The justification of the OAHN range is set out within Addendum 3 to the SHMA produced for the Council independently by the consultants Turley. This is itself informed by the AMION report Independent Assessment of the Economic Prospects of Fylde. Both of these pieces of evidence are up-to-date, independently produced studies which assess all of the relevant issues in producing recommendations. Addendum 3 follows the methodology set out in the PPG, and makes use of the most up-to-date ONS projections, the 2014-based SNHP and the 2014-based SNPP data.

The Council has provided a summary of the justification in the introductory section 2 of the evidence Consultation Document (EL7.002, pages 7-11); it is not considered necessary to repeat all of the contents here. Instead, the Council will focus on the specific points raised by the Inspector.

In particular:

1.a) It has been suggested that due to the affordability ratio within the borough the market uplift should be increased to 20%. Is this higher level supported by evidence?

The evidence for the market signals uplift is set out in section 5 of Addendum 3 (EL7.002, pages 75-90). The affordability ratio is one of six indicators used within the market signals assessment in Addendum 3. These six indicators were also used in the same way in Addendum 2 and are the six indicators listed within the PPG. The PPG notes that an upward adjustment to planned housing numbers will be required over and above the household projections where market signals point to a worsening trend. Where an adjustment is required, it should be set at a level that is reasonable and which is consistent with the principles of sustainable development. The assessment should take account both of indicators relating to price (such as house prices, rents, affordability ratios) and quantity (such as overcrowding and rates of development).

The assessment in section 5 comes to a robust and reasoned judgement for an uplift of a maximum of 10% for market signals noting that *"In the context of the updated assessment of market signals it is considered reasonable to view this as an upper limit to any such adjustment to be applied to the demographic projection."* It is not considered that the scale of affordability issues supports a higher level of adjustment when set in the context of national indicators. Whilst evidence of worsening market signals is recognized within Addendum 3, this is at best modest in the context of national indicators as shown clearly in Table 5.8¹.

¹ It is noted that the proposed standard method for calculating local housing need within the Government's consultation document 'Planning for the right homes in the right places' (September 2017) proposes a 10.6% adjustment to address 'affordability' issues related to the latest affordability ratio in Fylde.

Outside of the recommended adjustment the Addendum 3 goes on to note that *“this level of need falls below the range of need concluded as being required to support the scale of job growth forecast over the plan period”* and therefore that the calculated need to provide for jobs growth would boost supply *“addressing the impact of any historic imbalance between supply and demand”*.

In fact, the Local Plan housing requirement figure of 415 would provide for the equivalent of an 18% uplift, in excess of what is shown by the evidence to be necessary to address all market signals uplift issues.

1.b) Some market signals have not been updated. Are the previous assessments for these still appropriate and based on credible evidence?

Within Addendum 3 Market Signals were updated as follows:

- **House prices** was updated to integrate sales data for the latest calendar year (2016);
- **Rents** was updated to integrate the latest available data published by the Valuation Office Agency (VOA), covering the period from October 2015 to September 2016;
- **Affordability** was updated to integrate the latest data published by the Office for National Statistics (ONS), which ran up to and including the calendar year of 2016;
- The **rate of development** was updated to integrate net completions in the latest year (2015/16);
- **Land prices** was updated to reflect the latest land value estimates published by DCLG in December 2015; and
- **Overcrowding and concealed families** was *not updated*, with the 2011 Census continuing to provide the latest robust measure. Addendum 3 presented additional evidence on homelessness in 2015/16

The summary tables in both Addendum 2 and Addendum 3 (Table 5.8) present *‘selected market signals’* as some (namely the rate of development and land prices) cannot be directly quantified and compared in this format. The summary tables consistently present the same indicators, drawing upon updated data in Addendum 3 where this is available.

Overcrowding and concealed families are therefore the only indicators that were not updated in Addendum 3, due to the absence of a comparably comprehensive measure of these signals since the 2011 Census. This is considered to represent a reasonable approach.

1.c) Some representors suggest that large employers in the area are contracting, which would result in a lower housing need. Is this the case and does the evidence support a lower jobs growth forecast?

1.c) The evidence in the Addendum 3 and AMION reports highlights the important relationship between future job growth and housing need. The forecasting of lower job growth would reduce the scale of housing need associated with this factor alone. In this context it should, however, be noted that the OAN concluded within Addendum 3 takes account of demographic and market signals evidence as well as the relationship with forecast job growth. The Addendum 3’s analysis of these factors identifies a need for a minimum of 386 homes per annum (Table 6.1) outside of the adjustment to accommodate likely job growth.

With regards to the forecasting of future job growth the AMION report provides a comprehensive assessment of the likely job growth over the remainder of the plan period. The assessment makes use of the employment forecasts of three forecasting houses, producing projections based on the year-by-year average of the three forecasts, and based on a three-year moving average of the same data. The forecasts give projections to 2032, across all sectors, and reflect that there will be growth in some and decline in others. Whilst the data is in the form of projections, it is recognised that the actual process of employment change results from a series of one-off events, large and small, positive and negative, within individual sectors within the plan period. The projections reflect relative economic performance across sectors and local areas, in accordance with the methodology adopted by the respective forecasting houses. As shown by Table 3.4 of the AMION report (page 155 of EL7.002) the forecasting houses predict annual jobs decline in manufacturing of 141 (Cambridge), 71 (Experian) and 112 (Oxford).

Job losses are anticipated, following the announcement by BAE Systems in November 2017 that 750 jobs will be lost across the Warton and Samlesbury sites over the next few years. Assessment has not been undertaken as to the effect that incorporating the anticipated job losses would have on the modelling were it refreshed again. However, it must be stressed that whilst there has been a particular announcement, the timing of any job losses, and the extent to which they would fall at Warton, is uncertain. Unless and until they have occurred, or at least until there is any degree of certainty, it would be inappropriate and premature to attempt to directly quantify the impact through any reassessment of likely job growth. It does, however, highlight the issues with trying to accurately forecast job growth over the long-term. Inevitably one-off events will result in job losses and gains outside of the comparatively 'smooth' forecast picture. This reinforces the importance of taking a 'balanced' view when considering growth over the plan period.

The employment projections within the AMION report provide a range within which jobs growth during the plan period is likely to fall. This range, 55-91 jobs per annum, is broad, and therefore provides for fluctuations that will occur, as is evident in relation to the recent announcement referenced above. This jobs growth range in turn has informed the OAN for housing, which is also a range: 410 to 430 dpa, within which the requirement of 415 dpa has been adopted. Recognising the volatility of the jobs growth figure in the context of such recent events serves to reinforce the Council's decision to establish its housing requirement from within the range presented.

1.d) Other representors suggest that an allowance for additional jobs growth at the Enterprise Zones should be taken into account in the assessment. Does the evidence support such an allowance? Does the Council's economic strategy rely on growth at the Enterprise Zones? Are the economic and housing strategies aligned within the plan?

The Council's position and a consideration of this issue appears within the evidence consultation document EL7.002 on pages 8-10, drawing from the AMION report (EL7.002, specifically pages 143-145, 156-157 and 159). In summary, the evidence shows that a specific allowance for additional jobs growth at the Enterprise Zones within the assessment would not be justified.

In section 2.4 Factors Influencing Future Employment Growth (pages 143-145 of EL7.002), the AMION report considers factors introducing uncertainty, including the potential impact of the two EZs. The report summarises on page 146 of EL7.002 that *"...development at the two Enterprise Zones within Fylde is expected to create a range of new employment opportunities, including in high value sectors. However, it should be noted that the timing, scale and additionality of new employment at the Enterprise*

Zones is still subject to uncertainty based upon the latest information provided by BAE Systems and the Blackpool, Fylde and Wyre EDC.”

The AMION report concludes in the face of uncertainties associated with forecasting future levels of job growth, with a range of forecast growth in job numbers. It identifies growth of between 55 jobs to 91 jobs per year generating between approximately 900 and 1,500 additional jobs over the remainder of the plan period. The annual level of growth forecast is stronger than that recorded over a long-term historic picture, with the AMION report identifying a historic annual rate of 40 additional jobs per year between 1991 and 2015.

Recognising the concluded range of job growth identified within the AMION report the provision of a distinct and separate allowance for additional jobs growth at the Enterprise Zones at present, outside of this range, would represent a “Policy-On” position that should not fall within the OAN calculation. The issue of how the OAN should represent an assessment free from policy influences was considered on pages 8-9 of EL7.002.

As the position at present does not provide any evidence as to the likely extent or timing of jobs growth on the Enterprise Zones, or the extent to which these may offset other unexpected trends, such as the announcement of job losses referenced in the preceding question, or relate to Blackpool rather than Fylde, the Council has not chosen to make any allowance within the housing requirement to provide for such growth. At present, to make such an allowance would not be justified, and would be purely aspirational. It would have the likelihood of leading to a divergence between the housing and economic strategies, contrary to the Framework.

The Council recognises the unpredictability of future jobs growth from the Enterprise Zones and the need to monitor the situation closely. The Council is proposing modifications to the Monitoring Framework to include indicators relating to each Enterprise Zone, that would trigger actions.

The Council’s economic strategy does not rely on the Enterprise Zones to provide growth. The plan provides employment land and housing to provide for the assessed likely jobs growth over the plan period. This likely jobs growth does not depend on the Enterprise Zones, except insofar as it relates to existing activity occurring within established companies within the parts of Blackpool EZ located within Fylde, which is reflected within the projections made by the forecasting houses. . The current public consultation exercise on the Blackpool Airport EZ Masterplan (running 9th November to 21st December 2017) has been given limited weight, owing to the fact that at present the proposed Masterplan, which contains limited jobs growth forecasting, is concerned with establishing broad development principles, in-line with the Government’s and the LEPs ambitions for 3,000 jobs and 180 new businesses over a 25 year period. Although it sets out a broad framework for delivering these economic objectives, it does not provide a sufficient level of certainty concerning how any future jobs will be delivered over time and how they will be apportioned between the two local authority areas or wider still. The Council does agree that it is important to monitor the development, and associated job creation at the EZs, via the Monitoring Framework, to ensure that this is comprehensively included in future reviews of the Local Plan.

The housing and economic strategies are aligned within the plan. The plan provides sufficient land for housing to meet the needs arising from the likely jobs growth. The plan also provides a supply of employment land which will be more than capable of supporting the range of forecast job growth

concluded within the AMION report, noting that it allows for future need on the basis of past take-up rates². Therefore, the housing land and employment land provision are mutually supportive and integrated, both supporting the growth of Fylde's economy and the number of jobs likely to result over the plan period.

1.e) Is a further upward adjustment for the delivery of affordable housing justified?

The SHMA (Addendum 1) identified a need for 249 affordable homes per annum (ED022, Paragraph 5.16). The stepped calculation process prescribed in the PPG to be followed in estimating affordable housing need is separate and distinct from that set out to calculate the OAN. The different calculation methods means that caution should be applied in directly comparing the two numbers. For example, existing households, who would free up a separate house if their needs were met, and those projected to form under the demographic projections form a significant component of the calculated need, and would not therefore add to the overall need for housing in the borough.

The PPG does not specify how any adjustment should be made in relation to affordable housing. In identifying the OAN the Addendum 3 report concludes that the scale of affordable housing need identified provides further justification for uplifting from the demographic projection – relating to headship rates and market signals – but does not in itself support a further quantifiable adjustment to the OAN (paragraph 6.47).

This should be considered in the context of recent High Court judgements. The 'Satnam' judgement established that affordable housing needs are a component part of OAN, indicating that an exercise should be undertaken to identify the full affordable housing needs and then ensure this is considered in the context of its likely delivery as a proportion of mixed market/affordable housing development. This is consistent with the PPG which identifies:

“The total affordable housing need should then be considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments, given the probable percentage of affordable housing to be delivered by market housing led developments. An increase in the total housing figures included in the local plan should be considered where it could help deliver the required number of affordable homes.” (ID Ref: 2a-029)

Further clarity was provided by the 'Kings Lynn' judgement³, which is regularly cited in this context and held that affordable housing needs should be considered in the determination of the OAN but

“... neither the Framework nor the PPG suggest that they have to be met in full when determining that FOAN. This is no doubt because in practice very often the calculation of unmet affordable housing need will produce a figure which the planning authority has little or no prospect of delivering in practice. This is because the vast majority of delivery will occur as a proportion of open-market schemes and is therefore dependent for its delivery upon market housing being developed” (emphasis added).

² As noted in the Matter 2 MIQ response (paragraph 22.5 of EL2.025b.i the Council assessed the number of jobs that could potentially be supported by the amount of employment land allocated to be 157 per annum.

³ Borough Council of Kings Lynn and West Norfolk v Secretary of State for Communities and Local Government, ELM Park Holdings Ltd, [2015] EWHC 2464 (Admin)

Addendum 3 recognises that the concluded OAN (range) *‘could make a significant contribution towards increasing the provision of affordable housing from recently recorded levels.’* (paragraph 6.52(6)). The draft Local Plan assumes a requirement to deliver 30% affordable housing. As set out in Addendum 3 this would suggest a need to deliver in excess of 800 homes per annum to address the full calculated need for affordable housing (249 homes per annum), a doubling of historic rates of development.

Assuming that 30% of the calculated OAN was delivered as affordable homes would suggest that between approximately 120 and 130 affordable homes per annum will be able to be provided. Whilst this will not meet the need for affordable housing in full, it is important to recognise that this will represent a significant uplift on the recent historical rates of affordable housing provision, noting that fewer than 40 affordable dwellings were delivered in Fylde in 2015/16. It must also be noted that some people in affordable housing need will choose to meet that need via the private rented sector, and so there is not an expectation that 100% of the identified affordable housing need will be required to be met through new affordable homes.

On the basis that the range of OAN represents a marked uplift to the concluded demographic projection of need being approximately 16% to 23% higher, (415 results in an 18% uplift) it was not considered justified in this context to apply a further upward adjustment relating directly to the provision of affordable housing to the OAN range set out in Table 6.1.

It is noted that within the proposed standard methodology introduced by the Government in its recent consultation proposals *‘Planning for the right homes in the right places’* no separate reference is made to the uplifting of the assessment of need to reflect a calculation of affordable housing need. Whilst the Council has agreed that the current examination should be progressed using the current approach (EL5.016b) it is anticipated that the review of the Plan will apply any updates to guidance in this regard. It is noted that the scale of provision proposed through the housing requirement exceeds the indicative calculated need published by the Government under the proposed method and will therefore, based on the application of policy, support the delivery of a higher level of affordable housing in the short-term.

2. Does the updated jobs growth assessment have any implications for the overall economic development strategy set out within the plan?

The updated jobs growth assessment has no implications for the plan’s economic development strategy. The plan provides employment land to accommodate needs based upon past take-up rates, and the amount allowed through this will be more than sufficient under all reasonable scenarios to provide for the likely needs of employment growth, as noted in the response to 1.d) above.

The introductory section within The Objectively Assessed Housing And Economic Development Needs And The Fylde Local Plan To 2032 (page 38 of EL7.002) provides further explanation of how the alignment between the strategies, objectives and vision of the plan have been reassessed in the light of the new evidence in Addendum 3 and the AMION report, and provides a consideration of the interrelationship between the strategies.

3. In relation to gypsies, travellers and travelling showpeople, are the housing needs of those people who do not meet the new definition set out in Annex 1 of the national Planning Policy for Traveller Sites included in the SHMA assessments?

The SHMA process considers all people on the basis of the methodology in the PPG for assessing the overall level of need. This is based on demographic assessment using population projections built using ONS data, with uplifts applied where appropriate for market signals and affordable housing, and considered against the likely impact of employment change. Specific needs of certain individual groups were considered within the initial SHMA (2014) (ED021). However, this was produced before the introduction of the PPTS and changes in legislation, and so reflects the previous position. The SHMA (2014) therefore does not itself assess Gypsies and Travellers for their specific needs; instead it cross-refers to the GTAA (2014) (ED020).

The SHMA and its Addenda therefore consider the housing needs of the population, including the needs of particular groups as required by the Framework. This includes Gypsies, Travellers and Travelling Showpeople who do not meet the new definition, including those who live in bricks-and-mortar accommodation and who do not travel. The specific needs of Gypsies and Travellers who meet the PPTS definition are considered separately within the GTAA update.

Section 124 of the Housing and Planning Act 2016 removed the duty set out in the Housing Act 2004 for the accommodation needs of Gypsies and Travellers to be assessed as part of the review of housing needs carried out by Housing Authorities, and for local authorities to have regard to the strategies for meeting such needs. This was replaced by the requirement to consider the needs of people *“residing in or resorting to their district with respect to the provision of- a) sites on which caravans can be stationed, or b) places on inland waterways where houseboats can be moored”*.

The effect of this change is that the needs of people not meeting the PPTS definition are not considered on the basis of their ethnicity. The need for caravans and houseboats should be assessed as part of the portfolio of available accommodation. Draft guidance on assessment has been published by DCLG, however, this has remained in draft with no further updates for more than a year, and its status is therefore uncertain.

The GTAA Update (pages 215-250 of EL7.002) includes within appendices assessments of the needs for accommodation that would likely arise through Gypsy and Traveller household formation, from those either who did not meet the new definition, or whose status could not be established. In respect of the former, no interviews were undertaken with those who did not meet the new definition (page 247 of EL7.002); in respect of the latter, there is a potential future pitch need of 2 for those of “unknown” status (page 247 of EL7.002). This number should be seen in the context of the overall plan period housing requirement of 8,715.

In the event that the “unknown” need demonstrates that the definition in PPTS is met, the plan can provide for a suitable site to come forward under the criteria within Policy H5. It would not be justified to plan for additional Gypsy and Traveller pitches in the absence of such supporting evidence.

The borough contains a broad selection of existing extensive static caravan/mobile home/park home sites with planning permission or established use for residential use. The plan allocates land for 27 static residential caravans at West End Residential Park, Kirkham. The Council has therefore recognised the

need to provide for this type of accommodation. The plan will therefore be effective in ensuring that need arising from those not meeting the PPTS definition for this type of accommodation will be met within this existing and allocated supply.

Session 2

Housing requirement

1. Based on the submitted new evidence the Council is proposing that the housing requirement for the plan period would be 415 dpa (8,715 dwellings) rather than the 370 dpa currently set out within the plan. On what basis has 415 dpa been determined as the housing requirement figure? Does the evidence support a lower or higher figure?

The housing requirement figure has been chosen as a figure that has allowed the Council to plan to meet the OAN for the borough. The plan, although published and submitted on the basis of earlier evidence and with a lower housing requirement, and partly through Examination, will be sound despite the change to the OAN that results from the new evidence, through the adoption of the proposed housing requirement figure of 415 dpa.

The plan is positively prepared with the housing requirement figure of 415 dpa. The Framework defines positively prepared as *“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”*. The plan strategy will enable the OAN for housing, economic and other types of development to be met, and supports the delivery of critical infrastructure.

The housing requirement will provide sufficient housing to allow for internal migration that would provide for expected levels of job growth. It would provide an uplift of 18% over the demographic projection of need, more than sufficient to provide for any necessary adjustment for market signals, and provides for the release of constraints to household formation amongst younger people. The housing requirement will provide for a very significant uplift on recent historical rates of affordable housing provision; it would represent a likely trebling of the numbers of affordable homes delivered in 2015/16 (Addendum 3, page 98). It is therefore justified.

The plan will be effective. Although the plan was published on the basis of an earlier, lower housing requirement figure, the plan will deliver the housing requirement over the plan period, with the modifications incorporated, without any material change to the overall development strategy, on the basis of the housing requirement figure of 415 dpa.

The plan remains consistent with national policy, through the adoption of the housing requirement figure of 415 dpa. The plan will boost significantly the supply of housing, the housing requirement figure of 415 dpa representing a marked increase in housing delivery. Addendum 3 (EL7.002, page 98) notes that the number of homes delivered per annum between 2003 and 2016 averaged 210.

Suggestions of higher figures, up to 450 as some have suggested on the basis of a “Policy-On” position in respect of growth on the Enterprise Zones, are not supported by evidence. The AMION report (pages 131 to 177 of EL7.002) states clearly: *“There remains though a high degree of uncertainty in terms of the*

timing, scale and additionality of this impact and it is not considered there is yet sufficient evidence to make a specific adjustment to the baseline forecasts. This position should be monitored and updated as new evidence emerges” For the Council to presume higher jobs growth due to the EZs, and to plan for a higher level of housing to match it, would at this stage be based on suppositions rather than evidenced projections. The likely outcome, based on current evidence, would be the delivery of housing but not the jobs to support it, which represents a misalignment of housing and economic strategies, contrary to the Framework.

Suggestions of a much lower figure, as low as 325 as some have proposed, are also not supported. Whilst this figure is generated from the application of different labour-force assumptions relating to activity ratios of older cohorts applied to the jobs growth projections, it fails to provide the housing required to accord with the level of population and household change that is expected to result according to the demographic projections (351 per annum), even without allowing for any market signals adjustment as is justified within Addendum 3. Such an approach would therefore again risk a misalignment of economic and housing strategies, contrary to the approach required by the Framework. Section 4.4 of the AMION report (pages 164-167 of EL7.002, with summary in section 4.8 on page 173) recommends that such alternative labour force assumptions are modelled as a sensitivity, rather than being included within the core assumptions. This is considered in the context of the scale of job growth forecast in Fylde, the distinct projected changes to the age profile of Fylde and the significant impact of an increasingly ageing population as well as the range of industrial sectors in which growth is forecast (Paragraph 6.21 of the Addendum 3 report).

It is noted that in the recent appeal decision for the Kilnhouse Lane/Queensway site (APP/M2325/W/16/3164516), the Inspector states that the *“OAN of 415 dwellings per annum was agreed by both the parties”*. Therefore, there is developer acceptance of the figure of 415 dpa as the OAN.

2. Will this figure ensure that the plan meets the full objectively assessed housing needs identified in the SHMA Addendum 3?

The full OAN identified in Addendum 3 is 410-430. The housing requirement therefore meets the full OAN.

The housing requirement figure of 415 dpa will result in a plan period housing requirement of 8,715 homes. The plan period trajectory included within Annex 2 of the evidence consultation document shows a plan total of 8,823 homes (page 203 of EL7.002). Therefore, the housing requirement for the plan period will be met.

The Council continuously monitors and reviews the evidence of deliverability and developability of sites in the planned supply. Known amendments to information within the trajectory, arising subsequent to the consultation on EL7.002, will affect the total delivered by the plan. The specific amendments are:

- HSS1 Queensway: this site will now deliver a total of 992 dwellings on the whole of the site, all within the plan period. This revised information reflects planning approvals for the whole site. This reduces the plan total by 158;

- HS14 Axa, Lytham: this site is now likely to deliver 65 dwellings, following the application for specialist accommodation for the elderly. This results in an increase of 20 units to the plan total;
- HS65 Dalmeny Hotel: this site is now unlikely to be delivered in the plan period, following the withdrawal of the application that had been made. This reduces the plan total by 34 dwellings;
- HSS4 Coastal Dunes: this site is showing delivering 76 in the phase 1 development. During the proceedings of the appeal inquiry (APP/M2325/W/16/3164516) (see also response to session 3 question 4 below) the Council agreed that the correct figure should be 73. However, this is incorrect, as planning application 15/0447 revises the number approved from 73 to 76, and building regulations approval was sought for 76. There is therefore no change, but this differs from the position agreed at the appeal and reflected in the responses summary EL7.003h.
- HS52 Cobweb Barn Newton: this site is likely to deliver a maximum of 40 dwellings, rather than the 54 shown on the trajectory. This reduces the plan total by 14 dwellings;
- The Council proposes to allocate the site at Woodlands Close, Newton (HS70) which was approved at appeal for 50 dwellings. This site will be included within the Schedule of Proposed Main Modifications. This will add 50 dwellings to the plan total;
- The Council proposes to allocate the site at Methodist Church Hall, Church Road, St Annes (HS68), which has been approved for 10 dwellings on a previously-developed site. The site will be included within the Schedule of Proposed Main Modifications. This will add 10 dwellings to the plan total;
- The Council proposes to allocate the site at St Leonards Bridge Garage, St Annes (HS67), which the Council has resolved to approve subject to a S106 agreement, for 38 dwellings on a previously-developed site. The site will be included within the Schedule of Proposed Main Modifications. This will add 38 dwellings to the plan total;
- The Council proposes to allocate the site at Naze Court, Freckleton (HS69). This is a site on which 22 dwellings were demolished early in the plan period, and on which it is expected that around 12 dwellings will be developed in replacement. The site will be included within the Schedule of Proposed Main Modifications. This will subtract 10 dwellings from the plan total, accounting for the demolitions;
- The Council has identified that it will be necessary to make an allowance for demolitions within the plan. Demolitions, not including sites where such demolitions will be “netted-off” against new housing development on the same site, totalled 5 within the first 6 years of the plan period, which should be subtracted from the plan total. An allowance of 1 dwelling per annum should therefore also be subtracted from the plan total, for the remainder of the plan period. This results in a reduction of 5 for demolitions occurred, and 15 for the allowance for demolitions: a reduction of 20 to the plan total;
- The Council has also identified that there is a need for a correction of 8 units reflecting double counting of certain completions in small sites and large sites totals, resulting in a reduction of 8 units to the plan total.

The effect of these changes taken together, is to reduce the delivery from the plan by 129 dwellings. A Mid-Year Housing Land Supply Statement has been prepared, and is attached as Appendix 1: the plan period trajectory within this assists with assessing the current position. The mid-year trajectory allows for the update of small sites commitments, which falls by 4, and small sites completions, which rise by 37. In consequence, the plan will currently deliver 8,745 dwellings, which is 30 more than of the plan requirement of 8,715, and is the delivery of more than 416 dwellings per annum over the plan period.

This delivery over the plan period to 2032 should be seen in context of the likely impact of the proposed new methodology for assessing housing need. The new methodology would give a requirement for Fylde of 296 dpa. The plan will need to be reviewed 5 years from adoption, and the effect of review will be that the reviewed plan will need to be compliant with the new methodology. Therefore, the OAN is likely to be reduced, and the reviewed plan is therefore likely to provide very generously for the requirement.

This level of delivery should also be seen in context of the provision on sites allocated in the plan which extends beyond the plan period. There will remain 880 dwellings to deliver in 2032 on allocated sites, on the basis of current information.

The plan will therefore be effective at delivering housing to meet the OAN.

Session 3

Housing – Site allocations, 5 year housing land supply and the settlement hierarchy

- 1. In the light of the Council’s updated site allocations and site delivery methodology:**
 - a. Is the amount of housing proposed for each site justified having regard to any constraints and the provision of necessary infrastructure?**

Where a housing site is based on an allocation, without any other information being available, the Council has made a calculation based on 30 dwellings per hectare, assuming that the developable area of the site amounts to 60% of the overall site. Where additional information is available, the Council has based the delivery on the site on that information. For instance, where a planning application has been made, delivery is based on that application; where subsequent permissions have altered the amount delivered, the Council has revised the information to reflect the latest available information. The information reflects any known infrastructure or constraints on sites. The amount proposed is therefore fully justified and the allocation policies will be effective.

- b. Are the Council’s revisions to the methodology for site delivery and adjustments to the build out rates reasonable and justified?**

The revisions to the methodology for the timing of site delivery and build-out rates are based on deliberations at the Stage 2 Examination hearings. The best information available is used, from the site promoters where available, but reverting to assumptions where not. Developers’ representatives have accepted this broad approach, and have endorsed the assumptions as realistic.

Whilst it has been noted that the assumptions do not directly mention the issue of whether a development is supported by a housing developer, rather than a landowner or agent, this issue is

reflected implicitly within the assumptions. Where the council does not have specific information from a site promotor relating to the deliverability of a site, the 5-year housing land supply statement makes a number of assumptions regarding the rate at which development is likely to come forward. These assumptions build in delay to the likely commencement date. Where a site has detailed planning permission, it is assumed that a developer will have been identified and so it is likely that development of the site will commence earlier in the 5 year period (Year 1). If a site has only outline planning permission, it is assumed that a specific developer may not been identified or have committed to the development of the site. However, the fact that outline planning permission has been granted will mean that the site is more attractive to the market and so a reasonable allowance has been made to allow a developer to acquire the site (Year 2/3). Sites that do not have planning permission and are included in the plan only as allocations are shown as commencing towards the end of the 5 year period (Year 5) in order to reflect the time required to both obtain detailed planning permission and to find a suitable developer. (See Page 183 of EL7.002 for all assumptions).

c. Is the housing trajectory realistic for each updated allocation: are there any sites which might not be delivered in accordance with the timescale set out in the trajectory?

The changes made in relation to site delivery are based on information provided by site promotors. The Council is satisfied that the delivery rates proposed by the site promotors are realistic.

The position taken by some representors has been to accept adjustments where the delivery rate has been lowered, but not to accept these where the delivery rate has been raised. This is inconsistent. Information from developers has been taken at face value as it is the individual promotors of each site that will be aware of all factors that can potentially impact upon delivery. It is possible that market conditions could cause developers to either raise or lower their build-out rates on sites, and whilst the Council has no control over this, the uncertainty regarding movement in either direction is acknowledged. Therefore, whilst there is potential for delivery on certain sites to slip partially outside the plan period, there is at least as much likelihood that sites on which delivery extends beyond the end of the plan period could be brought forward to deliver greater numbers within the plan period.

The housing trajectory provides a robust position in respect of supply. The trajectory for the next part of the plan period provides for a 20% buffer on 5-year housing land supply, and therefore any slippage from a specific site would not threaten the overall delivery of the plan total.

The Monitoring Framework provides for measures in the event that delivery falters, in line with measures outlined in the White Paper Fixing Our Broken Housing Market. Reassessment of the situation that will apply towards the end of the plan period will be undertaken through the commitment to review regularly.

2. It has been suggested that the 10% non-implementation rate should be applied to all sites with planning permission, not just small sites: is this approach justified? What implications, if any, would this have on housing supply, specifically the 5 year housing land supply, if it was applied across the board? Does evidence support the use of a higher 20% non-implementation rate for small sites?

To apply a 10% discount to the allocated sites within the 5 years supply would reduce the 5 year supply by 333.

In calculating a 5 year housing land supply, application of non-implementation allowances to a list of deliverable sites cannot be justified. This is because the requirement of paragraph 47 is for sites to be deliverable, with a realistic prospect of delivery within 5 years. It is not a measure of what will probably be delivered. This issue is covered extensively within the Court of Appeal judgement [2017] EWCA Civ 1643 *St Modwen v SoSCLG, East Riding of Yorkshire Council and Save Our Ferriby Action Group*, which is attached as Appendix 2. The “expected rate of delivery” referred to within the fourth bullet of paragraph 47 is distinguished from the meaning of “deliverable” within the judgement. There is no need to discount from the supply of deliverable sites within the 5-year supply: it is sufficient to establish that they are deliverable.

Moreover, the imposition of a blanket discount of 10% would represent an unjustified double discount for larger sites. For example, where there is clear evidence as to start dates and build out rates, it would not be reasonable to further discount the number of houses that the site is predicted to deliver. To apply the blanket discount would be to apply an additional “buffer” for persistent over estimation of housing supply.

In the case of the 5-year supply calculation produced by the Council, small sites have only been included if they have planning permission, with the exception of a single unit which is minded-to-approve. Footnote 11 of the Framework is clear: “sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years”. The Council has hitherto applied a 10% discount to these sites. The published 5-year housing supply statements have therefore underestimated the supply from small sites. However, as the detailed trajectory contained within the housing land supply statement feeds into the overall plan trajectory, it has been retained in order to ensure that the overall plan trajectory remains robust.

In the case of sites allocated in the plan, those with planning permission must again be considered deliverable unless there is clear evidence that they will not be implemented within 5 years. In respect of allocated and minded-to-approve sites, the Council has removed a number of sites from the 5 year supply on the basis that they are not expected to commence delivery within 5 years. This represents the application of a stiffer test than required, based on the “expected rate of housing delivery” that bullet 4 of paragraph 47 requires to be illustrated within a plan period trajectory.

It is not clear whether representors have intended the non-implementation rate to sites just within the 5-year supply, or the whole plan period; some have suggested an allowance for slippage outside the plan period, which amounts to the same thing.

The allocations made within the plan are sites which are expected to deliver in the plan period. Any sites not expected to deliver have been excluded from the plan. The plan does not depend on SHLAA sites, a notional contribution from SHLAA sites, or broad areas for growth. Therefore, discounting of allocated

sites against the plan trajectory is unnecessary and would only serve to inflate the total housing provision further beyond the requirement.

3. In my letter of 3 July 2017 I asked the Council for further clarification on their preferred approach to delivering the identified shortfall in housing delivery using the Liverpool method (across the plan period). In light of the Council's evidence on bringing sites forward for delivery and the availability of additional sites, is the use of the Liverpool method justified?

The plan provides allocated sites to deliver the whole plan period total, with allocations on certain sites extending beyond the end of the plan period to provide an additional 895 homes. Within the plan period, the plan provides for the delivery of the whole plan requirement including the backlog that occurred in the early part of the plan period. The backlog developed before many of the sites were allocated in draft versions of the plan and before the decision to propose the plan housing requirement figure of 415.

There is a full complement of sites allocated in the plan, giving much greater certainty of delivery than if the plan had relied on broad locations for growth from 2022-3 onwards. However, there does not exist any potential to bring sites forward, beyond the realistic assessment of delivery already accounted for within the plan. This rate of delivery results in a 5-year supply figure using the Sedgfield method which is close to 5 years. The Council recognises and accepts that the 5 year supply is finely balanced under Sedgfield.

However, the supply provided by the plan is not marginal under the Liverpool method (6.2 years supply). A 5-year housing land supply of 6.2 years under Liverpool and of 4.9 years under Sedgfield (i.e. approximating to 5 years) is likely to satisfy the principal objective of paragraph 47 of the Framework to identify a deliverable supply of housing land; this approach has been endorsed by the Inspector in the appeal decision APP/G2713/A/13/2194376 (Huby, Hambleton). This is particularly likely to be so if the Liverpool method has been endorsed by the Local Plan Examination, on the basis that a supply approximating to 5 years under Sedgfield was in any case deliverable through plan allocations.

It remains relevant that all calculations of the 5-year supply made to-date, whether using Liverpool or Sedgfield, have included a 20% buffer within the calculation. Therefore, taking account of the fact that all sites included in the plan are allocated, and many have planning permission, the housing land supply position is robust, notwithstanding the marginal calculation under Sedgfield. At least one developer's representative has acknowledged that the application of a 5% buffer instead of 20% is likely within 5 years.

Steps towards the delivery of sites not yet with full planning permission continue to be taken. The site at HSS1 Queensway now has reserved matters consent for 992 dwellings, the full extent of the site. An outline application for 350 dwellings has been made for the major part of the only strategic site that remains wholly without consent, HSS5 Cropper Road West. A reserved matters application has been received for site HS57 Brook Farm Dowbridge for 170 dwellings.

However, the imposition of the Sedgfield 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. The plan relies on

the delivery of large sites later in the plan period, which will ensure the delivery of the backlog under the Liverpool approach. The largest sites 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.

The 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. 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.

The Inspector's Report to the Preston Local Plan considered the issue of methodology for addressing the backlog. The Inspector noted: *"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."* The Inspector goes on to note how the plan makes provision for significant amounts of housing on large strategic sites, a similar situation to Fylde, where large sites will deliver significantly beyond the plan period. The Inspector's Report to the Preston Local Plan is attached as Appendix 3.

The plan's Monitoring Framework includes an indicator (Indicator 2) which triggers specific action in the event that the Council does not have a five-year supply. Although the situation is considered unlikely, the Monitoring Framework provides a check to the progress of the plan.

In addition, the requirement for regular review, 5-yearly on the basis of the White Paper, will mean that the performance of the plan to that date in relation to maintenance of the housing supply will be reconsidered moving forward over a further time horizon. This reassessment will reflect the extent of delivery that has occurred within the intervening period, and the speed at which sites, particularly large strategic sites, have been bought forward by that time. This will provide the basis for reconsideration of the housing supply moving forward.

4. The Council in EL7.002 confirm that they have a 5 year housing land supply (5YHLS) whether Sedgefield (5.1 years) or Liverpool (6.4 years) is used. A recent Council planning policy statement (dated September 2017) produced for an appeal (PINS ref: APP/M2325/W/16/3174723) indicates that the supply is now 4.9 years using the Sedgefield approach or 6.2 years using the Liverpool method. Can the Council comment on their update and its implications for housing land supply within the plan? Will the housing provision have a reasonable prospect of delivering a 5 year housing land supply at the point of adoption of the plan?

The Council's Five-Year Housing Land Supply Statement, Base Dated 31st March 2017, Examination in Public Edit July 2017 (Annex 2 EL7.002, pages 179-204) was subject to a number of adjustments to site delivery and to the methodology resulting from agreement made by the Council during proceedings at the appeal public inquiry (APP/M2325/W/16/3164516) for the Kilnhouse Lane/Queensway site (site ES1 as identified by Policy EC1 of the plan) in September 2017. The adjustments were reflected within the later statement for the appeal hearing for the Mains Lane, Singleton site (APP/M2325/W/16/3174723).

The Council's Responses Summary (EL7.003h) Appendix 1 (page 67) provides a summary of the Council's resulting 5-year housing land supply position, reflecting the changes made. The Council's evidence to the Kilnhouse Lane / Queensway appeal is Appendix 3 to that document (EL7.003h, pages 81-100); this

is a revised proof, reflecting agreed changes at the “round table” session of the Inquiry. The Council’s evidence to the Mains Lane appeal is Appendix 2 (EL7.003h, pages 69-80).

The Council has since produced a new 5-Year Housing Land Supply Statement which provides a mid-year assessment of the housing land supply position. This is attached as Appendix 1. The changes made from the 5-year supply statement consulted on in EL7.002 are considered below.

A significant adjustment related to demolitions. The appellant in the Queensway/Kilnhouse Lane appeal (Greenhurst Investments/ Indigo Planning, Local Plan representor no.18) noted that demolitions had occurred since the start of the plan period (according to the Council’s Housing Land Availability Schedule) but had not been reflected in the 5-year supply calculation; also that no allowance had been made for demolitions yet to occur. The Council accepted that this was the case and that adjustments were required to reflect past demolitions (which increased the shortfall) and an annual allowance. The figure of 35 that was for the past correction included 8 which were not demolitions but reflected double counting of parts of larger sites within the small sites completions figures, and 22 which were for a site at Naze Court Freckleton, which is now proposed for allocation (see the response to session 2, question 2 above) and are therefore now considered within the net figure for that site. The figure of 5 per annum was based on the demolitions recorded in the first 6 years, which included the 22 at Naze Lane. However, in the half-year trajectories, this has been amended, to reflect that demolitions that have occurred in the borough not relating to development sites amount to only 5 in the 6 years. Therefore, an allowance of 1 per annum is made in the 5-year supply trajectory and plan period trajectory.

The Council accepted certain proposed amendments regarding sites within the 5-year supply. These were:

- HSS4 Coastal Dunes: the Council agreed that the correct total number of dwellings on phase 1 should be 73 not 76. However, this is in fact incorrect as noted in the response to Session 2 Question 2 above.
- HS27 Oaklands Caravan Park: the Council agreed that this site was not deliverable within 5 years.
- HS65 Dalmeny Hotel: the Council agreed that this site was not deliverable within 5 years.
- HS53 Singleton Village: the Council agreed that this site was not deliverable within 5 years.

There were also adjustments made to the number delivered at HS14 Axa and HS52 Cobweb Barn. The net result of the changes in the appeal was the position shown on pages 67 and 99 of EL7.003h.

The mid-year trajectories and calculation in Appendix 1 provide an assessment reflecting these changes (adjusted as mentioned above to reflect new information). The mid-year trajectory also reflects additional sites that will come forward that are proposed for allocation in the plan (as noted in the response to Session 2, Question 2 above). The calculation is base-dated September 30th 2017, and reflects delivery of homes within the half-year April-September 2017. Completions in the first half of 2017-18 are shown, and are therefore removed from the residual delivery on each site. The years 2017-18 and 2022-23 are divided into half-years in order to provide a means of making a calculation. The mid-year calculation gives a 5-year supply figure of 6.5 years under the Liverpool method and 5.8 years under Sedgfield.

The plan trajectory allows an illustration of the likely 5-year supply position at adoption. As such, taking the five years as years 8 to 12 inclusive, which would reflect a base date of 31st March 2018, the total

supply including allowances is projected to be 697+907+775+651+338+301 which equates to 3,669, which is a figure close to that for the 5 years base dated 2017. Delivery in the current year is likely to undershoot the supply figure for the current year (remembering that of necessity the supply must include a 20% buffer), but is likely to comfortably exceed the annual requirement, addressing a proportion of the backlog: there is therefore likely to be some residual supply from this year available for delivery. Therefore, the 5-year supply position is likely to be at least similar to the current position, but it is probable that it will be improved. Consequently, in common with the current position, the plan will deliver a five-year housing supply comfortably if Liverpool is formally adopted as the assessment method, and will remain marginal if Sedgefield is adopted, leaving risk to the plan as at present.

There remain a number of challenges to the inclusion or delivery rates of individual sites in the 5-year supply calculation set out within the representations to the Consultation Document EL7.002, and these are summarised on pages 31-41 of the responses summary EL7.003h. The Council's response in relation to each site is set out within the same pages. Some representors have supposed that the burden of proof that each site will certainly deliver be set very high. Footnote 11 of the Framework requires that there should be a "realistic prospect" that housing will be delivered on the site within 5 years. The St Modwen Court of Appeal judgement (referred to in the response to Session 3 Question 2 above and attached as Appendix 2) distinguishes between "deliverable" sites and the "expected rate of delivery". Councils must identify deliverable sites to provide five years' worth of housing against the housing requirement plus a buffer (the second bullet of paragraph 14). There is a separate requirement in the fourth bullet of paragraph 14 to illustrate the "expected rate of delivery". Whether a site is deliverable is different from whether it will probably be delivered. There is no need to consider whether deliverable sites will probably be delivered: it is sufficient to establish that they are deliverable. For instance, a site may be deliverable, yet the site owner may choose not to bring it forward for reasons unrelated to the site's deliverability.

By deriving the 5-year supply calculation from the plan trajectory, the Council has imposed a more rigorous test on its sites included than is required for sites to be deliverable. Sites have been included in the trajectory based on their likely delivery, using the SHLAA assumptions, or specific information on delivery where that is available. The Council therefore considers that the sites included within the supply reflect a robust assessment.

The Council has also had regard to the appeal decision resulting from the Kilnhouse Lane/Queensway appeal (APP/M2325/W/16/3164516). The appeal Inspector makes use of the Sedgefield method in relation to the appeal, but notes that *"I accept that the EiP Inspector may agree with the Council that a Liverpool based approach would be most appropriate to ensure that the emerging Local Plan would be sound"*.

The Inspector in that appeal also made reference to the delivery of sites, and stated that he was *"concerned that the Council has been over optimistic regarding the delivery of housing...some of the smaller sites that have been included do not appear to me to have been justified for inclusion and the appellant has suggested different start dates and/or build rates on some of the larger sites included."* Notwithstanding that this suggests that the test that has been applied is that relating to delivery rates, rather than deliverability, it assists to consider the sites specifically mentioned by the Inspector, on the basis of the latest position:

- Fairways (HS12): the site has been cleared with the exception of the substantial building at the front of the site, which could form part of any redevelopment. This is a previously-developed site, and therefore the Council will consider it for inclusion within its brownfield register, to be published shortly. It would then be open to the Council to include the site within a Part 2 register, granting permission in principle. The site is clearly deliverable.
- HSS6 Land at Lytham St Annes Way (residual part), this site is currently offered for sale as a single lot, and can be viewed through Zoopla: https://www.zoopla.co.uk/for-sale/details/44408732?search_identifier=7d49bc4d1ec3f865257c34ebc404ec66#VDMqtg2PrvCypEXU.97 . The site is clearly deliverable.
- HS28 Sunnybank Mill: this is a previously-developed site, and therefore the Council will consider it for inclusion within its brownfield register, to be published shortly. It would then be open to the Council to include the site within a Part 2 register, granting permission in principle. The site is clearly deliverable.
- HS41 Thornhill Caravan Park: the site owners have confirmed their intention to make the site available for housing development and that it would be appropriate for this to be within 5 years. The site is clearly deliverable.
- HS47 Land North of North View Farm. This site was previously subject of a planning application which was withdrawn. The land remains available and could be brought forward on the same basis as previous applications at any time. This is purely a matter for site owner but its deliverability is unaffected. The site is clearly deliverable.
- HS51 Newton Hall: the Council have sought confirmation as to the likely timescale for this site to be brought forward from the site owners, and based on this information have removed the site from the 5-year supply (half year) statement.

Therefore, the Council does not agree that it has been over optimistic, and has revised on the basis of information where appropriate.

Taken as a whole, there is a reasonable prospect of a 5 year supply of housing upon adoption. However, under the Sedgfield method of calculation this is likely to remain “Huby” approximate, which means that there are risks going forward from adopting the Sedgfield method formally. Therefore this gives further support to the case for adopting the Liverpool method within the plan.

5. In the Settlement Hierarchy Note (July 2017)(part of EL7.002), the Council concludes that there is no justification for altering the positions of Wrea Green and Elswick within the settlement hierarchy. Does the evidence support this approach?

Wrea Green.

Wrea Green is a Tier 1: Larger Rural Settlement, along with Staining and Newton. The larger rural settlements provide small scale essential local services, as well as local opportunities for employment. They can therefore be regarded as sustainable communities, albeit with a dependency on, sustainable transport connection to/from, the Key Service Centres, Local Service Centres and the Strategic Locations for Development, identified in Policy DLF1 for other services and facilities.

Wain Homes have requested that Wrea Green be moved up the settlement hierarchy to become a Local Service Centre. There are two existing local service centres in Fylde, at Wesham and Freckleton. Warton, Whitehills and Whyndyke are proposed to become Local Service Centres as developments included in the Local Plan to 2032 are delivered. Local Service Centres provide a more limited range of services to the Local community compared to Key Service Centres, they provide facilities to serve local community needs. Local Service Centres serve their own communities and those in nearby rural settlements with basic services and are well placed to provide for future local housing and employment needs.

For the purpose of responding to this question the Council has compared Wrea Green with Wesham and Freckleton and has collected further evidence on the scale of service provision at Wrea Green (with a focus on commercial premises and employment) and has also considered the character of Wrea Green and constraints, which have prevented the expansion of services.

Wrea Green Tier 1 Larger Rural Settlement

Wrea Green has a basic level of services which are documented in the Settlement Hierarchy Background Paper. For the purposes of a more detailed comparison with the existing Local Service Centres the Council has carried out a survey of the commercial premises/services in Wrea Green.

1 General Store (also Post Office)

1 Café

1 Restaurant

1 Remedial Sports Massage

1 Nail/Beauty Salon

1 Dentist

1 Pub

1 Small Employment Area (7 small companies 35-40 jobs in total).

Wesham Local Service Centre, has an extensive range of services, there are many shops and commercial premises, in the central area. On the outskirts of Wesham there is also an Aldi, a Petrol Station with Sainsbury Express, Greggs, Kentucky Fried Chicken and a football stadium with restaurants.

Large Coop General Store

General Store/Post Office

Off Licence

Large Electrical Retail Showroom

Chinese Restaurant

Chip Shop

Car Sales

Garage (Tyre Sales)

Nails/ Beauty

4 Hairdressers (2 ladies, 1 gentlemen, 1 unisex)

Ironing Shop

Sandwich Bar/ Hot Food Takeaway

Florist

Vets

Pharmacy

Newsagents

Cambridge Weight Plan Centre

3 Pubs

Fox's Biscuits (500 employees)

NHS Wesham Offices (150-200 employees)

Freckleton Local Service Centre

1 Butcher

1 Greengrocer

1 Sandwich Bar

1 Chip Shop

1 TV/Electronics Shop

1 Newsagent
2 Chinese Takeaway
1 UPVC Window Shop
1 Indian Takeaway
1 Vets
5 Hair Dressers (3 ladies, 1 gentlemen and 1 unisex)
1 Beauty Salon
1 Café
2 Estate Agents
1 Beauty Products Suppliers
1 Dog Groomer
Spar also Post Office
Tanning Salon
Coop
Off Licence
2 Assorted Hot Food Take Aways
Carpet and Flooring
Commercial Property Services
Optician
Computers
Joiners
Restaurant
2 Pubs

Comparison of Scale of Availability of Commercial Services and Employment

Wrea Green has 7 commercial premises which provide small scale essential local services, as well as local opportunities for employment on a small site close to the railway (7 small companies 35-40 jobs in total), in line with its designation as a Tier 1 Larger Rural Settlement. Wesham by comparison has a total of 23 commercial premises located close to the centre as well as two substantial sources of employment (650 jobs), Appendix 5 provides photographs of some of the commercial premises in Wesham. Freckleton has 36 commercial premises located close to the centre and BAE Systems provides many thousands of jobs nearby at the adjacent settlement of Warton, Appendix 6 provides photographs of

some of the commercial premises in Freckleton. Both Wesham and Freckleton are local service centres which provide facilities to serve local community needs. They serve their own communities and those in nearby rural settlements with basic services and are well placed to provide for future local housing and employment needs.

Wrea Green has very few services, those it does have are very small scale and provide for essential needs, such as the Village Shop. Residents of Wrea Green will have to travel to larger settlements such as Kirkham and Wesham to access most of the services they need. Residents of the rural area around Wrea Green will not travel to Wrea Green to access services, Wrea Green does not serve the needs of those in nearby rural settlements. Photographs of the services in Wrea Green are provided in Appendix 4.

Wesham and Freckleton however, contain a wide range of commercial services and employment. They are sustainable settlements and their range and quantity of services has been able to expand in line with their population increases.

As well as the obvious disparity in the scale of provision of services at Wrea Green compared to the services at Wesham and Freckleton there are other differences which are very significant.

Landscape Character

Wrea Green is a rural village surrounded by countryside. It has a village green at its centre with a church and spire in one corner and rural fields visible from that point across the Green to the other corner. There is residential development around the Green and on surrounding roads as a consequence of its evolution over the years, but this has developed as a natural and organic growth of the village and so has ensured that it retains its rural character. This is assisted by the development on the main arterial roads typically changing in character to a looser grain as the village peters out to the countryside, with Bryning Lane and Moss Side Lane both seeing development ceasing on one side of the road around the village boundary to accentuate the transition from village to countryside.

This rural village with countryside around is an important characteristic to the village, and is a feature of the rural part of Fylde borough in general as this area features a series of rural villages each with a generally circular form and entirely surrounded by countryside. Photographs 4a, 4b and 4f (Appendix 4) show the rural setting of Wrea Green with attractive, low density development situated around a large square village green. Spaces between properties to the south of the Green provide views to the open countryside beyond.

Wesham and Freckleton (Local Service Centres) are directly adjacent to Kirkham and Warton. They are not completely surrounded by countryside like Wrea Green. The existing Local Service Centres of Wesham and Freckleton are much more urban in character, they are more built up with little greenspace at their centres. Photographs 5a (Appendix 5) and 6a and 6b (Appendix 6) illustrate the differences between the centre of Wrea Green and the centres of Wesham and Freckleton.

Lower property values than Wrea Green have allowed brownfield developments and conversions to commercial use. In Wesham a former Victorian School has provided a large electrical showroom (photograph 5f Appendix 5), the former Wesham Hospital has been converted to office use by the NHS providing an employment site. Fox's Biscuits which provides 500 jobs is on the site of the former Phoenix Cotton Mill (photograph 5e Appendix 5).

Wrea Green does not have any vacant brownfield sites or buildings. House prices are the highest in Fylde and amongst the highest in Lancashire. The potential for high returns and the protection correctly afforded by the Conservation Area have prevented construction/conversion for commercial uses and services.

Conservation Area

The Conservation Area is centred on the Village Green, the external boundary approximately follows the rear boundaries of properties around the Green, and is intended to protect the character of the area of the Green by providing control over the appearance of residential properties surrounding it. The spaces between those buildings situated around the Green are a key component in establishing the character of the conservation area. All available land around the Green has been built on, and commands the highest house prices in Fylde. Accordingly, there are no new potential development sites available within the village centre that could provide for the establishment of new or expanded services to serve the needs of a significantly increased population in the village.

Physical Constraints

There are no available, suitable and achievable sites in Wrea Green which could provide additional services for the Village. The very picturesque setting of the centre of Wrea Green should be protected and this in itself is a constraint. The Primary School for example is on a very restricted site and cannot be expanded. Children have their outdoor PE lessons on the Green. The small employment area cannot be expanded because of the railway line. There are no sites in the centre of the village which could be used to increase the services available.

Highways Constraints

Lancashire County Council have expressed specific concerns over the cumulative impact of piecemeal residential development in Wrea Green since the start of the plan period. These concerns centre on the number of consented schemes that are under construction or about to commence, and the significant number of dwellings that could be built as a consequence of the schemes which are currently in the planning process at appeals.

These developments have contributed additional traffic to the surrounding road network and there are specific concerns over the capacity of Bryning Lane into Warton and the junction with Lytham Road in Warton which is also the main entrance to BAE Systems. The designation of Warton as a Strategic Location for Development has seen development proposals brought forward in that settlement in recent years either by locally approved application or on appeal. These have provided some capacity improvements to the junction to mitigate the additional movements that they would generate, but the physical constraints of the junction and its operational characteristics ensure that the opportunities to bring significant capacity improvements is limited.

The most recent appeal decisions in Warton APP/M2325/W/15/3004502 and APP/M2325/W/15/3141398 recognised the issues around this junction and imposed restrictive conditions on those developments to secure wider enhancements, so recognising that the capacity of this junction has been reached. The additional traffic that must utilise this junction as a consequence of any development in Wrea Green must be beyond that capacity and accordingly Lancashire County Council as local highway authority and Fylde Borough Council as local planning authority conclude that

the implications of this would be a severe residual impact on the capacity of this junction and so its connecting highways.

This therefore means that further development proposals in Wrea Green would be in conflict with the NPPF in para 32 and the adopted and emerging Local Plan policy. Wrea Green does not provide facilities to serve local community needs. It does not serve its own community and those in nearby rural settlements with basic services and it is not well placed to provide for future local housing and employment needs because of the highway constraints.

The Emerging Local Plan

Wrea Green has been designated a Tier 1 Larger Rural Settlement as a result of work carried out on the Fylde Local Plan to 2032.

In the Issues and Options there were five options and a defined settlement hierarchy. The Summary Interim Sustainability Appraisal of the Spatial Options recommended that some degree of rural development does occur (i.e. more than is proposed in Options 1,2,3 and 5 but not as much as 4) where less sensitive sites exist, on a small scale and to a design that reflects the local character.

This approach was taken forward into the Preferred Option, although the Preferred Option was a Part 1 document and did not include sites in the rural settlements. At the Revised Preferred Option Stage the Council had moved to a complete Local Plan, it was proposed that 9% of Development should take place at the Non-Strategic Locations for Development and five sites at Wrea Green for approximately 150 dwellings which were commitments were included in the Plan. This was considered by the Council to be a sustainable amount of development for Wrea Green, in line with the findings of the Sustainability Appraisal of the Issues and Options, given that it is not possible to improve services. Since this time the level of services has declined with Wareings Agricultural Buildings, the main employer moving to a site 1.3 miles north of the Village on the A583. It was considered that this level of development would support local services, and provide approximately 50 affordable homes enabling local people to continue living in the village.

By the Preferred Option this figure had increased to 234 commitments with 15 minded to approve, this is set out in Policy SL5 Development Sites outside the Strategic Locations for Development.

At present 261 dwellings have been consented since the start of the plan period. There are appeals pending for an additional 159 dwellings, this will be dealt with via a co-joined appeal in April 2018.

Conclusions for Wrea Green

Wrea Green is not currently a Local Service Centre, nor does it have the potential to become a Local Service Centre. The landscape quality, Conservation Area, physical and highway constraints together with very high residential land values mean that it is not possible to provide sites for new services in the centre of Wrea Green.

Wrea Green has increased in size but only in relation to the number of dwellings. Housing is the only land use which has expanded. Employment has declined, the Primary School is full, bus services have been maintained, but only through developer contributions. The very small number of other services has stayed the same. This is not sustainable. Infrastructure and services should be provided in line with the increase in population. This is not possible in Wrea Green and that is why it should remain as a Tier 1 Larger Rural Settlement.

Elswick

Elswick is a Tier 2 Smaller Rural Settlement, along with Clifton, Singleton and Weeton. Tier 2 Smaller Rural Settlements are defined in Policy SL1 of the Draft Plan.

Tier 2: Smaller Rural Settlements

Clifton, Elswick, Singleton and Weeton. The smaller rural settlements have fewer essential services and employment opportunities and tend to have limited transport connections with the Key Service Centres, Local Service Centres and the Strategic Locations for Development, identified in Policy DLF1

Prospect Homes, Story Homes and John Rowe have all submitted responses alleging that the scoring for Elswick is incorrect and should be increased for various reasons, and that should result in Elswick becoming a Tier 1 Larger Rural Settlement. The Council contends that the scoring is sound and that Elswick is correctly defined as a Tier 2 Smaller Rural Settlement.

The Settlement Hierarchy Background Paper scores the settlements in Fylde in relation to fourteen separate categories, the overall total score gives each settlement its position in the settlement hierarchy. The Council then rescored all the settlements by excluding the bus scores which can very easily be affected by Lancashire County cutbacks and whether or not developer contributions are available.

Although the scoring in the Settlement Hierarchy is very detailed and has resulted in much debate about very small differences in scores, the Council has used it to define a broad development strategy which is sound. The majority of development is situated at the four strategic locations for development with approximately 10% at the Non Strategic Locations for Development as set out in SL5. This is in line with the Summary Interim Sustainability Appraisal of the Spatial Options which recommended that some degree of rural development should occur (i.e. more than is proposed in Options 1,2,3 and 5 but not as much as 4) where less sensitive sites exist, on a small scale and to a design that reflects local character. Options 1,2,3 and 5 proposed 5% in the rural settlements Option 4 proposed 15% in the rural settlements. The Council considers the overall Development Strategy to be the most appropriate/sustainable.

The Council also considers it useful to reflect on the similarities between the groups of settlements in the Tier 1 and then the Tier 2 Categories, this exercise only serves to reinforce the fact that Elswick has been correctly defined as a Tier 2 Smaller Rural Settlement.

The definition of a Tier 1: Larger Rural Settlement is as follows:

The larger rural settlements provide small scale essential local services, as well as local opportunities for employment. They can therefore be regarded as sustainable communities, albeit with a dependency on, and sustainable transport connection to/from, the Key Service Centres and Local Service Centres.

Newton, Staining and Wrea Green (Tier 1) are all larger than the Tier 2 Smaller Rural Settlements. They all have large village shops, and Primary Schools at their centres. Wrea Green and Staining have sources of employment (an employment area at Wrea Green and holiday park at Staining), Newton is close to Westinghouse Springfields Fuels 1.9 miles, 3.1km, a major source of employment and Dobbies Garden Centre, 1.3miles, 2km. All of the Tier 1 Larger Rural Settlements are situated in close proximity to larger settlements, which provide a range of higher order services and employment.

Newton is 1.6 miles, 2.6km from the centre of Kirkham, which has a Town Centre with a good range of facilities, including a supermarket.

Staining is 1.1 miles, 1.7km from a parade of 8 shops on the edge of Blackpool at Normoss, there is a cashpoint, a large Coop, two takeaways, a bakery etc, also it is also only 3.9 miles 6.3km to the centre of Blackpool

Wrea Green is 1.9 miles 3.0km from Kirkham Town Centre which has a good range of facilities including a supermarket.

Tier 2 Smaller Rural Settlements are defined as follows:

The smaller rural settlements have fewer essential services and employment opportunities and tend to have limited transport connections with the Key Service Centres and Local Service Centres.

The Tier 2 Smaller Rural Settlements of Clifton, Elswick, Singleton and Weeton are smaller than the Tier 1 Larger Rural Settlements. Singleton has a primary school, Weeton Primary School is within 800m (approx.. 600m) walking distance of the centre of Weeton. Therefore Weeton is considered to have easy access to a primary school. Elswick and Clifton do not have easy access to a Primary School. Clifton has a small shop which is also a Post Office, Elswick has a small shop and Singleton and Weeton have no retail facilities.

It is useful to consider how remote these smaller Tier 2 Rural Settlements are from larger settlements with essential services and sources of employment.

Clifton is 3 miles 4.8km from a supermarket and Kirkham Town Centre

Elswick is 5 miles 8 km from the supermarket on Poulton Industrial Estate

Singleton is 2 miles 3.2km from a supermarket on Poulton Industrial Estate

Weeton is 2.7 miles 4.3km from a supermarket at Wesham

Elswick has a poor level of services and is also more remotely located than any other Tier 2 Smaller Rural Settlements.

The Council considers that Table 7 of EL8.001a Consultation on Additional Evidence in Support of the Fylde Local Plan to 2032 and the scores given to the Tier 2 Smaller Rural Settlements is an accurate reflection of the relative sustainability of the settlements and Elswick is correctly included in Tier2.

Elswick is the most remotely located of this group of Tier 2 Smaller Rural Settlements, this reinforces the fact that it is correctly included in this group. All of the Tier 1 Larger Rural Settlements are within 2 miles of a range of facilities/Town Centre. The Tier 2 Smaller Rural Settlements are more remotely located, there is a supermarket at Poulton Industrial Estate but the nearest Town Centre to Elswick is at Poulton (6.3 miles 10km).

Conclusion for Elswick

The Council has considered all of the evidence and comments provided by the respondents and also the evidence above and continues to conclude that there is no justification for altering the position of Elswick within the settlement hierarchy.

Appendix 1

Housing Land Supply Statement



Housing Land Supply Statement

Base dated 30th September 2017

Introduction

1. This statement provides an explanation of Fylde Council's current housing land supply position, as it relates to the requirement for a five-year housing land supply, and in relation to the expected rate of delivery for sites included in the Fylde Council Local Plan to 2032, which is currently undergoing Examination in Public.
2. Local planning authorities should identify sufficient deliverable sites to provide five years' worth of housing against their housing requirement. In other words, a five year supply of deliverable housing land must be identified. This is required under paragraph 47 of the National Planning Policy Framework (the Framework). The methodology below explains how the Borough's five year supply position has been calculated. The calculation takes latest thinking into consideration, in addition to the Framework and the National Planning Practice Guidance (NPPG).
3. The latest version of the Housing Land Supply Trajectory to 2032 can be seen at Appendix 3. The five year supply position has been taken from this version of the Housing Trajectory which is base dated 30th September 2017 and reflects the most up to date information available to the Council, including revisions to delivery assumptions as agreed at the Stage 2 hearings of the Fylde Local Plan to 2032 Examination in Public held between 20 & 28 June 2017. To produce this mid-year statement, years 7 and 12 of the plan have been split into halves, so that the calculation reflects a five year period.

Methodology

Housing Requirement

4. The Planning Committee at its meeting of 8th May 2017 considered 'Fylde Addendum 3: Analysis of the Objectively Assessed Need (OAN) in light of the 2014-based SNPP and SNHP' which is an addendum to the Fylde Coast Strategic Housing Market Assessment (2013). In light of this new evidence the Planning Committee resolved that a figure of 415 homes per annum will meet Fylde's objectively assessed need for housing.
5. Since 2011, Fylde has met the OAN annual housing requirement in one year (2016/17). As a result there has been a cumulative under delivery (shortfall) of 890 homes against the annual housing requirement.
6. In order to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land, The Framework contains a requirement for a buffer where there has been a record of persistent under delivery of housing. The approach to identifying a record of persistent under delivery of housing involves questions of judgment for the decision maker in order to determine whether or not a particular degree of under delivery of housing triggers the requirement to bring forward an additional supply of housing.

7. At present there has been a persistent under delivery of housing in Fylde and accordingly under paragraph 47 of the Framework, a 20% buffer has been applied. The buffer is not an additional 20% to the housing requirement. Rather, it brings sites forward from later in the plan period and consequently the annual housing requirement for later in the plan period will be lower to reflect this.
8. The adjusted five year requirement for Fylde comprises: five years' worth of the annual housing requirement, plus the shortfall; and a 20% buffer in accordance with the Framework paragraph 47, as set out below:

| |
|--|
| <p>Adjusted five year requirement</p> <p>=</p> <p>(Annual requirement x 5 + Shortfall) + 20% buffer</p> |
|--|

Deliverable sites

9. Only deliverable sites can be identified to meet the five year housing requirement. The following types of sites have been considered deliverable:
 - Sites with planning permission, including 'outline' permission;
 - Sites where planning permission has been agreed, but the Section 106 agreement has not yet been signed (if applicable);
 - Sites where the council is minded to approve; and
 - Any other sites which are allocated in the Fylde Local Plan to 2032.
10. Only where there would be definite obstacles to the implementation of a planning permission, such as evidence of a lack of viability, will a site be excluded. Where viability is questioned, each case will be assessed on its own merits. The applicant will be expected to undertake and submit a viability assessment, at their own expense, as evidence that a site is not viable.
11. In those instances where the local planning authority agrees that a site is not viable, the site will be removed from the existing supply.

Build out rates and phasing

12. The build-out rates that are used in the calculations are the same as those that are used in the emerging Local Plan and the Strategic Housing Land Availability Assessment (SHLAA) 2015. The SHLAA is a robust piece of evidence that is produced with input from a SHLAA Steering Group. The SHLAA assumes that 15 homes will be built in the first year and 30 homes in subsequent years. If the site has a capacity of more than 300 homes then it assumes that there will be two developers and the output will be doubled.
13. During the Local Plan to 2032 Examination in Public Hearing Sessions the Council agreed to amend its approach to build out rates and phasing. Where detailed further information about a specific site has been provided by the site owners, developers or agents the Council has taken this into account and set out build out rates and phasing accordingly. Where there is sufficient evidence that an established development site is delivering at a rate that is at variance to the general delivery assumptions, these varied build out rates are assumed for the remaining units of the development site. In all other circumstance the Council continues to rely upon the evidence put forward in the SHLAA and SHLAA Steering Group. The Council considers that this balanced approach is in accordance with paragraph 47 of the Framework and the NPPG.

14. Only on sites with full planning permission and a signed Section 106 agreement (if applicable) will development be able to commence in year 1. Sites with outline planning permission, or sites where a Section 106 agreement is yet to be signed, will not be able to commence in year 1. It is anticipated that development will be able to commence on these sites as follows:

| Site Status | Assumed Year of Commencement |
|--|------------------------------|
| Full planning permission, with signed Section 106 | Year 1 |
| Full planning permission, awaiting signing of Section 106 | Year 2 |
| Change of use, awaiting signing of Section 106 | Year 2 |
| Outline planning permission, with signed Section 106 | Year 2 |
| Outline planning permission, awaiting signing of Section 106 | Year 3 |
| Full planning application received and proposed allocation in emerging Local Plan | Year 3 |
| Outline planning application received and proposed allocation in emerging Local Plan | Year 4 |
| Allocated Site without a full or outline planning application | Year 5 |

Development not being implemented

15. It is recognised that not all developments identified within the five year supply will be developed. During the Local Plan to 2032 Examination in Public Hearing Sessions a detailed ‘forensic’ evaluation of all large sites (sites of 10 units or more) was completed and the Housing Land Supply Trajectory amended according. Given this site specific evidence, the Council no longer considers it appropriate to apply a 10% allowance¹ to all sites within the supply; instead the discount applies to small sites only.
16. Relying on data from the Housing Land Availability Schedule, the Council is aware that 61 units were the subject of a lapsed planning permission from 2011 to 2017. To estimate what proportion of implementable planning permissions the 61 represents, the Council has relied on the total number of small site completions and the total number of current small site commitments. Accordingly the 61 units represents approximately 11% of the implementable planning permissions over the corresponding time period². Therefore, in line with the approach of other Local Authorities and in seeking to make a reasonable allowance for small sites not coming forward in the five year period, the Council will apply a 10% discount to all small sites within the supply.
17. The standard delivery assumptions have been applied to those small sites that have planning permission and so these are expected to be delivered during the next 3 years. An analysis of previous planning permissions coming forward in regard to small ‘windfall’ sites has revealed that it is likely that 40 dwellings per annum will be delivered. Accordingly, an allowance of 40 dwellings has been made for years 4 & 5. This has not been discounted as this is based upon historic delivery rates rather than planning permissions granted.

¹ Prior to the Examination, the total supply was discounted by 10% to allow for sites not coming forward in line with the delivery assumptions.

² Total implementable planning permissions 2011-2017 (small sites only) is (204+326) 530. Approximate percentage that lapsed is (61/530) 11%. Information taken from the Housing Land Availability Schedule and Local Plan to 2032 Housing Land Supply Trajectory correct as of 20/07/17.

18. The Fylde Local Plan to 2032 includes provision for the construction of approximately 50 dwellings at Elswick, the specific sites for which are intended to be identified via a Neighbourhood Development Plan (NDP). However planning permissions have been granted in regard to a number of housing sites in the village (both small and large sites) ahead of the NDP. Accordingly, it is considered realistic that the 50 dwellings identified for construction in the village will be delivered during the next five year period.

Different Approaches to Five Year Housing Supply

19. There are two approaches taken to deal with any shortfall in supply, the differences coming from the time period over which the shortfall should be addressed. The first is a residual approach, or 'Liverpool approach', where the shortfall is spread across the remaining plan period i.e. the total number of homes still left to build is divided by the number of years remaining in the plan period; in Fylde's case that would be until 2032. The second, the 'Sedgefield approach', seeks to make up the shortfall within the next five year period.
20. The NPPG provides guidance by stating 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 cooperate³. The Framework is not prescriptive as to which approach Local Planning Authorities should adopt when calculating their five year housing land supply.
21. For comparative purposes the *Sedgefield* approach is shown in Table 1 and the *Liverpool* approach is shown in Table 2.

Housing Land Supply Trajectory

22. The '5 Year Housing Land Supply Trajectory' and the '2011 to 2032 Fylde Local Plan Housing Trajectory' upon which the five year housing supply statement relies, can be seen at Appendix 2 and Appendix 3 respectively.

³ NPPG Paragraph: 035 Reference ID: 3-035-20140306, Revision date: 06 03 2014

Table 1: 415dpa OAN Five Year Housing Supply Position – base dated 30th September 2017**Liverpool Approach**

| Table 1(a): OAN Plan Period Housing Requirement at 30th September 2017 | No. of Homes |
|---|---------------------|
| OAN plan period housing requirement 2011 – 2032 (21 years) (415 dpa x 21) | 8,715 |
| OAN housing requirement between 1 st April 2011 and 30 th September 2017 (6.5 x 415dpa) | 2,698 |
| Completions between 1 st April 2011 and 30 th September 2017 (6.5 years) | 1,808 |
| Under delivery (shortfall) between 1 st April 2011 and 30 th September 2017 (2,698 – 1,808) | 890 |

| Table 1(b): Five Year Housing Requirement at 30th September 2017 | No. of Homes |
|---|---------------------|
| Annual housing requirement | 415 |
| 5 year housing requirement and shortfall $((890/14.5)+415)*5$ | 2,382 |
| Adjusted 5 year housing requirement, including shortfall and 20% buffer (2,382 + 476) | 2,858 |
| Adjusted annual housing requirement for 0 – 5 year period (2,858 ÷ 5) | 572 |

| Table 1(c): Five Year Housing Supply at 30th September 2017 | No. of Homes |
|---|---------------------|
| Requirement | |
| Adjusted 5 year housing requirement including shortfall and buffer | 2,858 |
| Supply | |
| Existing supply ¹ | 3,650 |
| Potential supply ² | 130 |
| 10% allowance for supply not coming forward ³ | -32 |
| Demolitions allowance | -5 |
| Total Supply $((3,650 + 130) - 32 - 5)$ | 3,743 |
| Over/Under Supply 5 year period (Total Supply – Requirement, 3,743 – 2,858) | 885 |
| Equivalent Years Supply 6.5 (3,743 ÷ 572) | |

Table 2: 415dpa OAN Five Year Housing Supply Position – base dated 30th September 2017**Sedgefield Approach**

| Table 2(a): OAN Plan Period Housing Requirement at 30th September 2017 | No. of Homes |
|---|---------------------|
| OAN plan period housing requirement 2011 – 2032 (21 years) (415dpa x 21) | 8,715 |
| OAN housing requirement between 1 st April 2011 and 30 th September 2017 (6.5 x 415dpa) | 2,698 |
| Completions between 1 st April 2011 and 30 th September 2017 (6.5 years) | 1,808 |
| Under delivery (shortfall) between 1 st April 2011 and 30 th September 2017 (2,698 – 1,808) | 890 |

| Table 2(b): Five Year Housing Requirement at 30th September 2017 | No. of Homes |
|---|---------------------|
| Annual housing requirement | 415 |
| 5 year housing requirement and shortfall ((415 x 5) + 890) | 2,695 |
| Adjusted 5 year housing requirement, including shortfall and 20% buffer (2,695 + 539) | 3,234 |
| Adjusted annual housing requirement for 0 – 5 year period (3,234 ÷ 5) | 647 |

| Table 2(c): Five Year Housing Supply at 30th September 2017 | No. of Homes |
|---|---------------------|
| Requirement | |
| Adjusted 5 year housing requirement including shortfall and buffer | 3,234 |
| Supply | |
| Existing supply ¹ | 3,650 |
| Potential supply ² | 130 |
| 10% allowance for supply not coming forward ³ | -32 |
| Demolitions allowance | -5 |
| Total Supply ((3,650 + 130) – 32 - 5) | 3,743 |
| Over/Under Supply 5 year period (Total Supply – Requirement, 3,743 – 3,234) | 509 |
| Equivalent Years Supply 5.8 (3,743 ÷ 647) | |

APPENDIX 1: Delivery Notes

¹ Existing Supply

The existing supply includes:

- 1(a) Existing commitments;
- 1(b) Planning applications approved subject to a signed Section 106 and planning applications minded to approve;
- 1(c) Any other sites which are allocated in the Fylde Local Plan to 2032.

Appendix 2 to this position statement presents the trajectory for years 0 – 5 which sets out existing commitments.

² Potential Supply

An allowance for long term empty homes of 10 homes per annum is made for homes re-entering the market (see Table 3). The existing supply includes the commitments and minded to approve homes yields on sites of 0 – 9 net homes. These sites are expected to complete in years 1-3, therefore an allowance for small sites is included in the potential supply for years 4 – 5.

| Table 3: Potential Long Term Empty Homes (net) | | | | | | |
|--|----|----|----|----|----|--------------|
| Year | 1 | 2 | 3 | 4 | 5 | 5 year total |
| No. of long term empty homes | 10 | 10 | 10 | 10 | 10 | 50 |
| Allowance for small sites | | | | 40 | 40 | 80 |
| Total | 10 | 10 | 10 | 50 | 50 | 130 |

➤ Potential supply: **130 homes**

³ 10% Allowance for Sites Not Coming Forward

A 10% allowance for sites not coming forward has been calculated from the existing and potential supply (see Table 4).

| Table 4: Calculation of 10% allowance | | No. of Homes |
|---------------------------------------|--|--------------|
| 1 | Small Sites Commitments | 322 |
| 2 | Small Sites Minded to Approve | 2 |
| 1 + 2 | Total Supply | 324 |
| (1 + 2) x 10% | 10% of existing and potential supply not coming forward (rounded up) | 32 |

Demolitions allowance

An allowance of one dwelling per annum is made for any demolitions not relating to sites for new housing.

| Site | Site Reference | HLAS Site Reference | Planning Application Number | A. Allowances | B. Allocations | C. Minded to Approve (net) | D. Planning Application Commitment (net) | E. Total Dwellings (B+C+D = E) | F. Completions (Sum of Years 1 to 7 (Sept)) | G. Balance (E-F=G) | H. UC/NS (net) (D-F=H) | 2017-2018 Oct - Mar 7 | 2018-2019 8 | 2019-2020 9 | 2020-2021 10 | 2021-2022 11 | 2022-2023 April - Sept 12 |
|---|----------------|---------------------|---|---------------|----------------|----------------------------|--|--------------------------------|---|--------------------|------------------------|--------------------------|----------------|----------------|-----------------|-----------------|------------------------------|
| SL1 - Lytham and St Annes Strategic Location for Development | | | | | | | | | | | | | | | | | |
| Queensway, St Annes | HSS1 | 1A782 | 08/0058 OL 13/0257 RM 15/400 FULL | | | | 992 | 992 | 0 | 992 | 992 | 0 | 50 | 100 | 100 | 100 | 50 |
| Heyhouses Lane, St Annes | MUS4 | 1A783 | 12/0465 OL 13/0448 RM | | | | 162 | 162 | 127 | 35 | 35 | 15 | 20 | 0 | 0 | 0 | 0 |
| Heyhouses Lane, St Annes | MUS4 | 1A783 | 15/787 OL | | | | 160 | 160 | 0 | 160 | 160 | 0 | 15 | 30 | 30 | 30 | 15 |
| Jubilee House, East Beach, Lytham | HS2 | 1A847 | 13/0001 FULL | | | | 20 | 20 | 0 | 20 | 20 | 15 | 5 | 0 | 0 | 0 | 0 |
| Ashton Nurseries, Mythop Road, Lytham | HS3 | 1A858 | 07/1264 OL 17/435 FULL | | | 12 | 0 | 12 | 0 | 12 | 0 | 0 | 0 | 12 | 0 | 0 | 0 |
| The Gables, 35-39 Orchard Road, St Annes | HS4 | 1A594 | 05/0648 FULL 16/0639 FULL | | | | 19 | 19 | 0 | 19 | 19 | 15 | 4 | 0 | 0 | 0 | 0 |
| Petros House, St Andrews Road North, St Annes | HS7 | 1A931 | 14/0418 COU | | | | 35 | 35 | 0 | 35 | 35 | 15 | 20 | 0 | 0 | 0 | 0 |
| 34-36 Orchard Road, Lytham St Annes | HS10 | 1A998 | 15/0176 FULL | | | | 12 | 12 | 0 | 12 | 12 | 12 | 0 | 0 | 0 | 0 | 0 |
| The Galleries, 2-4 Kingsway, Lytham | HS11 | 1A1010 | 15/0486 FULL | | | | 10 | 10 | 0 | 10 | 10 | 10 | 0 | 0 | 0 | 0 | 0 |
| Fairways, Heeley Road, St Annes | HS12 | | 08/0092 OL | | | 20 | 0 | 20 | 0 | 20 | 0 | 0 | 0 | 15 | 5 | 0 | 0 |
| Kingsway Garage, St Annes | HS13 | | 11/0667 OL | | | 30 | 0 | 30 | 0 | 30 | 0 | 0 | 0 | 15 | 15 | 0 | 0 |
| Axa, Lytham | HS14 | | 13/0152 OL 17/0738 FULL | | 65 | 0 | 0 | 65 | 0 | 65 | 0 | 0 | 0 | 15 | 30 | 20 | 0 |
| Land to the West, Ballam Road, Lytham | HS15 | 1A842 | 13/0161 FULL 14/0161 FULL | | | | 12 | 12 | 3 | 9 | 9 | 9 | 0 | 0 | 0 | 0 | 0 |
| Westmoreland House, 29-31 Orchard Road, St Annes | HS58 | | 16/0285 PA 16/0470 FULL | | | | 25 | 25 | 0 | 25 | 25 | 15 | 10 | 0 | 0 | 0 | 0 |
| Valentines Kennels, Wildings Lane, St Annes | HS60 | | 16/0903 OL | | | | 53 | 53 | 0 | 53 | 53 | 0 | 0 | 15 | 30 | 8 | 0 |
| Land at Roseacre, Wilding Lane, St Annes | HS61 | | 16/0061 FULL | | | 45 | | 45 | 0 | 45 | 0 | 0 | 0 | 15 | 30 | 0 | 0 |
| Keenans Mill, Lord Street, Lytham St. Annes | HS62 | | 16/0905 FULL | | | | 26 | 26 | 0 | 26 | 26 | 15 | 11 | 0 | 0 | 0 | 0 |
| St Leonards Bridge Garage, St. Leonards Road East, Lytham St Annes | HS67 | | 17/0299 OL | | | 38 | 0 | 38 | 0 | 38 | 38 | 0 | 0 | 15 | 23 | 0 | 0 |
| Church Road Methodist Church, Church Road, S. Annes | HS68 | | 17/0665 FULL | | | 10 | 0 | 10 | 0 | 10 | 10 | 0 | 10 | 0 | 0 | 0 | 0 |

| Site | Site Reference | HLAS Site Reference | Planning Application Number | A. Allowances | B. Allocations | C. Minded to Approve (net) | D. Planning Application Commitment (net) | E. Total Dwellings (B+C+D = E) | F. Completions (Sum of Years 1 to 7 (Sept)) | G. Balance (E-F=G) | H. UC/NS (net) (D-F=H) | 2017-2018 Oct - Mar | 2018-2019 | 2019-2020 | 2020-2021 | 2021-2022 | 2022-2023 April - Sept | |
|---|----------------|---------------------|--|---------------|----------------|----------------------------|--|--------------------------------|---|--------------------|------------------------|---------------------|-----------|-----------|-----------|-----------|------------------------|----|
| SL2 - Fylde - Blackpool Periphery Strategic Location for Development | | | | | | | | | | | | | | | | | | |
| Coastal Dunes, Clifton Drive North, Blackpool Airport Corridor | HSS4 | 1A833 | 08/1049 OL 10/0877 OL 14/0392 RM | | | | 76 | 76 | 60 | 16 | 16 | 15 | 1 | 0 | 0 | 0 | 0 | |
| Coastal Dunes, Clifton Drive North, Blackpool Airport Corridor | HSS4 | 1A834 | 08/1049 OL 16/0062 FULL | | | | 353 | 353 | 0 | 353 | 353 | 30 | 45 | 45 | 45 | 45 | 45 | |
| Land at Lytham St Annes Way, Whitehills | HSS6 | 4A771 | 13/0726 FULL | | | | 26 | 26 | 24 | 2 | 2 | 2 | 0 | 0 | 0 | 0 | 0 | |
| Land at Lytham St Annes Way, Whitehills | HSS6 | | | | 22 | | | 22 | 0 | 22 | 0 | 0 | 0 | 0 | 0 | 0 | 15 | |
| Cropper Road East, Whitehills | MUS1 | 4A911 | 12/0717 OL 14/0310 RM | | | | 145 | 145 | 54 | 91 | 91 | 15 | 30 | 30 | 16 | 0 | 0 | |
| Cropper Road East, Whitehills | MUS1 | 4A1100 | 13/0753 OL | | | | 25 | 25 | 0 | 25 | 25 | 0 | 15 | 10 | 0 | 0 | 0 | |
| Cropper Road East, Whitehills | MUS1 | | 15/0114 OL | | | 265 | | 265 | 0 | 265 | 0 | 0 | 0 | 15 | 30 | 30 | 15 | |
| Cropper Road East, Whitehills | MUS1 | 4A1050 | 15/0472 OL 16/0847 RM | | | | 80 | 80 | 0 | 80 | 80 | 0 | 0 | 0 | 0 | 0 | 30 | 15 |
| Spengarth, Cropper Road, Westby | MUS1 | | 15/0807 OL | | | 14 | | 14 | 0 | 14 | 0 | 0 | 0 | 14 | 0 | 0 | 0 | |
| Whyndyke Farm, Preston New Road, Whitehills | MUS2 | | 11/0221 OL | | | 1310 | | 1310 | 0 | 1310 | 0 | 0 | 0 | 0 | 0 | 30 | 30 | |
| Land to the rear of 23-63 Westgate Road, Squires Gate | HS21 | 1A677 | 08/0992 FULL 12/0499 FULL 16/0194 FULL | | | | 25 | 25 | 0 | 25 | 25 | 15 | 10 | 0 | 0 | 0 | 0 | |
| Former Clock Garage, Preston New Road, Westby | HS22 | 4A821 | 11/0847 OL 15/0891 RM | | | | 14 | 14 | 0 | 14 | 14 | 0 | 14 | 0 | 0 | 0 | 0 | |
| Land South of Bridgeside, Squires Gate | HS23 | 1A873 | 13/0231 FULL | | | | 22 | 22 | 0 | 22 | 22 | 15 | 7 | 0 | 0 | 0 | 0 | |

Appendix 2: 5 Year Housing Land Supply Trajectory (base dated 30 September 2017)

| Site | Site Reference | HLAS Site Reference | Planning Application Number | A. Allowances | B. Allocations | C. Minded to Approve (net) | D. Planning Application Commitment (net) | E. Total Dwellings (B+C+D = E) | F. Completions (Sum of Years 1 to 7 (Sept)) | G. Balance (E-F=G) | H. UC/NS (net) (D-F=H) | 2017-2018 Oct - Mar | 2018-2019 | 2019-2020 | 2020-2021 | 2021-2022 | 2022-2023 April - Sept |
|--|----------------|---------------------|--|---------------|----------------|----------------------------|--|--------------------------------|---|--------------------|------------------------|---------------------|-----------|-----------|-----------|-----------|------------------------|
| SL3 - Warton | | | | | | | | | | | | | | | | | |
| Land Opposite Blackfield End Farm, Warton | HSS2 | 2A1020 | 13/674 OL | | | | 360 | 360 | 0 | 360 | 360 | 0 | 25 | 50 | 50 | 50 | 25 |
| Highgate Park, Lytham Road, Warton | HSS7 | 2A879 | 12/0550 OL 13/0786 RM 15/706 RM | | | | 254 | 254 | 85 | 169 | 169 | 15 | 30 | 30 | 30 | 30 | 15 |
| Riversleigh Farm, Warton | HS24 | 2A985 | 13/0526 FULL | | | | 82 | 82 | 72 | 10 | 10 | 10 | 0 | 0 | 0 | 0 | 0 |
| Georges Garage, Warton | HS26 | 2A955 | 14/0833 FULL | | | | 16 | 16 | 0 | 16 | 16 | 15 | 1 | 0 | 0 | 0 | 0 |
| Land North of Freckleton Bypass, Warton | HSS12 | | 14/0410 OL | | | | 350 | 350 | 0 | 350 | 350 | 0 | 0 | 0 | 0 | 0 | 30 |
| Clifton House Farm, Lytham Road, Warton | HSS13 | | 15/0562 OL | | | | 115 | 115 | 0 | 115 | 115 | 0 | 0 | 0 | 0 | 0 | 15 |
| SL4 - Kirkham and Wesham | | | | | | | | | | | | | | | | | |
| The Pastures, Fleetwood Road, Wesham | HSS8 | 3A890 | 11/0763 OL 14/0041 RM 14/0779 OL 16/0195 FULL | | | | 264 | 264 | 108 | 156 | 156 | 18 | 39 | 39 | 39 | 21 | 0 |
| Land North of Blackpool Road, Kirkham | HSS9 | 3A894 | 12/419 OL 14/613 RM | | | | 117 | 117 | 48 | 69 | 69 | 15 | 30 | 24 | 0 | 0 | 0 |
| Land North of Blackpool Road, Kirkham | HSS9 | 3A895 | 12/0635 OL | | | | 180 | 180 | 29 | 151 | 151 | 15 | 30 | 30 | 30 | 30 | 15 |
| Land North of Blackpool Road, Kirkham | HSS9 | | 15/0177 FULL | | 291 | | | 291 | 0 | 291 | 0 | 0 | 0 | 15 | 30 | 30 | 15 |
| Sunnybank Mill, Kirkham | HS28 | | | | 29 | | | 29 | 0 | 29 | 0 | 0 | 0 | 0 | 0 | 15 | 14 |
| Sunnybank Mill, Kirkham | HS28 | | 17/0044 FULL | | | | 23 | 23 | 0 | 23 | 0 | 0 | 0 | 15 | 8 | 0 | 0 |
| Pennine View, Weeton Road, Wesham | HS30 | 3A891 | 13/0364 OL | | 12 | | | 12 | 0 | 12 | 0 | 0 | 0 | 0 | 0 | 12 | 0 |
| West End Residential Park, Kirkham | HS32 | 3A1085 | 12/0376 COU | | | | 27 | 27 | 0 | 27 | 27 | 15 | 12 | 0 | 0 | 0 | 0 |
| Land at Brookfarm, Dowbridge, Kirkham (Newton) | HS57 | | 15/0547 OL | | | | 170 | 170 | 0 | 170 | 170 | 0 | 15 | 30 | 30 | 30 | 15 |
| Campbells Caravans, Blackpool Road, Kirkham | HS63 | | 16/0112 OL | | | 30 | | 30 | 0 | 30 | 0 | 0 | 0 | 15 | 15 | 0 | 0 |

| Site | Site Reference | HLAS Site Reference | Planning Application Number | A. Allowances | B. Allocations | C. Minded to Approve (net) | D. Planning Application Commitment (net) | E. Total Dwellings (B+C+D = E) | F. Completions (Sum of Years 1 to 7 (Sept)) | G. Balance (E-F=G) | H. UC/NS (net) (D-F=H) | 2017-2018 Oct - Mar | 2018-2019 | 2019-2020 | 2020-2021 | 2021-2022 | 2022-2023 April - Sept |
|---|----------------|---------------------|--|---------------|----------------|----------------------------|--|--------------------------------|---|--------------------|------------------------|---------------------|-----------|-----------|-----------|-----------|------------------------|
| Non Strategic Locations for Development | | | | | | | | | | | | | | | | | |
| The Refuge, Ruskin Road, Freckleton | HS37 | 2A880 | 13/0262 OL 16/0609 FULL | | | | 11 | 11 | 0 | 11 | 11 | 11 | 0 | 0 | 0 | 0 | 0 |
| Land rear of High Meadows, Lower Lane, Freckleton | HS38 | | | | 13 | | | 13 | 0 | 13 | 0 | | 0 | 0 | 0 | 13 | 0 |
| Quernmore Trading Estate, Croft Butts Lane, Freckleton | HS66 | | | | 10 | | | 10 | 0 | 10 | 0 | | 0 | 0 | 0 | 10 | 0 |
| Land at Naze Court, Naze Lane, Freckleton - Net of 22 demolitions | HS69 | | | | | | | | | | | | | -10 | | | |
| Elswick | | | | | | | | | | | | | | | | | |
| Neighbourhood Development Plan allocation | | | | | 50 | | | 50 | 0 | 50 | 0 | | 0 | 15 | 30 | 5 | 0 |
| Staining | | | | | | | | | | | | | | | | | |
| Land at Kings Close, Staining | HS40 | 4A978 | 13/0590 OL 15/0901 RM | | | | 30 | 30 | 5 | 25 | 25 | 15 | 10 | 0 | 0 | 0 | 0 |
| Thornfield Caravan Park, Staining | HS41 | | | | 28 | | | 28 | 0 | 28 | 0 | 0 | 0 | 0 | 0 | 15 | 13 |
| Wrea Green | | | | | | | | | | | | | | | | | |
| Land off Willow Drive, Wrea Green | HSS11 | 4A1037 | 15/0458 OL 14/0302 OL 16/0280 RM | | | | 86 | 86 | 0 | 86 | 86 | 15 | 30 | 30 | 11 | 0 | 0 |
| Land Adj Richmond Avenue, Wrea Green | HS44 | 4A822 | 12/0408 OL 13/0097 RM | | | | 54 | 54 | 53 | 1 | 1 | 1 | 0 | 0 | 0 | 0 | 0 |
| Rear of 54 Bryning Lane, Wrea Green | HS45 | 4A969 | 12/0456 OL 16/0156 FULL | | | | 36 | 36 | 0 | 36 | 36 | 0 | 15 | 21 | 0 | 0 | 0 |
| North View Farm, 22 Ribby Road, Wrea Green | HS46 | 4A970 | 13/0507 OL | | | | 42 | 42 | 26 | 16 | 16 | 15 | 1 | 0 | 0 | 0 | 0 |
| Land North of North View Farm, Wrea Green | HS47 | | | | 15 | | | 15 | 0 | 15 | 0 | 0 | 0 | 0 | 0 | 15 | 0 |
| Clifton | | | | | | | | | | | | | | | | | |
| Land North of Preston Road, Clifton | HS49 | | 15/0763 OL 16/0488 RM | | | | 74 | 74 | 0 | 74 | 74 | 15 | 30 | 29 | 0 | 0 | 0 |
| Land East of Rowan Close, Ash Lane, Clifton | HS50 | | 15/0165 OL | | | 30 | | 30 | 0 | 30 | 0 | 0 | 0 | 15 | 15 | 0 | 0 |

Appendix 2: 5 Year Housing Land Supply Trajectory (base dated 30 September 2017)

| Site | Site Reference | HLAS Site Reference | Planning Application Number | A. Allowances | B. Allocations | C. Minded to Approve (net) | D. Planning Application Commitment (net) | E. Total Dwellings (B+C+D = E) | F. Completions (Sum of Years 1 to 7 (Sept)) | G. Balance (E-F=G) | H. UC/NS (net) (D-F=H) | 2017-2018 Oct - Mar | 2018-2019 | 2019-2020 | 2020-2021 | 2021-2022 | 2022-2023 April - Sept |
|---|----------------|---------------------|-----------------------------|---------------|----------------|----------------------------|--|--------------------------------|---|--------------------|------------------------|---------------------|------------|------------|------------|------------|------------------------|
| Newton | | | | | | | | | | | | | | | | | |
| Cobweb Barn, Oak Lane, Newton | HS52 | | 17/595 FULL | | 40 | | | 40 | 0 | 40 | 0 | 0 | 0 | 15 | 15 | 10 | 0 |
| Land West of Woodlands Close, Newton | HS70 | | 16/554 OL | | | | 50 | 50 | 0 | 50 | 50 | 0 | 15 | 30 | 5 | 0 | 0 |
| Singleton | | | | | | | | | | | | | | | | | |
| Weeton | | | | | | | | | | | | | | | | | |
| Land West of Church Road, Weeton | HS64 | | 16/0811 OL | | | | 25 | 25 | 0 | 25 | 0 | 0 | 0 | 15 | 10 | 0 | 0 |
| Greenhalgh | | | | | | | | | | | | | | | | | |
| Little Ecclestone | | | | | | | | | | | | | | | | | |
| Sunnydale Nurseries, Garstang Road, Little Ecclestone | HS56 | 4A1031 | 15/0124 OL 16/0817 FULL | | | 41 | | 41 | 0 | 41 | 0 | 0 | 15 | 26 | 0 | 0 | 0 |
| | | | | | 575 | 1845 | 4658 | 7078 | 694 | 6384 | 3964 | 388 | 565 | 780 | 672 | 579 | 342 |
| Allowances and Small Sites | | | | | | | | | | | | | | | | | |
| Small Site Completions which takes into account an amendment of 8 dwellings | | | | | | | 233 | 233 | 233 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Small Site Commitment and Minded to Approve (unallocated sites) | | | | | | 2 | 322 | 324 | 0 | 324 | 322 | 54 | 108 | 108 | 54 | 0 | 0 |
| Small Sites and Windfall Allowance (unallocated sites) | | | | 480 | | | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 40 | 20 |
| Long Term Empty Home Re-entering Market | | | | 50 | | | | 0 | 0 | 0 | 0 | 5 | 10 | 10 | 10 | 10 | 5 |
| Total including allowances and Small Sites | | | | | | | | | | | | 447 | 683 | 898 | 756 | 629 | 367 |
| Demolition Occurred | | | | | | | | | | | | | | | | | |
| Demolition Allowances | | | | | | | | | | | | | 1 | 1 | 1 | 1 | 1 |
| | | | | | | | | | | | | 447 | 682 | 897 | 755 | 628 | 366 |
| Total Housing Provision (Non Strategic, Strategic and Allowances) | | | | | | | | | | | | 3775 | | | | | |

| Site | Site Reference | HLAS Site Reference | Planning Application Number | A. Allowances | B. Allocations | C. Minded to Approve (net) | D. Planning Application Commitment (net) | E. Total Dwellings (B+C+D = E) | F. Completions (Sum of Years 1 to 7 (Sept)) | G. Balance (E-F=G) | H. UC/NS (net) (D-F=H) | Years 1 to 6 | | | | | | | Years 7 (October) to 12 (September) | | | | | Years 12 (October) to 16 | | | | | Years 17 to 21 | | | | | Plan Period Total | Out of Plan Period Total | | |
|---|----------------|----------------------|--|---------------|----------------|----------------------------|--|--------------------------------|---|--------------------|------------------------|--------------|-------------|-------------|-------------|-------------|-------------|--------------------------|-------------------------------------|-------------|-------------|--------------|--------------|---------------------------|----------------------|--------------|--------------|--------------|----------------|--------------|--------------|--------------|--------------|-------------------|--------------------------|--------------|----------|
| | | | | | | | | | | | | 1 2011-2012 | 2 2012-2013 | 3 2013-2014 | 4 2014-2015 | 5 2015-2016 | 6 2016-2017 | 7 2017-2018 April - Sept | 7 2017-2018 Oct-Mar | 8 2018-2019 | 9 2019-2020 | 10 2020-2021 | 11 2021-2022 | 12 2022-2023 April - Sept | 12 2022-2023 Oct-Mar | 13 2023-2024 | 14 2024-2025 | 15 2025-2026 | 16 2026-2027 | 17 2027-2028 | 18 2028-2029 | 19 2029-2030 | 20 2030-2031 | | | 21 2031-2032 | |
| SL1 - Lytham and St Annes Strategic Location for Development | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Queensway, St Annes | HSS1 | 1A782 | 08/0058 OL 13/0257 RM 15/400 FULL | | | | 992 | 992 | 0 | 992 | 992 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 992 | 0 | | | | | |
| Lytham Quays, Lytham | HSS3 | 1A200 1A354 1A735 | 02/0641 OL 06/0074 RM 09/0659 OL 11/0374 RM | | | | 119 | 119 | 119 | 0 | 0 | 5 | 22 | 48 | 40 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 119 | 0 | | | | | |
| Heyhouses Lane, St Annes | MUS4 | 1A783 | 12/0465 OL 13/0448 RM | | | | 162 | 162 | 127 | 35 | 35 | 0 | 0 | 0 | 10 | 33 | 60 | 24 | 15 | 20 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 162 | 0 | | | | | |
| Heyhouses Lane, St Annes | MUS4 | 1A783 | 15/787 OL | | | | 160 | 160 | 0 | 160 | 160 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 15 | 30 | 30 | 30 | 15 | 15 | 25 | 0 | 0 | 0 | 0 | 160 | 0 | | | | | |
| Queen Mary School, Clifton Drive South, St Annes | HS1 | 1A439 | 03/0157 COU 13/0001 FULL | | | | 35 | 35 | 35 | 0 | 0 | 21 | 14 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 35 | 0 | | | | | |
| Jubilee House, East Beach, Lytham | HS2 | 1A847 | 07/1264 OL 16/0413 FULL | | | | 20 | 20 | 0 | 20 | 20 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 15 | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | | | | | |
| Ashton Nurseries, Mythop Road, Lytham | HS3 | 1A858 | 05/0648 FULL 16/0639 FULL | | | | 12 | 12 | 0 | 12 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 12 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 12 | 0 | | | | | |
| The Gables, 35-39 Orchard Road, St Annes | HS4 | 1A594 | 10/0891 COU | | | | 19 | 19 | 0 | 19 | 19 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 15 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 19 | 0 | | | | | |
| 7-8 St Georges Square, St Annes | HS5 | 1A760 | 14/0418 COU | | | | 11 | 11 | 11 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 11 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 11 | 0 | | | | | |
| Petros House, St Andrews Road North, St Annes | HS7 | 1A931 | 14/0327 FULL 14/0320 FULL | | | | 35 | 35 | 0 | 35 | 35 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 15 | 20 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 35 | 0 | | | | | |
| 35-37 South Promenade, St Annes | HS8 | 1A1003 | 15/0176 FULL 15/0176 FULL | | | | 36 | 36 | 36 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 36 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 36 | 0 | | | | | |
| 23 - 33 Fairhaven Road, St Annes | HS9 | 1A990 | 15/0486 FULL | | | | 32 | 32 | 32 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 32 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 32 | 0 | | | | | |
| 34-36 Orchard Road, Lytham St Annes | HS10 | 1A998 | 15/0486 FULL | | | | 12 | 12 | 0 | 12 | 12 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 12 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 12 | 0 | | | | | | |
| The Galleries, 2-4 Kingsway, Lytham | HS11 | 1A1010 | 08/0092 OL | | | | 10 | 10 | 0 | 10 | 10 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 10 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 10 | 0 | | | | | | |
| Fairways, Heeley Road, St Annes | HS12 | | 11/0667 OL 13/0152 OL 17/0738 FULL | | | | 20 | 20 | 0 | 20 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 15 | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | | | | | |
| Kingsway Garage, St Annes | HS13 | | 13/0161 FULL 14/0161 FULL | | 65 | | 30 | 30 | 0 | 30 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 15 | 15 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 30 | 0 | | | | | |
| Axa, Lytham | HS14 | | 11/0312 FULL 03/0157 FULL | | | | 65 | 65 | 0 | 65 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 15 | 30 | 20 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 65 | 0 | | | | | |
| Land to the West, Ballam Road, Lytham | HS15 | 1A842 | 12/0537 FULL | | | | 12 | 12 | 3 | 9 | 9 | 0 | 0 | 0 | 0 | 0 | 3 | 0 | 9 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 12 | 0 | | | | | | |
| 353 Clifton Drive North, St Annes | HS16 | 1A658 | 16/0285 PA 16/0470 FULL | | | | 34 | 34 | 34 | 0 | 0 | 0 | 0 | 20 | 14 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 34 | 0 | | | | | | |
| Hastings Point, Ballam Road, Lytham | HS17 | 1A592 | 16/0239 FULL | | | | 25 | 25 | 25 | 0 | 0 | 0 | 0 | 21 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 25 | 0 | | | | | | |
| Former FBC Depot, St Davids Road North, St Annes | HS18 | 1A755 | 14/0178 FULL | | | | 32 | 32 | 32 | 0 | 0 | 0 | 0 | 0 | 32 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 32 | 0 | | | | | | |
| 1 Lord Street, St Annes | HS19 | 1A932 | 14/0790 FULL | | | | 14 | 14 | 14 | 0 | 0 | 0 | 0 | 0 | 14 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 14 | 0 | | | | | | |
| Former Kwik Save, St Annes | HS20 | 1A943 | 16/0903 OL | | | | 15 | 15 | 15 | 0 | 0 | 0 | 0 | 0 | 15 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 15 | 0 | | | | | | |
| Westmoreland House, 29-31 Orchard Road, St Annes | HS58 | | 16/0061 FULL | | | | 25 | 25 | 0 | 25 | 25 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 15 | 10 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 25 | 0 | | | | | | |
| Land to East Sefton Road, Lytham St Annes | HS59 | | 16/0905 FULL | | | | 12 | 12 | 0 | 12 | 12 | 0 | 0 | 0 | 0 | 0 | 0 | 12 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 12 | 0 | | | | | | |
| Valentines Kennels, Wildings Lane, St Annes | HS60 | | 16/0061 FULL | | | | 53 | 53 | 0 | 53 | 53 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 15 | 30 | 8 | 0 | 0 | 0 | 0 | 0 | 0 | 53 | 0 | | | | | | |
| Land at Roseacre, Wilding Lane, St Annes | HS61 | | 16/0905 FULL | | | | 45 | 45 | 0 | 45 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 15 | 30 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 45 | 0 | | | | | | |
| Keenans Mill, Lord Street, Lytham St Annes | HS62 | | 17/0299 OL 17/0665 FULL | | | | 26 | 26 | 0 | 26 | 26 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 15 | 11 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 26 | 0 | | | | | | |
| St Leonards Bridge Garage, St Leonards Road East, Lytham St Annes | | | 17/0665 FULL | | | | 38 | 0 | 38 | 0 | 38 | 38 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 15 | 23 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 38 | 0 | | | | | | |
| Church Road Methodist Church, Church Road, S. Annes | | | | | | | 10 | 0 | 10 | 0 | 10 | 10 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 10 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 10 | 0 | | | | | | |
| Lytham & St Annes Sub Total | | | | 0 | 0 | 143 | 1903 | 2111 | 483 | 1628 | 1456 | 26 | 36 | 89 | 100 | 66 | 110 | 68 | 121 | 145 | 232 | 263 | 158 | 65 | 65 | 125 | 100 | 100 | 100 | 100 | 42 | 0 | 0 | 0 | 0 | 2111 | 0 |

| SL2 - Fylde - Blackpool Periphery Strategic Location for Development | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|-------|--------|--|------|------|------|------|------|-----|------|------|----|----|----|----|----|----|----|----|-----|-----|-----|-----|----|----|-----|-----|-----|-----|-----|-----|----|----|------|------|-----|
| Coastal Dunes, Clifton Drive North, Blackpool Airport Corridor | HSS4 | 1A833 | 08/1049 OL 10/0877 OL 14/0392 RM | 76 | 76 | 60 | 16 | 16 | 0 | 0 | 0 | 0 | 13 | 32 | 15 | 15 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 76 | 0 | | | | | | | |
| Coastal Dunes, Clifton Drive North, Blackpool Airport Corridor | HSS4 | 1A834 | 08/1049 OL 16/0062 FULL | 353 | 353 | 0 | 353 | 353 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 30 | 45 | 45 | 45 | 45 | 25 | 20 | 45 | 45 | 8 | 0 | 0 | 353 | 0 | | | | | | | |
| Land at Lytham St Annes Way, Whitehills | HSS6 | 4A703 | 11/0639 FULL | 67 | 67 | 67 | 0 | 0 | 0 | 0 | 27 | 30 | 10 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 67 | 0 | | | | | | | |
| Land at Lytham St Annes Way, Whitehills | HSS6 | 4A770 | 13/0213 FULL | 36 | 36 | 36 | 0 | 0 | 0 | 0 | 0 | 23 | 13 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 36 | 0 | | | | | | | |
| Land at Lytham St Annes Way, Whitehills | HSS6 | 4A771 | 13/0726 FULL | 26 | 26 | 24 | 2 | 2 | 0 | 0 | 0 | 0 | 0 | 24 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 26 | 0 | | | | | | | |
| Land at Lytham St Annes Way, Whitehills | HSS6 | | | 22 | 22 | 0 | 22 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 15 | 7 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 22 | 0 | | | | | | | |
| Cropper Road East, Whitehills | MUS1 | 4A911 | 12/0717 OL 14/0310 RM | 145 | 145 | 54 | 91 | 91 | 0 | 0 | 0 | 0 | 0 | 23 | 31 | 15 | 30 | 30 | 16 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 145 | 0 | | | | | | | |
| Cropper Road East, Whitehills | MUS1 | 4A1100 | 13/0753 OL | 25 | 25 | 0 | 25 | 25 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 15 | 10 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 25 | 0 | | | | | | | |
| Cropper Road East, Whitehills | MUS1 | | 15/0114 OL 15/0472 OL 16/0847 RM | 265 | 265 | 0 | 265 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 15 | 30 | 30 | 15 | 15 | 30 | 30 | 30 | 30 | 30 | 30 | 10 | 0 | 265 | 0 | | | | | | |
| Cropper Road East, Whitehills | MUS1 | 4A1050 | | 80 | 80 | 0 | 80 | 80 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 30 | 15 | 15 | 20 | 0 | 0 | 0 | 0 | 0 | 80 | 0 | | | | | | | |
| Whyndyke Farm, Preston New Road, Whitehills | MUS2 | | 11/0221 OL | 1310 | 1310 | 0 | 1310 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 30 | 30 | 30 | 60 | 60 | 60 | 60 | 60 | 60 | 60 | 680 | 680 | | | | | | |
| Land to the rear of 23-63 Westgate Road, Squires Gate | HS21 | 1A677 | 08/0992 FULL 12/0499 FULL 16/0194 FULL | 25 | 25 | 0 | 25 | 25 | 0 | 0 | 0 | 0 | 0 | 0 | 15 | 10 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 25 | 0 | | | | | | | |
| Former Clock Garage, Preston New Road, Westby | HS22 | 4A821 | 11/0847 OL 15/0891 RM | 14 | 14 | 0 | 14 | 14 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 14 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 14 | 0 | | | | | | | |
| Land South of Bridgeside, Squires Gate | HS23 | 1A873 | 13/0231 FULL | 22 | 22 | 0 | 22 | 22 | 0 | 0 | 0 | 0 | 0 | 0 | 15 | 7 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 22 | 0 | | | | | | | |
| Spengarth, Cropper Road, Westby | MUS1 | | 15/0807 OL | 14 | 14 | 0 | 14 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 14 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 14 | 0 | | | | | | | |
| Cropper Road West, Whitehills | HSS5 | | | 450 | 450 | 0 | 450 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 10 | 30 | 30 | 30 | 30 | 30 | 30 | 250 | 200 | | | | | | | |
| Fylde-Blackpool Periphery Sub Total | | | | 0 | 472 | 1589 | 869 | 2930 | 241 | 2689 | 628 | 0 | 0 | 27 | 53 | 36 | 79 | 46 | 92 | 122 | 114 | 91 | 150 | 92 | 80 | 165 | 165 | 128 | 120 | 120 | 100 | 90 | 90 | 90 | 2050 | 880 |
| SL3 - Warton | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Land Opposite Blackfield End Farm, Warton | HSS2 | 2A1020 | 13/674 OL 12/0550 OL 13/0786 RM | 360 | 360 | 0 | 360 | 360 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 25 | 50 | 50 | 50 | 25 | 25 | 50 | 50 | 35 | 0 | 0 | 0 | 360 | 0 | | | | | | | |
| Highgate Park, Lytham Road, Warton | HSS7 | 2A879 | 15/706 RM 13/0526 FULL | 254 | 254 | 85 | 169 | 169 | 0 | 0 | 0 | 7 | 30 | 27 | 21 | 15 | 30 | 30 | 30 | 15 | 15 | 4 | 0 | 0 | 0 | 0 | 0 | 254 | 0 | | | | | | | |
| Riversleigh Farm, Warton | HS24 | 2A985 | | 82 | 82 | 72 | 11 | 11 | 0 | 0 | 0 | 0 | 27 | 34 | 11 | 10 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 82 | 0 | | | | | | | |
| Nine Acres Nursery, Harbour Lane Phase 1 | HS25 | 2A765 | 10/0766 OL 11/0816 RM 14/0833 FULL | 75 | 75 | 75 | 0 | 0 | 0 | 8 | 41 | 10 | 6 | 1 | 9 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 75 | 0 | | | | | | | |
| Georges Garage, Warton | HS26 | 2A955 | | 16 | 16 | 0 | 16 | 16 | 0 | 0 | 0 | 0 | 0 | 0 | 15 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 16 | 0 | | | | | | | |
| Oaklands Caravan Park, 252 Lytham Road, Warton | HS27 | | 15/194 OL | 53 | 53 | 0 | 53 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 15 | 30 | 8 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 53 | 0 | | | | | | | |
| Land North of Freckleton Bypass, Warton | HSS12 | | 14/0410 OL | 350 | 350 | 0 | 350 | 350 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 30 | 30 | 60 | 60 | 60 | 60 | 50 | 0 | 0 | 350 | 0 | | | | | | | |
| Clifton House Farm, Lytham Road, Warton | HSS13 | | 15/0562 OL | 115 | 115 | 0 | 115 | 115 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 15 | 15 | 30 | 30 | 25 | 0 | 0 | 0 | 0 | 115 | 0 | | | | | | | |
| Warton Sub Total | | | | 0 | 0 | 53 | 1252 | 1305 | 232 | 1074 | 1021 | 0 | 8 | 41 | 17 | 63 | 62 | 41 | 40 | 56 | 95 | 110 | 88 | 85 | 85 | 144 | 140 | 120 | 60 | 50 | 0 | 0 | 0 | 1305 | 0 | |

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|------|-----------|-------------------------|------|------|------|------|------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|------|-----|---|
| Newton | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Newton Hall, School Lane, Newton | HS51 | 86 | 86 | 0 | 86 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 15 | 30 | 30 | 11 | 0 | 86 | 0 | | | | |
| Cobweb Barn, Oak Lane, Newton | HS52 | 15/595 OL | 40 | 40 | 0 | 40 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 15 | 15 | 10 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 40 | 0 | | | | |
| Land West of Woodlands Close, Newton | | 16/554 OL | | 50 | 50 | 0 | 50 | 50 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 15 | 30 | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 50 | 0 | | | | |
| Singleton | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Singleton Village, Singleton | HS53 | | 15 | 15 | 0 | 15 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 15 | 0 | 0 | 0 | 0 | 0 | 0 | 15 | 0 | | | | |
| Weeton | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| The Laurels and Willow House, Mythop Road, Weeton | HS54 | 4A913 | 12/0772 FULL | 20 | 20 | 20 | 0 | 0 | 0 | 0 | 5 | 11 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 0 | | | | |
| Land West of Church Road, Weeton | HS64 | | 16/0811 OL | 25 | 25 | 0 | 25 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 15 | 10 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 25 | 0 | | | | |
| Greenhalgh | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| The Rowans (Former Blue Anchor Inn), Fleetwood Road, Greenhalgh Phase 1 & 2 | HS55 | 4A820 | | 17 | 17 | 17 | 0 | 0 | 0 | 0 | 12 | 2 | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 17 | 0 | | | | |
| Little Eccleston | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Sunnydale Nurseries, Garstang Road, Little Eccleston | HS56 | 4A1031 | 15/0124 OL 16/0817 FULL | 41 | 41 | 0 | 41 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 15 | 26 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 41 | 0 | | | | |
| Non Strategic Locations Sub Total | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | 0 | 257 | 71 | 541 | 869 | 217 | 652 | 299 | 11 | 14 | 30 | 23 | 63 | 58 | 18 | 72 | 131 | 181 | 76 | 68 | 13 | 0 | 15 | 0 | 0 | 0 | 15 | 30 | 30 | 11 | 0 | 859 | 0 | |
| Strategic Locations Sub Total | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | 0 | 804 | 1815 | 5015 | 7699 | 1351 | 6349 | 3714 | 120 | 91 | 179 | 172 | 220 | 353 | 228 | 316 | 449 | 609 | 616 | 534 | 301 | 261 | 494 | 440 | 378 | 310 | 300 | 172 | 96 | 90 | 90 | 6819 | 880 | |
| Strategic and Non Strategic Locations Sub Total | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | 0 | 1061 | 1886 | 5556 | 8568 | 1568 | 7001 | 4013 | 131 | 105 | 209 | 195 | 283 | 411 | 246 | 388 | 580 | 790 | 692 | 602 | 314 | 261 | 509 | 440 | 378 | 310 | 315 | 202 | 126 | 101 | 90 | 7678 | 880 | |
| Allowances and Small Sites | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Small Site Completions which takes into account an amendment of 8 dwellings | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | 233 | 233 | 233 | 0 | 0 | 0 | 9 | 57 | 25 | 35 | 34 | 44 | 37 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 233 | 0 | | |
| Small Site Completions Adjustment | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 0 | |
| Small Site Commitment and Minded to Approve (unallocated sites) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | 2 | 322 | 324 | 0 | 324 | 322 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 54 | 108 | 108 | 54 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 324 | 0 |
| Small Sites and Windfall Allowance (unallocated sites) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | 480 | | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20 | 40 | 20 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 480 | 0 | |
| Long Term Empty Home Re-entering Market | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | 50 | | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 5 | 10 | 10 | 10 | 10 | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 50 | 0 | |
| Allowances Sub Total | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | 530 | 0 | 2 | 555 | 557 | 233 | 324 | 322 | 9 | 57 | 25 | 35 | 34 | 44 | 37 | 59 | 118 | 118 | 84 | 50 | 25 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 1087 | 0 | |
| Demolition Occurred | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Demolition Allowances | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | 0 | 0 | 1 | 0 | 2 | 2 | 0 | 1 | 1 | 1 | 1 | 1 | 1 | 0 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 5 | | |
| Correction for over-recording of small site completions | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | -8 | | | | | | | | | | | | | | | | | 20 | | |
| Total Housing Provision (Non Strategic, Strategic and Allowances) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | 530 | 1061 | 1888 | 6111 | 9125 | 1801 | 7325 | 4335 | 140 | 162 | 233 | 230 | 315 | 453 | 275 | 446 | 697 | 907 | 775 | 651 | 338 | 301 | 548 | 479 | 417 | 349 | 354 | 241 | 165 | 140 | 129 | 8745 | | |

Appendix 2

St Modwen Judgement Appeal Court

Case No: C1/2016/2001

Neutral Citation Number: [2017] EWCA Civ 1643

IN THE COURT OF APPEAL (CIVIL DIVISION)
ON APPEAL FROM THE ADMINISTRATIVE COURT
PLANNING COURT

MR JUSTICE OUSELEY
[2016] EWHC 968 (Admin)

Royal Courts of Justice
Strand, London, WC2A 2LL

Date: 20 October 2017

Before:

Lord Justice Jackson
Lord Justice McCombe
and
Lord Justice Lindblom

Between:

St Modwen Developments Ltd.

Appellant

- and -

- (1) Secretary of State for Communities and
Local Government**
(2) East Riding of Yorkshire Council
(3) Save Our Ferriby Action Group

Respondents

Mr Christopher Young and Mr James Corbet Burcher (instructed by **Irwin Mitchell LLP**) for
the **Appellant**

Mr Richard Honey (instructed by **the Government Legal Department**) for the
First Respondent

Mr Paul Tucker Q.C. and Mr Freddie Humphreys (instructed by **East Riding of Yorkshire
Council**) for the **Second Respondent**

Ms Emma Reid-Chalmers (**Pro bono** instructed by **direct access**) for the **Third Respondent**

Hearing date: 8 June 2017

Judgment

Lord Justice Lindblom:

Introduction

1. The complaint in this appeal is that the Government's planning policy for housing development in the National Planning Policy Framework ("the NPPF") – in particular, the policy for a five-year supply of housing land in paragraph 47 – was misunderstood and misapplied in a decision on a statutory appeal against the refusal of planning permission. The appeal is by no means the first of its kind. It raises no new point of law.
2. The appellant, St Modwen Developments Ltd., appeals against the order of Ouseley J., dated 28 April 2016, dismissing its application under section 288 of the Town and Country Planning Act 1990 challenging the decisions of the first respondent, the Secretary of State for Communities and Local Government – in a decision letter dated 25 June 2015 – to dismiss two appeals under section 78 of the 1990 Act against the refusal of planning permission by the second respondent, East Riding of Yorkshire Council, for a large development of new housing on land at Brickyard Lane, Melton Park, about 13 kilometres to the west of Hull. The third respondent, Save Our Ferriby Action Group, was an objector to the proposals.
3. The appeal site extends to about 38 hectares, in three parcels, the largest of which is about 35 hectares to the south of Monks Way, straddling Brickyard Lane. Access to it is gained from the A63 trunk road to its north. The village of Melton lies to the north of the A63, the village of North Ferriby to the south, the town of Elloughton-cum-Brough about two kilometres to the west. Much of the site had been allocated for employment development in the development plan – the Beverley Borough Local Plan (1996) and the Joint Structure Plan for Kingston upon Hull and the East Riding of Yorkshire (2005) – and also in the emerging East Riding Local Plan. The first of the two schemes before the Secretary of State, the scheme in "Appeal A", was for up to 510 dwellings; the second, in "Appeal B", for up to 390 dwellings, with 7.7 hectares of land for "employment" uses. The council's reasons for refusing planning permission, for both schemes, referred to the loss of employment land, conflict with the settlement hierarchy, and prejudice to the progress of the emerging local plan. Both appeals were recovered for determination by the Secretary of State. They were heard at an inquiry that lasted 20 sitting days in November 2013 and April, May and August 2014, and was eventually closed in September 2014. The inspector submitted her report to the Secretary of State on 2 March 2015, recommending that both appeals be dismissed. In his decision letter the Secretary of State agreed with that recommendation and accordingly dismissed both appeals.
4. The challenge before Ouseley J. was pursued on four grounds, all of which he rejected. The appeal before us is more confined. I granted permission to appeal on 11 November 2016. When I did so, I said the argument presented on behalf of St Modwen seemed "more elaborate than it need be". I accepted, however, there were matters fit for consideration by this court – in particular, the concept of "a supply of specific deliverable sites ..." in paragraph 47 of the NPPF.

The issues in the appeal

5. There are seven grounds of appeal, corresponding broadly to the first of the four grounds pursued in the court below – described by Ouseley J. as “Ground 1: Housing land supply”. At the hearing counsel agreed that those seven grounds present us with three main issues, which relate closely to each other, but in a logical sequence are these:
 - (1) Did the Secretary of State misinterpret or misapply government policy for the supply of housing in paragraph 47 of the NPPF, and, in particular, the concepts of “supply” and “delivery”, and were his relevant reasons clear and adequate (grounds 5 and 6)?
 - (2) Did the Secretary of State misdirect himself, or fail to provide clear and adequate reasons, in his conclusions on the council’s housing trajectory (grounds 1 to 4)?
 - (3) Did the Secretary of State err in law in his conclusions on the council’s record of housing delivery (ground 7)?

The principles on which the court will act in a section 288 challenge

6. In my judgment at first instance in *Bloor Homes East Midlands Ltd. v Secretary of State for Communities and Local Government* [2014] EWHC 754 (Admin) (at paragraph 19) I set out the “seven familiar principles” that will guide the court in handling a challenge under section 288. This case, like many others now coming before the Planning Court and this court too, calls for those principles to be stated again – and reinforced. They are:
 - “(1) Decisions of the Secretary of State and his inspectors in appeals against the refusal of planning permission are to be construed in a reasonably flexible way. Decision letters are written principally for parties who know what the issues between them are and what evidence and argument has been deployed on those issues. An inspector does not need to “rehearse every argument relating to each matter in every paragraph” (see the judgment of Forbes J. in *Seddon Properties v Secretary of State for the Environment* (1981) 42 P. & C.R. 26, at p.28).
 - (2) The reasons for an appeal decision must be intelligible and adequate, enabling one to understand why the appeal was decided as it was and what conclusions were reached on the “principal important controversial issues”. An inspector’s reasoning must not give rise to a substantial doubt as to whether he went wrong in law, for example by misunderstanding a relevant policy or by failing to reach a rational decision on relevant grounds. But the reasons need refer only to the main issues in the dispute, not to every material consideration (see the speech of Lord Brown of Eaton-under-Heywood in *South Bucks District Council and another v Porter (No. 2)* [2004] 1 W.L.R. 1953, at p.1964B-G).
 - (3) The weight to be attached to any material consideration and all matters of planning judgment are within the exclusive jurisdiction of the decision-maker. They are not for the court. A local planning authority determining an

application for planning permission is free, “provided that it does not lapse into *Wednesbury* irrationality” to give material considerations “whatever weight [it] thinks fit or no weight at all” (see the speech of Lord Hoffmann in *Tesco Stores Limited v Secretary of State for the Environment* [1995] 1 W.L.R. 759, at p.780F-H). And, essentially for that reason, an application under section 288 of the 1990 Act does not afford an opportunity for a review of the planning merits of an inspector’s decision (see the judgment of Sullivan J., as he then was, in *Newsmith v Secretary of State for Environment, Transport and the Regions* [2001] EWHC Admin 74, at paragraph 6).

- (4) Planning policies are not statutory or contractual provisions and should not be construed as if they were. The proper interpretation of planning policy is ultimately a matter of law for the court. The application of relevant policy is for the decision-maker. But statements of policy are to be interpreted objectively by the court in accordance with the language used and in its proper context. A failure properly to understand and apply relevant policy will constitute a failure to have regard to a material consideration, or will amount to having regard to an immaterial consideration (see the judgment of Lord Reed in *Tesco Stores v Dundee City Council* [2012] P.T.S.R. 983, at paragraphs 17 to 22).
 - (5) When it is suggested that an inspector has failed to grasp a relevant policy one must look at what he thought the important planning issues were and decide whether it appears from the way he dealt with them that he must have misunderstood the policy in question (see the judgment of Hoffmann L.J., as he then was, *South Somerset District Council v The Secretary of State for the Environment* (1993) 66 P. & C.R. 80, at p.83E-H).
 - (6) Because it is reasonable to assume that national planning policy is familiar to the Secretary of State and his inspectors, the fact that a particular policy is not mentioned in the decision letter does not necessarily mean that it has been ignored (see, for example, the judgment of Lang J. in *Sea Land Power & Energy Limited v Secretary of State for Communities and Local Government* [2012] EWHC 1419 (QB), at paragraph 58).
 - (7) Consistency in decision-making is important both to developers and local planning authorities, because it serves to maintain public confidence in the operation of the development control system. But it is not a principle of law that like cases must always be decided alike. An inspector must exercise his own judgment on this question, if it arises (see, for example, the judgment of Pill L.J. in *Fox Strategic Land and Property Ltd. v Secretary of State for Communities and Local Government* [2013] 1 P. & C.R. 6, at paragraphs 12 to 14, citing the judgment of Mann L.J. in *North Wiltshire District Council v Secretary of State for the Environment* [1992] 65 P. & C.R. 137, at p.145).”
7. Both the Supreme Court and the Court of Appeal have, in recent cases, emphasized the limits to the court’s role in construing planning policy (see the judgment of Lord Carnwath in *Suffolk Coastal District Council v Hopkins Homes Ltd.* [2017] UKSC 37, at paragraphs 22 to 26, and my judgment in *Mansell v Tonbridge and Malling Borough Council* [2017] EWCA Civ 1314, at paragraph 41). More broadly, though in the same

vein, this court has cautioned against the dangers of excessive legalism infecting the planning system – a warning I think we must now repeat in this appeal (see my judgment in *Barwood Strategic Land II LLP v East Staffordshire Borough Council* [2017] EWCA Civ 893, at paragraph 50). There is no place in challenges to planning decisions for the kind of hypercritical scrutiny that this court has always rejected – whether of decision letters of the Secretary of State and his inspectors or of planning officers’ reports to committee. The conclusions in an inspector’s report or decision letter, or in an officer’s report, should not be laboriously dissected in an effort to find fault (see my judgment in *Mansell*, at paragraphs 41 and 42, and the judgment of the Chancellor of the High Court, at paragraph 63).

Paragraphs 47 and 49 of the NPPF

8. Paragraph 47 of the NPPF states:

“47. To boost significantly the supply of housing, local planning authorities should:

- use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period;
- identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land;
- identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15;
- for market and affordable housing, illustrate the expected rate of housing delivery through a housing trajectory for the plan period and set out a housing implementation strategy for the full range of housing describing how they will maintain delivery of a five-year supply of housing land to meet their housing target; and
- set out their own approach to housing density to reflect local circumstances.”

The word “deliverable” in that paragraph is explained in a footnote – footnote 11 – which states:

“To be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that

schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans.”

Footnote 12 explains the word “developable”:

“To be considered developable, sites should be in a suitable location for housing development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged.”

9. The policy in paragraph 47 of the NPPF has on several occasions been considered by the courts (see, for example, *Suffolk Coastal District Council*, in particular in the judgment of Lord Gill at paragraphs 76 to 79; *City and District Council of St Albans v Hunston Properties Ltd.* [2013] EWCA Civ 1610, in particular the judgment of Sir David Keene at paragraphs 23 and 30; and *Solihull Metropolitan Borough Council v Gallagher* [2014] EWCA Civ 1610, in particular the judgment of Laws L.J. at paragraph 16).
10. Paragraph 49 of the NPPF is concerned with development control decision-making. It states:

“49. Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”

The consequences for a local planning authority of its failing or succeeding in this fundamental requirement of national planning policy need no further explanation by the court (see *Suffolk Coastal District Council*, in particular the judgment of Lord Carnwath at paragraph 59, and the judgment of Lord Gill at paragraphs 80 to 85; and *Barwood v East Staffordshire Borough Council*, in particular my judgment at paragraph 22).

11. The Planning Practice Guidance (“the PPG”), first published by the Government in March 2014, in the section dealing with “Housing and economic land availability assessment”, paragraph 3-029-20140306, under the heading “How is deliverability (1-5 years) and developability (6-15 years) determined in relation to housing supply?”, says that “[assessing] the suitability, availability and achievability (including the economic viability of a site) will provide the information as to whether a site can be considered deliverable, developable or not currently developable for housing”. Paragraph 3-031-20140306, under the heading “What constitutes a ‘deliverable site’ in the context of housing policy?”, states:

“Deliverable sites for housing could include those that are allocated for housing in the development plan and sites with planning permission (outline or full that have not been implemented) unless there is clear evidence that schemes will not be implemented within five years.

However, planning permission or allocation in a development plan is not a prerequisite for a site being deliverable in terms of the five-year supply. Local planning authorities will need to provide robust, up to date evidence to support the deliverability of sites, ensuring that their judgements on deliverability are clearly

and transparently set out. If there are no significant constraints ... to overcome[,] such as infrastructure[,] sites not allocated within a development plan or without planning permission can be considered capable of being delivered within a five-year timeframe.

... .”

Paragraph 3-033-20150327, under the heading “Updating evidence on the supply of specific deliverable sites sufficient to provide five years worth of housing against housing requirements”, was published on 27 March 2015, and was thus extant at the time of the Secretary of State’s decision in this case. It states:

“... .

[The NPPF] requires local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide five years’ worth of housing. As part of this, local planning authorities should consider both the delivery of sites against the forecast trajectory and also the deliverability of all the sites in the five year supply.

Local planning authorities should ensure that they carry out their annual assessment in a robust and timely fashion, based on up-to-date and sound evidence, taking into account the anticipated trajectory of housing delivery, and consideration of associated risks, and an assessment of the local delivery record. Such assessment, including the evidence used, should be realistic and made publicly available in an accessible format. ...

... .”

The previous version of that paragraph of the PPG, published on 6 March 2014, stated:

“... .

[The NPPF] requires local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide five years’ worth of housing. As part of this, the local planning authority should consider both the delivery of sites against the forecast trajectory and also the deliverability of all the sites in the five year supply. By taking a thorough approach on an annual basis, local planning authorities will be in a strong position to demonstrate a robust five year supply of sites.

... .”

The inspector’s report and the Secretary of State’s decision letter

12. The inspector’s report runs to 171 pages. It contains a comprehensive consideration of St Modwen’s section 78 appeals on their planning merits, recording the parties’ cases on the principal issues to which those appeals gave rise, and reaching conclusions on each.

13. The five “main planning issues”, identified by the inspector in paragraph 13.5 of her report, included these:

“13.5. ...

- (i) the relationship of the proposals to the current and emerging development plan and to national planning policy;
- (ii) the adequacy of the provision for housing in the East Riding of Yorkshire, including for affordable housing, and the contribution which either proposal could make to that supply;
- (iii) the particular contribution made by the appeal site to the supply of employment land and to wider economic development objectives, including the potential of the Humber to become established as a centre for renewable energy;

... .”

14. On the first of those three issues – “the development plan and national planning policy” – the inspector said, in paragraph 13.7, that there was “no dispute that the proposals conflict with the adopted development plan and the emerging local plan”. But she was prepared to give them the benefit of “the presumption in favour of sustainable development” in the NPPF – observing in paragraph 13.10 that that presumption “could ... be engaged by virtue of the fact that some of the relevant policies are out of date”.

15. On the second issue – the “provision of housing in the East Riding of Yorkshire” – the inspector’s conclusions, in paragraphs 13.63 to 13.65, were these:

“13.63. With regard to the five year housing requirement, I consider that the Council’s figure of just over 10,000 for the housing market area is to be preferred, on the basis that it accords most closely with the relevant national policy and offers a reasonably robust, full, objective assessment of need. Use of an HMA-based figure should be understood as part of the first stage of formulating the requirement according to national policy rather than the second stage of applying a constraint on the basis of local policy making. The Secretary of State may conclude that the requirement should be based on the ERYC administrative area, in which case the Council’s figure of just under 14,000 is to be preferred over the Appellant’s figure of 15,300.

13.64. The Appellant’s approach to the assessment of housing land supply is fundamentally flawed so that the Council’s assessment of supply, at almost 15,000, is also to be preferred. Thus, whether the analysis is based on the HMA or the ERYC area, I consider that the Council has demonstrated the existence of a five year housing land supply. Even if the Appellant’s five year housing requirement of 15,300 is taken, the shortfall of 300 would be modest in the context of the overall requirement, making it debatable whether any adverse effect on housing delivery due to supply constraints would be identifiable in practice.

- 13.65. Since it has not been shown that there is any pressing need for additional sites to come forward to sustain the local supply of housing, I consider that the appeal proposals would not deliver additional benefits by virtue of their contribution to that supply. The contribution of the proposals to the supply of affordable housing is a different matter. Here, significant need has been demonstrated and it seems likely that such need will persist. For that reason, substantial weight should attach to the proposals, in proportion to the extra contribution they would make to the supply of affordable housing.”
16. Behind those conclusions lay a much more detailed assessment, some of which I shall need to mention in dealing with the issues before us.
17. As for the third issue – “employment land supply and wider economic development objectives” – the inspector said, in paragraph 13.87, that “[the] appeal site comprises a substantial proportion of the Melton site, one of only four key employment sites in the East Riding and one of only two identified for general industrial uses”, and that “[if] the appeal site was developed for housing, whether along the lines of Appeal A or Appeal B, the status of Melton as a key employment site would be much diminished so that it would have a significant, detrimental effect on the portfolio of employment land”.
18. The inspector set out her “Overall Conclusions” in section 14 of her report. She confirmed that in her view both of the appeal schemes were in conflict with the relevant provisions of the development plan, concluding, in paragraph 14.2, that “[the] proposals run counter to local planning policies in three respects: the use of employment land for housing; the strategy of maintaining a portfolio of employment land; and the location and distribution of residential development”, and that they were “contrary to the existing and the emerging development plan”. She went on to say, in paragraph 14.4, that it was “necessary ... to consider the proposals within the terms of the presumption in favour of sustainable development”. Under the heading “The benefits of the proposals”, in paragraph 14.5, she referred to the two contentions on which St Modwen had relied in asserting an urgent need for housing development: first, “that a significant shortfall exists in the availability of land for housing”; and second “that there is an acute need for affordable housing”. She rejected the first of those two contentions (in paragraph 14.6), but accepted the second (in paragraph 14.7). As to the first, she said this, in paragraph 14.6:
- “14.6. The first ... has not been demonstrated. The Council’s assessment of the position as to the housing requirement and the housing land supply has been shown to be reasonably robust when tested at this inquiry. This would be the case whether the housing requirement was taken as that for the housing market area or the ERYC administrative area. In either case, a five year supply of sites exists. Since the identified supply already satisfies the test of boosting significantly the supply of deliverable sites, the proposals would not deliver any additional benefit in this respect.”

On the likely “adverse impacts” of the proposed development, she concluded, in paragraph 14.10, that “[the] proposals would have a significant, detrimental effect on the portfolio of employment land”, and “would also undermine wider economic development objectives ...”, and, in paragraph 14.16, that “a grant of planning permission for either proposal would strike at the heart of key strategic decisions in the emerging ERYC Local

Plan, thus undermining the plan-making process”, and therefore that “the harm by way of prematurity should carry considerable weight”. As to “[whether] the proposal would represent a sustainable form of development”, she concluded, in paragraph 14.17, that it would not.

19. Finally, in striking “[the] overall planning balance”, the inspector concluded in paragraph 14.20 that “[the] proposals are contrary to the development plan”, that “[when] considered in the context of the presumption in favour of sustainable development contained in NPPF, these adverse effects would significantly and demonstrably outweigh the benefits of each proposal”, and that “[the] material considerations are not sufficient to warrant a decision contrary to the development plan”. Explaining her “Recommendation” in the light of those conclusions, she said in paragraph 14.21 that “[at] the heart of [the] inquiry was the question of whether the best use for the appeal site at this time would be to continue to hold it in reserve for employment development or to bring it forward now for housing”, and that “[on] the evidence provided”, she considered that “the planning case for housing has not been made so that neither appeal should succeed”. In paragraph 14.22 she recommended that both appeals be dismissed.
20. In his decision letter the Secretary of State adopted the inspector’s formulation of the “main issues” in the appeals, and agreed with her principal conclusions upon them. As to “[the] development plan and national planning policy”, he noted in paragraph 10 that there was “no dispute that the proposals conflict with the adopted development plan and the emerging local plan” and he agreed with the inspector “with regard to the weight that this conflict should be given”. He also agreed with the inspector’s conclusion in paragraph 13.10 that, “in accordance with paragraph 49 of the Framework, so long as the appeal proposals can be accepted as a sustainable form of development, the planning balance to be applied would be that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits”. On “[the] provision for housing in the East Riding of Yorkshire”, he concluded in paragraph 11:

“11. The Secretary of State has carefully considered the Inspector’s reasoning on housing provision at IR13.11-13.62 and, for the reasons given at IR13.63-13.65, he agrees with her conclusions that the Council’s figures of a requirement for just over 10,000 dwellings for the housing market and just under 14,000 for the Council’s administrative area are to be preferred over those put forward on behalf of your client, as is the Council’s assessment of overall supply, at almost 15,000. Overall, therefore, the Secretary of State agrees with the Inspector that, whether the analysis is based on the Housing Market Area or the Council’s area, it has not been shown that there is any pressing need for additional sites to come forward to sustain the local supply of housing. However, he also agrees with the Inspector’s conclusion that substantial weight should attach to the proposals in proportion to the contribution they would make to the supply of affordable housing.”

And on “[the] employment land supply and wider economic objectives”, he said in paragraph 12 that he agreed with the inspector’s conclusion in paragraph 13.87 of her report that, “as the appeal site comprises a substantial proportion of the highly accessible Melton site, it represents a logical choice in relation to the spatial strategy of the emerging local plan with regard to employment land which would be much diminished if

the appeal site were to be developed for housing – thereby having a significant detrimental effect on the portfolio of employment land”. He therefore also agreed with the inspector that, “although there is potential for other land to come forward, this would have to be on an ad hoc basis rather than as part of a plan-led approach, potentially causing harm to economic development objectives”. In his “Overall Conclusions”, he said in paragraph 18 that “[although] the provision of new homes, including affordable housing, would be an important social and economic benefit, ... granting permission for either of the appeal schemes would be contrary to the development plan, so that it is necessary to consider whether there are material considerations sufficient to warrant a decision contrary to that”. In paragraph 19 he concluded that “[with] regard to Appeal A, ... the benefits of the scheme are significantly and demonstrably outweighed by the adverse impacts including that on the Council’s overall spatial strategy for housing, their economic objectives and the portfolio of employment land, and the urbanising impact on North Ferriby”, and “[in] the case of Appeal B, ... these disbenefits would be compounded by the reduced quantum of housing while the funding for a bridge across the railway line would not be a proportionate or reasonable response to any harm to the supply of employment land”. In paragraph 20 he said he agreed with the inspector’s recommendations, and therefore dismissed both appeals.

Ouseley J.’s judgment

21. In a typically careful judgment, Ouseley J. considered the “Housing land supply” issue in St Modwen’s challenge under five headings, two of which – “Issue (c): the approach to “deliverable” sites” and “Issues (d) and (e): housing record and trajectory” – largely embrace the issues now raised in this appeal.

22. Before getting to those two issues, the judge had come to these conclusions in paragraph 46 of his judgment:

“46. ... [The inspector] addressed the issue of whether ERYC had demonstrated that the sites in its five year housing land supply figures were deliverable within the requirements of [47] NPPF and footnote [11]. Her approach reflects the requirements of [49] NPPF and of the PPG. She had evidence on deliverability sufficient to enable her to reach a reasonable planning judgment.”

There is no criticism of those conclusions in this appeal.

23. On “Issue (c): the approach to “deliverable” sites”, Ouseley J. said in paragraphs 49 to 52 of his judgment:

“49. Mr [Christopher] Young contended that the Inspector had misinterpreted what “deliverable” meant in NPPF [47]. This was more an issue about the language she had used in two paragraphs, IR [13.53 and 13.56], rather than whether any substantive conclusions showed a misinterpretation of the concept. ...

50. [Mr Young] submitted that the inspector had erred in drawing a distinction between the supply of housing and the delivery of housing on it. Delivery was at the heart of the NPPF. The Inspector had focused on “supply” and not on

“deliverable supply”. She needed to find that specific sites were deliverable. The argument itself veered somewhat uncertainly between the concepts of “delivery”, and “deliverability”.

51. In my judgment, the Inspector made no error of interpretation of the NPPF at all. The NPPF and the assessment of housing land supply are concerned with “deliverability”, which is an assessment of the likelihood that housing will be delivered in the five year period on that site. The assessment of housing land supply does not require certainty that the housing sites will actually be developed within that period. The planning process cannot deal in such certainties. The problem of uncertainty is managed by assessing “deliverability” over a five year period, re-assessed as the five year period rolls forward. The Inspector was simply recognising that there is that difference, and her focus had to be on deliverability, which was not disproved by showing that there were uncertainties. All this was very much a matter of degree for her.
52. There are many reasons why the difference may exist: the assumed production rates off large sites may be too high for the market, though that does not seem to have been an issue here; the building industry’s infrastructure, skilled labour, finance, and materials, may not be geared up to the assumed rate; and the market may not wish to build or buy houses at the assumed rate of delivery; mortgage funds may not be available for those who would wish to buy. As Mr [Paul] Tucker [Q.C.] pointed out, the local planning authority can only do so much, that is to maintain a five year supply of deliverable housing land. The market, comprising house builders, finance and purchasers, has to do the rest. I reject this aspect of ground 1; the Inspector made no error of law.”

24. On “Issues (d) and (e): housing record and trajectory”, in paragraphs 53 to 59, the judge said:

- “53. These can be taken together: (d) relates to the way in which the Inspector approached ERYC’s past delivery of housing, and (e) relates to the trajectory it placed before the Inspector, and prepared for the Local Plan examination. They are also bound up with the other contention, featuring passim in Mr Young’s argument, that the decision of the Inspector was not merely overly generous to EYRC, but was irrational.
54. The essence of (d) was that the supply figures, of 15000, over 5 years or 3000 a year was far beyond what ERYC had achieved in the past, which was of the order of 650 a year, and of (e) was that it was far ahead of what EYRC was putting forward as its expected production over the five years. ERYC’s April 2014 Housing Implementation Strategy for submission to the Local Plan examination, in evidence before the Inspector, showed fewer than 1000 dwellings built in 2013-14, and 1500 or fewer in each succeeding year until that figure of 1500 was just exceeded in 2017-18, making a total for the five relevant years of no more than 7000 dwellings.
55. Mr Young described ERYC as in effect saying that there was a realistic prospect that 3000 houses a year would be produced, but that it did not regard that as the likely outcome, the outcome that more probably than not would

occur. No legally adequate reasons had been given as to how its five year housing supply figures could be reconciled with its past and probable future delivery.

...

57. NPPF [47], 4th bullet point, states that local planning authorities should illustrate “the expected rate of housing delivery through a housing trajectory for the plan period and set out a housing implementation strategy ... describing how they will maintain delivery of a five-year supply of housing land to meet their housing target.”
58. Mr Young’s point was not that market factors, such as a spread of locations, and locations where people actually wanted to live, or the delivery rate of large sites had been unlawfully ignored in the assessment of the sites warranting ERYC’s supply figures. Both aspects of this ground went to an argument deployed before the Inspector to the effect that the housing land supply figures put forward by ERYC were not credible, and the Inspector well understood the way the point was being deployed, as her account of St Modwen’s case and Mr Young’s closing submissions to her showed. His was a simple point, but not a principal important issue, on the credibility of EYRC’s judgment; he made it to the Inspector, which she rejected, as she was entitled to do in her planning judgment. This point is cousin to issue (c). It is necessary to be cautious lest a point on a s288 challenge takes a very different shape and emphasis from that which it had before the inspector.
59. The process for allocating sites in the emerging plan and the sites, albeit in brief, were considered by the Inspector and judged to be deliverable. She took account of these issues in reaching that judgment, but she concluded that they did not persuade her that the supply sites were not deliverable. That was a planning judgment for her. The past shortcomings in the supply of land were addressed in the manner required by the NPPF through the 20 percent buffer, though of course that can only address a shortfall caused by failings in the supply of deliverable housing land. The future difference between what was “deliverable” and what would probably be “delivered”, discussed above, lies at the heart of the difference between the housing supply figures and the housing trajectory. This difference did not reflect, on the Inspector’s conclusions, a contradiction between her assessment of what was “deliverable” and what ERYC thought was “deliverable”, nor did it mean that ERYC was saying one thing to one Inspector and something completely different to another. She accepted that ERYC was intending to give great weight to the fact of allocation in the plan when it came to reach its decisions on planning applications for housing on such sites. So far as “deliverability” was concerned, which it was her task to consider, that was the second principal point. Thereafter it would be market factors which would lead to delivery. If sites are deliverable, and the problem in delivery is not within the control of the planning authority, for example the cost of housing or the availability of finance, the solution to a problem of delivery is not an increase in the supply of sites which are capable of delivery. The issue raised was not ignored; it was dealt with briefly but sufficiently.”

Issue (1) – Did the Secretary of State misinterpret or misapply government policy for the supply of housing in paragraph 47 of the NPPF?

25. It is necessary at this stage to look more closely at the inspector’s conclusions on the supply of housing land. In the section of her report where she dealt with “Planning Policy”, she referred in paragraph 4.11 to the policies in paragraphs 47 and 49 of the NPPF, and summarized them, reminding herself of the requirement in paragraph 47 that local planning authorities “should identify a supply of specific, deliverable sites sufficient to provide five years worth of housing against their housing requirements”. She came back to that requirement in paragraph 13.11, where she introduced her conclusions on “Issue 2: provision for housing in the East Riding of Yorkshire”. As she said in that paragraph, “[where] the existence or otherwise of a shortage of land for housing is relevant to an appeal, it is necessary to have regard to NPPF paragraph 47”, which she then paraphrased, and that “[as] part of this process, the LPA must identify sufficient sites to provide five years worth of housing against their housing requirements”.
26. The inspector set out “the respective positions of the parties by the end of the inquiry” in a table in paragraph 13.14 of her report. As she said in a footnote (footnote 146), both the council and St Modwen had followed the policy in paragraph 47 of the NPPF “where there has been a persistent record of under delivery” and had therefore “adopted a common approach of including the 20% buffer as part of the calculation of the housing land requirement”. The council’s position was that the five-year requirement, for its own area, was 13,957, and for the housing market area, 10,053; St Modwen’s, that it was 15,312. The parties’ “final positions” on “Housing land supply” were set out in a table in paragraph 13.41: the council’s position being that there was a “[total] five year supply” figure of 14,971; St Modwen’s, that the figure was 4,734. The “principal area of disagreement”, as the inspector said in paragraph 13.42, “related to allocations in the emerging local plan”, though “[to] a lesser extent, there was also disagreement as to allocations in the existing Local Plan and to larger sites with planning permission”.
27. She went on, in paragraphs 13.43 to 13.55, to deal with those issues. In paragraphs 13.43 to 13.50, under the heading “The approach to allocations in the emerging local plan”, she said:
- “13.43. Footnote 11 of NPPF paragraph 47 states that deliverable sites should be available, in a suitable location, achievable and have a realistic prospect of being developed. ... Both the Appellant and the Council draw attention to the Wainhomes judgement [the judgment of Stuart-Smith J. in *Wainhomes (South West) Holdings Ltd. v Secretary of State for Communities and Local Government* [2013] EWHC 597 (Admin)]. From this, it appears there are two key points to note with regard to the interpretation of NPPF paragraph 47: firstly, that whether or not a site is deliverable is fact sensitive; and secondly, that inclusion of a site in an emerging local plan is some evidence of deliverability, since it should normally be assumed that an LPA will make a responsible attempt to comply with national planning policy. Nonetheless, there are other relevant factors including the plan’s evidence base, the stage the draft plan has reached and the nature of any objections.

- 13.44. Pointing to the strong emphasis in NPPF on delivery, the Appellant has taken the position that supply will largely consist of sites with planning permission, putting forward a figure of just over 4,700 as the realistic supply. However, if the exercise is to be fact-sensitive as indicated in the Wainhomes judgement, it follows that sites should not be discounted simply on the basis of a general characteristic such as their planning status. Moreover, there is a fundamental lack of credibility in a figure for a period looking five years ahead which fails to acknowledge the likelihood that the Council will grant at least some planning permissions during that period. In this respect, it should be noted that the Appellant's own supply figure has had to be revised upwards by a substantial margin ... in order to reflect this very fact. The Appellant's approach to deliverability does not achieve the intended aim of providing certainty over the projected five year period.
- 13.45. On the question of the status of sites without planning permission, the Appellant draws attention to various appeal decisions, particularly High Peak and Ottery St Mary. ... In contrast, for the two appeals currently under consideration, the Council's case is based on all the sites identified in a submission draft allocations document rather than a small number of strategic sites. The relevant local plan is in the process of being examined and provides a much clearer picture as to technical or viability issues and the nature of any objections. The circumstances are not comparable and a different approach is warranted here, due to the different characteristics of the evidence base and the availability of public responses to the emerging plan. In addition, it seems to me there is a fundamental flaw in an approach to the assessment of housing land supply which fails to entertain the possibility that a Local Planning Authority with an identified need of at least 1400 dwellings a year and an emerging local plan which provides for 23,800 dwellings may grant at least some planning permissions for residential development over a five year period.
- 13.46. On its own, the absence of a planning permission is not sufficient reason for a site to be categorised as undeliverable. On that basis, I consider that very little weight can be attached to the Appellant's figures for supply from the existing and emerging local plans. [7.107; 9.147-8]
- 13.47. The second point raised from the Wainhomes case is that, in a plan-led system, regard needs to be had to the evidence base of the emerging plan, albeit this depends on context. In this instance, the emerging ERYC local plan makes detailed provision for development over the plan period. Whilst the Appellant protests that the detailed evidence base for those allocations was not put to the inquiry, it seems to me that the proper arena to test such detail is indeed the Local Plan examination. For the purposes of this inquiry, it is sufficient to establish the extent to which reliance may be placed on the emerging local plan.
- 13.48. The emerging local plan makes provision for 23,800 additional dwellings over the plan period. The Council contends that some 11,000 should be considered deliverable over the next five years. The Council's evidence to this inquiry on this point comprises the PSAD dated January 2014, the

SHLAA, which sets out the position at November 2013 and the evidence of Mr Hunt [the council's Planning Policy Manager], particularly appendices L and M (as updated by ERYC 14 and ERYC 25).

13.49. Sites in the PSAD have been subjected to a four-stage assessment which includes deliverability. An example of this can be seen in the discussion of potential sites at Melton at Chapter 3 of Mr Hunt's PoE. However, although this methodology may support inclusion of a site within the emerging local plan, it does not demonstrate the likelihood of its delivery in the next five years, as indicated by the Council's own acceptance that some sites should be discounted.

13.50. Turning to the SHLAA, two key assumptions underpin its reliance on emerging local plan allocations in the five year housing land supply figures: that, since few sites require infrastructure to be provided prior to commencement of development, most of the allocations in the emerging local plan can be regarded as being free from significant constraints; and that the Council is committed to affording weight to the emerging local plan when determining planning applications."

28. On the "Supply from the emerging local plan" she noted, in paragraph 13.52, that "the number of sites with planning permission or expected to obtain such permission has risen significantly (by almost 1100 in three months) and the trend for those under consideration is also upward". And in paragraph 13.53 she said this:

"13.53. Clearly, given the number of sites involved, it may well turn out that not all allocations currently identified as deliverable will in fact be delivered. However I consider that, overall, the Appellant has not shown that this part of the evidence base is lacking in robustness. As a result, the Council's figure of 11,156 dwellings on sites identified in the emerging local plan should carry substantial weight. [7.104-107; 9.147-151]" (my emphasis).

In paragraph 7.107, one of the paragraphs in her summary of the council's case on housing land supply, she had said that "the big issue between the parties is the extent to which the draft allocations are included within the figures".

29. As for "Sites in the existing Local Plan", the inspector found in paragraph 13.54 that the council's "assessment that 612 dwellings could be delivered on these sites is reasonable". And under the heading "Lead-in times" she accepted, in paragraph 13.55, that the council's "figure of 1886 dwellings to be delivered on larger sites ... appears to be reasonable".

30. In paragraph 13.56 the inspector turned to "The credibility of the supply figure", and said:

"13.56. Whilst the Council's supply figure has fluctuated over the period of the inquiry, a fair reading of Mr Hunt's first proof shows that the discussion of a 12 year supply took place in the context of the weight which could be attached to sites in the emerging local plan (StM16). In a situation where a Local Plan is under preparation, it is not surprising that data will be subject to

revision. As such, the fluctuations of themselves should not be seen as indicative of a lack of reliability. It is also suggested that the 15,000 figure should be seen as absurd in comparison with the housing trajectory. However, the assessment of supply is distinct from that for delivery. [7.101-103; 9.142-144]” (my emphasis).

31. Before us, Mr Young repeated the argument on the inspector’s alleged misinterpretation and misapplication of national policy in paragraph 47 of the NPPF rejected by Ouseley J.. The argument was largely based on what the inspector said in the two sentences I have emphasized in paragraphs 13.53 and 13.56 of her report. Mr Young submitted that the judge was wrong to uphold the inspector’s distinction – which the Secretary of State plainly accepted – between “supply” and “delivery”, by interpreting the concept of “a supply of specific deliverable sites sufficient to provide five years worth of housing ...” (in the second bullet point of paragraph 47 of the NPPF) as not involving, inevitably, an assessment of “what would probably be “delivered”” (paragraph 59 of Ouseley J.’s judgment). Ouseley J.’s judgment, said Mr Young, is inconsistent. Although he had recognized (in paragraph 51) that the policy in paragraph 47 of the NPPF is concerned with “an assessment of the likelihood that housing will be delivered in the five year period” on the site in question, he had gone on (in paragraph 59) to conclude, in effect, that there is no need for an assessment of “what would probably be “delivered””. This distinction between deliverability and the probability of delivery was false, and betrayed a misinterpretation of policy in paragraph 47. Properly understood, submitted Mr Young, the policy requires an assessment of what would probably be delivered. It had not been St Modwen’s case at the inquiry, nor was it now, that there had to be certainty of delivery. And, Mr Young confirmed, it was no longer their position that, to be included in the assessment, a site had to have planning permission for housing development.
32. I cannot accept those submissions. In my view it would have been most surprising if the Secretary of State had gone astray in his understanding and application of these fundamental components of national planning policy for the supply of housing, contained as they are in the Government’s primary policy document for the planning system in England, which had been published some three years before he came to make his decisions in this case. Nor is it likely that an experienced inspector would err in that way (see the judgment of Lord Carnwath in *Suffolk Coastal District Council*, at paragraph 25). I think the court should approach arguments like this with great hesitation. Here I am in no doubt that the argument is bad; that neither the inspector nor the Secretary of State misinterpreted or misapplied the relevant concepts and requirements in NPPF policy, or failed to express their conclusions with completeness and clarity; and that the judge was therefore right, essentially for the reasons he gave.
33. It is important to keep in mind – as Ouseley J. said in the second sentence of paragraph 49 of his judgment – that Mr Young’s argument here is really directed at the language used by the inspector in paragraphs 13.53 and 13.56 of her report. It does not attack her substantive conclusions on the deliverability of housing sites. Nor does it cast doubt on her conclusions, fully adopted by the Secretary of State, on the adequacy of the relevant housing supply when measured against the five-year housing requirement – specifically, that “the Council’s figure of just over 10,000 for the housing market area is to be preferred, on the basis that it accords most closely with the relevant national policy and offers a reasonably robust, full, objective assessment of need” (paragraph 13.63 of the inspector’s report); that if the Secretary of State were to conclude that the housing

requirement should be based not on the housing market area, but on the council's administrative area, "... the Council's figure of just under 14,000 is to be preferred over the Appellant's figure of 15,300" (ibid.); that St Modwen's "approach to the assessment of housing land supply is fundamentally flawed so that the Council's assessment of supply, at almost 15,000, is also to be preferred" (paragraph 13.64); that, whether the analysis was based on the housing market area or on the council's administrative area, "the Council has demonstrated the existence of a five year housing land supply" (ibid.); that "[even] if [St Modwen's] five year housing requirement of 15,300 is taken, the shortfall of 300 would be modest in the context of the overall requirement ..." (ibid.); and that it had "not been shown that there [was] any pressing need for additional sites to come forward to sustain the local supply of housing ..." (paragraph 13.65).

34. Those conclusions were as firm an endorsement of the council's case on housing land supply, and as firm a rejection of St Modwen's, as one could imagine. All of them, together with the assessment on which they were based, were expressly supported by the Secretary of State in paragraph 11 of his decision letter. They are not in themselves said to be unlawful. Nor could they be. They are, all of them, perfectly secure as matters of planning judgment, and not in any way vulnerable in proceedings such as these. I therefore agree with the judge's conclusions in paragraph 46 of his judgment, which were crucial, and – as I have said – are not the subject of any criticism before us.
35. That is the context in which this issue in the appeal has to be considered. It lends an air of inconsequence, even unreality, to the argument put forward. But in any case, as was submitted both by Mr Richard Honey for the Secretary of State and by Mr Tucker for the council, the argument itself is mistaken. Its fatal defect lies in its misreading of the policy in paragraph 47 of the NPPF. It misses the essential distinction between the concept of deliverability, in the sense in which it is used in the policy, and the concept of an "expected rate of delivery". These two concepts are not synonymous, or incompatible. Deliverability is not the same thing as delivery. The fact that a particular site is capable of being delivered within five years does not mean that it necessarily will be. For various financial and commercial reasons, the landowner or housebuilder may choose to hold the site back. Local planning authorities do not control the housing market. NPPF policy recognizes that.
36. Where the policies in paragraphs 47 and 49 of the NPPF are concerned with the composition of the five-year supply of housing land, they are consistently worded to refer to a supply of housing sites that can be regarded as "deliverable", not sites that are regarded as certain to be delivered. Thus, in the second bullet point of paragraph 47 the local planning authority's task is to "identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements ..." (my emphasis) – with the appropriate buffer (whether 5% or 20%), whereas in the third bullet point, the requirement for subsequent years ("years 6-10 and, where possible, ... years 11-15") is for the identification of specific sites that are "developable", or "broad locations for growth". And in the policy in paragraph 49 the implicit requirement is the same, namely that the authority must be able to "demonstrate a five-year supply of deliverable housing sites" (my emphasis). By contrast, the policy for the "housing trajectory" in the fourth bullet point of paragraph 47 is not expressed in terms either of "deliverable" or of "developable" sites as such, but in terms of illustrating "the expected rate of housing delivery" (my emphasis).

37. That those who drafted the policies in paragraph 47 and 49 of the NPPF intended to refer to “deliverable sites” and “deliverable housing sites” where they did, with a meaning distinct both from that of the expression “developable sites” and also from the idea of an “expected rate of housing delivery”, is confirmed by their having taken the trouble to define the word “deliverable” so precisely in footnote 11, and the word “developable” in footnote 12. Had the Government’s intention been to frame the policy for the five-year supply of housing land in terms of a test more demanding than deliverability, this would have been done.
38. The first part of the definition in footnote 11 – amplified in paragraphs 3-029, 3-031 and 3-033 of the PPG – contains four elements: first, that the sites in question should be “available now”; second, that they should “offer a suitable location for development now”; third, that they should be “achievable with a realistic prospect that housing will be delivered on the site within five years”; and fourth, that “development of the site is viable” (my emphasis). Each of these considerations goes to a site’s capability of being delivered within five years: not to the certainty, or – as Mr Young submitted – the probability, that it actually will be. The second part of the definition refers to “[sites] with planning permission”. This clearly implies that, to be considered deliverable and included within the five-year supply, a site does not necessarily have to have planning permission already granted for housing development on it. The use of the words “realistic prospect” in the footnote 11 definition mirrors the use of the same words in the second bullet point in paragraph 47 in connection with the requirement for a 20% buffer to be added where there has been “a record of persistent under delivery of housing”. Sites may be included in the five-year supply if the likelihood of housing being delivered on them within the five-year period is no greater than a “realistic prospect” – the third element of the definition in footnote 11 (my emphasis). This does not mean that for a site properly to be regarded as “deliverable” it must necessarily be certain or probable that housing will in fact be delivered upon it, or delivered to the fullest extent possible, within five years. As Lord Gill said in paragraph 78 of his judgment in *Suffolk Coastal District Council*, when referring to the policies in paragraph 47 of the NPPF, the insistence on the provision of “deliverable” sites sufficient to provide five years’ worth of housing reflects the futility of local planning authorities relying on sites with “no realistic prospect of being developed within the five-year period”.
39. One must keep in mind here the different considerations that apply to development control decision-making on the one hand and plan-making and monitoring on the other. The production of the “housing trajectory” referred to in the fourth bullet point of paragraph 47 is an exercise required in the course of the preparation of a local plan, and will assist the local planning authority in monitoring the delivery of housing against the plan strategy; it is described as “a housing trajectory for the plan period” (my emphasis). Likewise, the “housing implementation strategy” referred to in the same bullet point, whose purpose is to describe how the local planning authority “will maintain delivery of a five-year supply of housing land to meet their housing target” is a strategy that will inform the preparation of a plan. The policy in paragraph 49 is a development control policy. It guides the decision-maker in the handling of local plan policies when determining an application for planning permission, warning of the potential consequences under paragraph 14 of the NPPF if relevant policies of the development plan are out-of-date. And it does so against the requirement that the local planning authority must be able to “demonstrate a five-year supply of deliverable housing sites”,

not against the requirement that the authority must “illustrate the expected rate of housing delivery through a housing trajectory for the plan period”.

40. We are concerned with the alleged unlawfulness of a development control decision. In the light of a proper understanding of the policies in paragraphs 47 and 49 of the NPPF, in particular those pertaining directly to development control decision-making, was the judge’s approach to that allegation misguided? In my view it plainly was not.
41. When the two sentences on which Mr Young concentrated in paragraphs 13.53 and 13.56 of the inspector’s report are read fairly in their full context, they do not, in my view, reveal any misunderstanding of NPPF policy. The inspector was clearly alive to the distinction between deliverability and actual delivery, and had well in mind that deliverability entailed a “realistic prospect” of the site being delivered. She was entitled to conclude, as a matter of planning judgment, that “given the number of sites involved, it may well turn out that not all allocations currently identified as deliverable will in fact be delivered” (paragraph 13.53), and, again as a matter of planning judgment, that the council’s housing supply figure of 15,000 dwellings was not undermined by its housing trajectory, given that “the assessment of supply is distinct from that for delivery” (paragraph 13.56). Indeed, those conclusions were as much statements of common sense as they were of planning judgment. In coming to them, the inspector did not dilute the test of deliverability provided for in paragraph 47 of the NPPF. It is plain – for example, in paragraphs 13.11 and 13.43 of her report – that she had a sound understanding of the policy in paragraph 47, and that this lay behind her conclusions in paragraphs 13.43 to 13.56, and, in particular, the distinction she drew in paragraphs 13.53 and 13.56 between deliverability and the actuality of delivery. And the reasons she gave for those conclusions, and more generally in her treatment of the housing land supply issue, were adequate and clear.
42. Ouseley J. was, in my view, undoubtedly right to conclude that the inspector and the Secretary of State did not misinterpret or misapply the NPPF policies in play, and that the relevant questions on “deliverability” and “delivery” were tackled lawfully. His grasp of the distinction between those two concepts is obvious both in paragraph 51 and in paragraph 59 of his judgment. There is no inconsistency of the kind complained of by Mr Young, either in those two paragraphs or elsewhere in the judgment. The judge did not suggest that in assessing deliverability a local planning authority should leave entirely to one side any difficulties beyond their control. But as he said in paragraph 51, “the assessment of housing land supply” is concerned with “deliverability”, and “does not require certainty that the housing sites will actually be developed within [the five-year] period”, and that, as the inspector recognized, “deliverability ... was not disproved by showing that there were uncertainties”.
43. The judge was not drawn beyond the court’s proper role in reviewing a planning decision. What he said in paragraph 59 of his judgment was correct – that the evaluation of housing land supply involved the exercise of “planning judgment”, having regard to the allocation of sites for housing development in the emerging local plan; that the “... difference between what was “deliverable” and what would probably be “delivered” ... lies at the heart of the difference between the housing supply figures and the housing trajectory”; that this difference “did not reflect, on the Inspector’s conclusions, a contradiction between her assessment of what was “deliverable” and what [the council] thought was “deliverable” ...”; that where “deliverability” was concerned, the inspector

had “accepted that [the council] was intending to give great weight to the fact of allocation in the plan when it came to reach its decisions on planning applications for housing on such sites”; that where “delivery” was concerned, she recognized that “market factors”, which were not in the council’s control, would play their part; and that “the solution to a problem of delivery is not an increase in the supply of sites which are capable of delivery”.

44. In my view therefore, the appeal cannot succeed on grounds 5 and 6.

Did the Secretary of State misdirect himself on the council’s housing trajectory?

45. Mr Young submitted that the inspector, and in turn the Secretary of State, failed to take into account the council’s housing trajectory in Figure 1 of its “East Riding Proposed Submission Local Plan – Housing Implementation Strategy (2012-2029)” of April 2014 as compelling evidence of its inability to demonstrate the requisite five-year supply of deliverable housing sites. That evidence had generated an important issue in the appeals, which the inspector should have addressed, in clear and adequate reasons. The judge was wrong to describe it as “not a principal important issue”. It was undeniably an important issue in a case such as this. The housing trajectory, said Mr Young, is “the beating heart” of the policies in paragraph 47 of the NPPF. Here, he submitted, it was “the most critical piece of evidence” on housing land supply. Yet the inspector seems to have ignored it, failing to see its true significance and avoiding the “dichotomy of figures” presented to her by the council. The only possibly relevant reasons are in the final sentence of paragraph 13.56 of her report, where she said that “the assessment of supply is distinct from that of delivery”. That paragraph seemed to be dealing with a different matter – the fluctuations in the council’s housing supply figures, rather than with the housing trajectory itself. Even so, submitted Mr Young, its final sentence revealed a misunderstanding of NPPF policy for the preparation of a housing trajectory; it did not provide the “intelligible and ... adequate” reasons required on a “principal important controversial [issue]” – as Lord Brown put it in *South Bucks District Council v Porter* (at p.1964D); and the absence of proper reasons indicates a failure to have regard to a material consideration.

46. I am unable to accept that argument. It is, in part, a reprise of the submissions I have already rejected on the previous issue. I am not going to repeat what I have already said, except that in my view the inspector’s and Secretary of State’s interpretation and application of government policy in paragraphs 47 and 49 of the NPPF, including the policy on the preparation of a “housing trajectory” in the fourth bullet point of paragraph 47, were legally impeccable. But there are four short conclusions to add.

47. First, it is wrong to describe the council’s housing trajectory as having been, in itself, a “principal important controversial [issue]”. Evidence was given about it at the inquiry, certainly, and submissions were made in closing. But it was only one feature of the case put before the inspector on housing land supply. She had regard to it as a material consideration, which bore on the question of whether the council’s figures for housing land supply were credible. Ouseley J.’s conclusions to this effect in paragraph 58 of his judgment are correct. In these proceedings before the court the importance of the housing trajectory has been elevated to a significance it simply did not have in evidence and submissions at the inquiry. This was not conceded, but it seems quite plain. And I agree

with the judge's comment that one must "be cautious lest a point on a [section] 288 challenge takes a very different shape and emphasis from that which it had before the inspector". That is what has happened here.

48. Secondly, the inspector understood what St Modwen were saying about the housing trajectory, which was that it served to demonstrate a lack of credibility in the council's case on housing land supply. Mr Justin Gartland of Nathaniel Lichfield & Partners, who gave planning evidence on behalf of St Modwen at the inquiry, had described the use of the housing trajectory as a "reality check" (as he confirms in paragraph 95 of his witness statement of 14 August 2015). The inspector knew what was being suggested. The relevant submission made by Mr Young at the end of the inquiry appeared in a single paragraph – paragraph 295 – of a lengthy closing speech, 377 paragraphs in all. It came shortly after another submission on "credibility", in paragraph 291(vi) – that "the Council's supply figure has fluctuated to such an alarming degree that it ... lacks any credibility". It acknowledged the role of the housing trajectory in the council's plan-making process. It was, as Mr Young said, contained in the council's "Housing Implementation Strategy (ERYC 32) published as part of the LP evidence base" – which confirms, in paragraph 2.10, that "[the] housing trajectory in figure 1 ... shows how the Council plans to manage the delivery of housing over the plan period".
49. In paragraph 9.144 of her report, when summarizing St Modwen's case on housing land supply, the inspector recorded what Mr Young had submitted:

"9.144. Another major problem with the credibility of the Council's own housing supply figures is the trajectory in the Housing Implementation Strategy, which shows delivery in 2013-2014 at less than 1,000 units (and closer to 800), followed by less than 1,400 for the following two years. The figure is 1,500 for 2016-17 and marginally higher than that in 2017-2018. That is a supply of about 6,500 to 7,000 in the next 5 years on the basis of its own evidence to the Local Plan examination."

This was a true reflection of the way in which the point had been put to her, in support of the argument that the council's position on housing land supply lacked credibility and should not be accepted, and with emphasis on the supply figure of a maximum of 7,000. In fact, it was almost an exact quotation of the submission made by Mr Young in paragraph 295 of his closing speech.

50. The inspector went on to record St Modwen's main argument on housing land supply, which included these points: that St Modwen had "examined the Council's delivery on the basis of just sites with planning permission and no discounting and projecting forward past delivery" (paragraph 9.146 of her report); that "[the] supply of housing should be assessed on what is available now and that will largely be sites with planning permission" (paragraph 9.147); that "... it is inappropriate to include sites without planning permission or even a resolution to grant unless there is very clear evidence supporting the delivery of that site in the next 5 years" (paragraph 9.148); that "[St Modwen] has elected not to accept any of the sites without planning permission or a resolution to grant" (paragraph 9.149); that "[St Modwen] believes that the Council's supply of housing land is around 5,000 dwellings", that this was "woefully inadequate", and that it was "clear that the Council has nothing like a five year supply of housing land" (paragraph 9.154). That was the gist of St Modwen's case on housing land supply,

which the inspector – and the Secretary of State – rejected. No complaint is or could be made about the inspector’s recording of it, nor can it be said that she failed to understand it or failed to address it.

51. Thirdly, it is not open to St Modwen now to go behind the inspector’s conclusions on the credibility and reliability of the parties’ respective cases on housing land supply, which she reached in the light of all the relevant evidence, including the council’s housing trajectory. Such conclusions are well within the exclusive province of planning judgment (see, for example, my judgment in *Oadby and Wigston Borough Council v Secretary of State for Communities and Local Government* [2016] EWCA Civ 1040, at paragraph 33, and the first instance judgments of Stuart-Smith J. in *Wainhomes*, at paragraphs 35 and 54, and Dove J. in *Eastleigh Borough Council v Secretary of State for Communities and Local Government* [2014] EWHC 4225 (Admin), at paragraphs 13 and 15). For the court to venture there would be to trespass beyond its jurisdiction in the review of planning decisions (see paragraphs 6 and 7 above).
52. Fourthly, it is pointless to rehearse the evidence and submissions presented to the inspector on the council’s housing trajectory in an attempt to persuade the court that her conclusions on housing land supply, shared by the Secretary of State, are somehow legally flawed. They are not legally flawed. On a fair reading, they are all well within the range of lawful planning judgment. As Ouseley J. accepted, the discussion of the parties’ evidence and submissions, in paragraphs 13.41 to 13.56 of the inspector’s report, and her conclusions in paragraphs 13.63 to 13.65, are unassailable. Her conclusions are comprehensive and cogent, and are expressed in clear and adequate reasons. And they are not undone by a failure to take into account, as a material consideration, the council’s housing trajectory, or by irrationality in the weight given to it.
53. As to the approach to sites allocated in the emerging local plan – a matter at the heart of the parties’ dispute on the existence or not of a five-year supply of housing land – the inspector’s conclusions in paragraphs 13.43 to 13.53 of her report, including her conclusion in paragraph 13.53 that “it may well turn out that not all allocations currently identified as deliverable will in fact be delivered”, are faithful to the relevant policy in paragraph 47 of the NPPF, and, in law, unimpeachable. Her focus on the crucial question of deliverability, and her application of NPPF policy on that question, cannot be faulted.
54. Having set out those conclusions, the inspector went on in paragraph 13.56 to consider the credibility of the housing supply figures presented on either side. She referred at the end of that paragraph to her summary of St Modwen’s case in paragraphs 9.142 to 9.144. As her conclusions show, she did not accept that the council’s housing trajectory disproved its case on supply. This was a planning judgment she could properly make on the evidence and submissions before her. In making it, she demonstrably had regard to the housing trajectory as a material consideration; she referred to it directly. And she gave it the weight she judged to be right in view of its status and role.
55. Her relevant reasons, read as a piece, are an ample explanation of her conclusions. Individual sentences in them should not be separated from their full context. In terms that were crystal-clear, she disposed of the argument that the council’s housing supply figure lacked credibility – or “reliability”. She distinctly preferred the council’s case to St Modwen’s, finding herself able to conclude, in paragraph 13.64, that the council had “demonstrated the existence of a five year housing land supply”.

56. That, in the end, was how she resolved the question of credibility, which required her to decide, on all the evidence and submissions she had heard on housing land supply, which side's case she was able to believe. The relevant planning judgment, which the Secretary of State accepted, fell very clearly in favour of the case put forward by the council. It cannot be disturbed in a legal challenge.

57. I conclude, therefore, that Ouseley J.'s conclusions on this part of St Modwen's challenge are valid, and that these four grounds of St Modwen's appeal – grounds 1 to 4 – must also fail.

Did the Secretary of State err in his conclusions on the council's record of housing delivery?

58. Mr Young's argument on this issue – the issue in ground 7 – began with the submission that Ouseley J. should not have thought that the inspector's failure to confront the council's "past shortcomings in the supply of land" could be overcome by the application of the 20% buffer. The inspector had not explained how in her view the council's claimed five-year supply of 15,000 dwellings could be squared with its "local delivery record" of 1,000 dwellings a year, and even less than that in the five years preceding the inquiry. Here again there was a failure to have regard to a material consideration. The council's "local delivery record" was, said Mr Young, "absolutely central" in St Modwen's case on housing land supply. But the inspector did not grapple with it. Before us, however, Mr Young concentrated on a different theme, not pursued before Ouseley J. – that neither the inspector nor the Secretary of State had dealt with the now current guidance in the PPG under the heading "Updating evidence on the supply of specific deliverable site sufficient to provide five years worth of housing against housing requirements". This revised passage in the PPG had been published after the inquiry, and after the inspector submitted her report to the Secretary of State, but before he issued his decision. In the circumstances, Mr Young submitted, the Secretary of State ought to have dealt with it.

59. These arguments I also reject, for reasons similar to those I have given in discussing the previous two issues.

60. Here again one must take a fair-minded approach to the inspector's conclusions. The judge plainly did that in paragraphs 53 to 59 of his judgment. As he recognized, the evidence on the council's record of housing delivery, like the evidence on its housing trajectory, went to the credibility and reliability of its figures for housing land supply. And, as he found, that question was sufficiently and lawfully addressed by the inspector in paragraphs 13.41 to 13.56 and 13.63 to 13.65 of her report, and the reasons she gave were legally good. I agree with him.

61. As Mr Honey submitted, the council's housing trajectory looked forward in time, its housing record back. But the question of the deliverability of housing sites, the essential question for the inspector in considering the parties' cases on the five-year supply of housing land, required her to exercise her planning judgment. This had now to be done in the light of the emerging local plan, with its new policies for housing development and its new allocations of land for such development. In doing it, the inspector did not ignore the council's housing record. She had regard to it, though – correctly – not as a "principal

important controversial issue”. Her summary of St Modwen’s case – in particular in paragraphs 9.142 to 9.144 of her report, to which she referred in paragraph 13.56, included these points: that the council’s claim to have a five-year housing supply of in excess of 15,000 dwellings was “utterly implausible on the available evidence” (paragraph 9.142), since this represented “a supply of over 3,000 houses a year” and “[the] Council’s past track record shows it has never delivered houses in that quantity” (paragraph 9.142(i)); that “the available evidence from [Mr Hunt] is that completions up until April 2014 are still below the [regional strategy] requirement of 1,150 ...” (paragraph 9.142(ii)); that against a requirement of 3,500 completions a year, “the Council has delivered an average of just 635 a year over the last 5 years” (paragraph 9.142(iii)); that for the years between 2004 and 2008 there had been “an annual delivery rate of 1,495 ...” (paragraph 9.142(iv)); that the “annual delivery rate” for the period 2004 to 2013 was “1,017” (paragraph 9.142(v)); and that the council “accepts the record of persistent under delivery ...” (paragraph 9.143). She had these points in mind when she reached her conclusions in paragraph 13.56, and in paragraph 13.64. Plainly, they did not dissuade her from the view that the council had, as she said in paragraph 13.64, “demonstrated the existence of a five year housing land supply”. This was her ultimate planning judgment on the housing land supply issue. I see no reason for the court to interfere with it.

62. I do not accept that, in paragraph 59 of his judgment, Ouseley J. acquitted the inspector of error in dealing with the council’s record of housing delivery merely on the basis of the 20% buffer required in cases where there has been “a record of persistent under delivery ...”. That notion is misconceived. To see why the judge found against St Modwen on this issue one must read the whole of his conclusions in paragraphs 53 to 59 of his judgment. His reference to the 20% buffer in paragraph 59 was entirely legitimate. What he said was that “[the] past shortcomings in the supply of land were addressed in the manner required by the NPPF through the 20 percent buffer ...”. He was right. As Mr Honey submitted, the 20% buffer is “a mechanism to address historic under delivery”, its purpose being “to provide a realistic prospect of achieving the planned supply ...”. With this in mind, the judge was merely acknowledging, correctly, that the council had accepted the need for a 20% buffer to be applied in this case. This concession is referred to in paragraph 7.103 in the inspector’s summary of the council’s case on housing land supply – one of the paragraphs mentioned at the end of paragraph 13.56 – where she had recorded the council’s “acceptance of a 20% buffer”. It is also acknowledged in paragraph 13.14, where she set out the parties’ respective positions on the housing land requirement, confirming in a footnote their “common approach of including the 20% buffer ...”. In my view therefore, Mr Young’s submission here does not begin to prove any error of law.
63. Lastly, the argument that the Secretary of State failed to apply the revised guidance in the PPG affords no basis for quashing his decision. The revised guidance refers to a local planning authority’s “local delivery record”, but the thrust of it, at least for a development control decision, is not materially different from the previous guidance. And it cannot be said that the inspector’s conclusions on the issue of housing land supply, or the Secretary of State’s, could conceivably have been different if the new guidance had been explicitly taken into account. Those conclusions, as I have said, were lawfully reached in the light of the council’s housing trajectory and “local delivery record”. There is, in my view, nothing in this point at all.

Conclusion

64. For the reasons I have given I would dismiss this appeal.

Lord Justice McCombe

65. I agree.

Lord Justice Jackson

66. I also agree.

Appendix 3

Preston Local Plan Inspectors Report



The Planning Inspectorate

Report to Preston City Council

by John R Mattocks BSc DipTP MRTPI FRGS

an Inspector appointed by the Secretary of State for Communities and Local Government

Date: 4 June 2015

PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)

SECTION 20

REPORT ON THE EXAMINATION INTO THE PRESTON LOCAL PLAN 2012-26

(SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES)

Document submitted for examination on 11 July 2014

Examination hearings held between 21 and 30 October 2014

File Ref: PINS/N2345/429/01

Abbreviations Used in this Report

| | |
|--------------------|---|
| AA | Appropriate Assessment |
| AoMOS | Area of Major Open Space |
| AOS | Area of Separation |
| Central Lancashire | Preston, South Ribble and Chorley administrative areas |
| CLHTM | Central Lancashire Highways and Transport Masterplan |
| CS | Core Strategy |
| DtC | Duty to Co-operate |
| DPD | Development Plan Document |
| EL | Examination Library document (with number) |
| GPDO | The Town and Country Planning (General Permitted Development) Order 1995 (as amended) |
| HCA | Homes and Communities Agency |
| HMA | Housing Market Area |
| LDS | Local Development Scheme |
| LP | Local Plan |
| MM | Main Modification |
| NPPF | National Planning Policy Framework ('the Framework') |
| OAN | Objectively Assessed Need |
| PC | Proposed Change (as in Council doc. PCCSD) |
| PWDR | Preston Western Distributor Road |
| SCI | Statement of Community Involvement |
| SCS | Sustainable Community Strategy |
| SHLAA | Strategic Housing Land Availability Assessment |
| SHMA | Strategic Housing Market Assessment |
| SM | Suggested Modification (as in doc. EL1.018) |
| SPD | Supplementary Planning Document |

Non-Technical Summary

This report concludes that the Preston Local Plan provides an appropriate basis for the planning of the City, providing a number of modifications are made to the plan. The Preston City Council has specifically requested me to recommend any modifications necessary to enable the plan to be adopted.

All of the modifications to address this were either proposed by the Council, or discussed with them, and where necessary I have amended detailed wording and/or added consequential modifications. I have recommended their inclusion after considering the representations from other parties on these issues.

There are 30 Main Modifications in total, although some contain linked modifications between policy and text. A number of these are of a relatively minor nature but, nevertheless, necessary to make the plan sound for the reasons given in the body of this report. The more significant of these can be summarised as follows:

- The base date for the statistical information contained in the plan, including those for housing (policy HS1) and employment allocations (policy EP1), is updated to 2014;
- Policies IN1 and IN2 are modified to provide for the safeguarding of land for the construction of road schemes;
- Policy IN4 relating to the provision of a railway station at Cottam is deleted;
- Policy HS2 relating to the phasing and delivery of housing, and monitoring, is deleted;
- Policy MD2 (N W Preston) is re-written to provide detail of the principles included in the approved masterplan and requirements for infrastructural provision;
- Additional sites are allocated in policy HS1 to recognise recent permissions;
- Policy HS5 is modified to clarify its implementation;
- The role of Cottam District Centre is clarified by a modified policy EP3;
- Policy EP7 on telecommunications development is re-written;
- Policy EN2 on Green Infrastructure is re-written;
- The last part of Policy EN4, Areas of Separation, is re-worded for clarity;
- It is clarified that policy EN1 applies in Areas of Separation;
- An additional policy (GB1) is included to clarify that national policy will be applied in the Green Belt;
- Policy WB3 on hot food takeaways is re-written to provide a degree of flexibility with the 400 m. zone applying only to secondary schools.

Introduction

1. This report contains my assessment of the Preston Local Plan¹ in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It is considered firstly whether the plan's preparation has complied with the duty to co-operate, in recognition that there is no scope to remedy any failure in this regard. It is then considered whether the plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework (paragraph 182) makes clear that to be sound, a Local Plan should be: positively prepared; justified; effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan. The basis for my examination is the draft plan submitted in July 2014 which is the same as the document published for consultation at the end of September 2013.
3. My report deals with the main modifications that are needed to make the plan sound and legally compliant and they are identified in bold in the report (MM). In accordance with section 20(7C) of the 2004 Act the Council requested that I should make any modifications needed to rectify matters that make the plan unsound/not legally compliant and thus incapable of being adopted. These main modifications are set out in the Appendix.
4. The Main Modifications that are necessary for soundness or legal compliance all relate to matters that were discussed during the Examination, including the hearings. Following these discussions, the Council prepared a schedule of proposed main modifications, carried out sustainability appraisal and made the schedule subject to public consultation for six weeks. I have taken account of the consultation responses in coming to my conclusions in this report. In this light I have made some amendments to the detailed wording of the main modifications and added consequential modifications where these are necessary for consistency or clarity. None of these amendments significantly alters the content of the modifications as published for consultation or undermines the participatory processes and sustainability appraisal that has been undertaken. Where necessary I have highlighted these amendments in the report.

Assessment of Duty to Co-operate

5. Section s20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on them by section 33A of the 2004 Act in relation to the plan's preparation. This relates to the development or use of land including the provision of strategic infrastructure which would have a significant impact on at least two planning areas, and involves adjoining local planning authorities and Lancashire County Council as planning authority. Furthermore, the duty extends to the 'prescribed' bodies set out in Regulation

¹ Also known as the Site Allocations and Development Management Policies Development Plan Document

- 4 of the Local Plan Regulations.² One such body is the County Highway Authority.
6. The Council have prepared a statement of compliance with the Duty to Co-operate³ which sets out in some detail the nature of the joint working which has been undertaken between the Central Lancashire Authorities in the preparation of the joint Core Strategy. The joint arrangements have continued through the work of the Joint Advisory Committee.
 7. Preston City Council has worked with South Ribble Council and the County Council to secure the 10 year 'City Deal' signed by the three councils with the Lancashire Enterprise Partnership and the Government in September 2013 to finance the delivery of the significant infrastructure improvements required to support the development of the strategic location of North West Preston. The Highways and Transport Master Plan for Central Lancashire (CLHTM) prepared by the County Highways Authority in conjunction with the district authorities provides for the construction of the Preston Western Distributor Road which passes through Fylde district as well as Preston. The road is of strategic significance and there has clearly been close co-operation between the respective authorities in drawing up the proposals.
 8. The production of the North West Preston Masterplan has been supported and contributed to financially by the Homes and Communities Agency (a 'prescribed' body) which is a major land owner in the area as a successor to the Central Lancashire Development Corporation.
 9. The Council have furnished copies of letters from adjoining authorities and prescribed bodies confirming their satisfaction with the co-operative arrangements made. This includes the Ribble Valley District Council which contains the key settlement of Longridge for which provision is made for housing on the western (Preston) side of the joint boundary.
 10. The Marine Management Organisation (MMO), who are a 'prescribed' body, wrote to the Council only in August 2014 (after submission of the plan) in connection with the effect of plan proposals on the tidal frontage of the River Ribble and also the tidally influenced Savick Brook. In particular, their interest focuses on the proposed Preston Western Distributor Road. However, the southern section of the original 'corridor of search' crossing the River Ribble has, effectively, been withdrawn as it is no longer proposed to construct the road beyond the A583. The MMO's concerns appear to be matters of detail in relation to the nature of any construction works rather than the strategic implications addressed by the Duty to Co-operate. Furthermore, the MMO confirm that they have 'no significant issues to raise at plan level'.
 11. Taking account of all of the evidence presented I am satisfied that the local planning authority has complied with the duty imposed on them by section 33A of the 2004 Act in relation to the preparation of this local plan.

² The Town and Country Planning (Local Planning) (England) Regulations 2012

³ Ref. PCCSD009

Assessment of Soundness

Main Issues

12. Taking account of all the representations, written evidence and the discussions that took place at the examination hearings I have identified 30 main issues upon which the soundness of the plan depends. These are discussed in this report under the chapters of the plan to which they relate.

Chapter 2 – Vision

Issue 1: Whether the vision for Preston provides a sound basis for the application of the policies in the plan taking account of national policy and ensuring consistency with the adopted Core Strategy for Central Lancashire.

13. The Core Strategy for Central Lancashire was adopted in July 2012, a few months after the introduction of the National Planning Policy Framework ('the NPPF'). To reflect Government policy, policy MP was introduced in the Core Strategy to reflect the positive approach advocated in the NPPF and a commitment to the speedy determination of applications which accord with the plan.
14. Preston Council have chosen to repeat Core Strategy policy MP in this plan in the form of model policy V1. It is almost word-for-word the same as in the Core Strategy except that in section a) there is reference to the Core Strategy as well as the Framework. The two policies are not in conflict with one another in any respect and it appears that the only reason it is necessary to include such a policy in this plan is that the second paragraph of CS policy MP is worded 'Planning applications that accord with this Local Plan ...' so it does not apply to policy areas not covered by the Core Strategy or to more detailed policies in subsequent local plans.
15. Unfortunately, the phrase at the start of the third paragraph 'Where there are no policies relevant to the application ...' is somewhat ambiguous. It begs the question 'no policies in which document?' For clarity this needs to apply to all of the policies in the statutory development plan applying to the area. Therefore, for consistency with paragraph 154 of the NPPF and to be sound, the words 'statutory development plan' need to be inserted before 'policies' in the first line of the third paragraph (**MM1**).

Issue 2: The adequacy of the treatment of key service centres, especially Longridge

16. The submitted plan includes a very short paragraph, 2.12, under the heading 'Key Service Centres' which simply repeats the wording in Core Strategy Policy 1(b)(iii). It does not expand upon it in any way or identify the implications in terms of cross-boundary planning. Since publication, the Council have suggested (SM24 and 36) a significant increase in the size of the housing allocation HS1.14 on the edge of Longridge, from 90 to 488 dwellings and to remove land from the Area of Separation. The area is contiguous with Longridge and well-contained. The additional allocation would satisfy concerns expressed by Ribble Valley Borough Council and should assist in reducing

pressure for other village development.

17. In view of the importance of this cross-boundary issue, the submitted plan is unsound in this regard but would be made sound by the addition of text (PC21) to set out the role and function of the key service centre of Longridge and Preston's relationship with it. PC21 is recommended for inclusion in its entirety (**MM2**).

Chapter 3 - Delivering Infrastructure

Issue 3: Whether plan policies for the delivery of key transport infrastructure would assist in the delivery of sustainable development

18. In paragraph 5.51 of the adopted Core Strategy it is expressly stated that a comprehensive assessment of the transport network improvements is required to deliver the development of the strategic locations and wider development strategy for Central Lancashire and that this provides a clear opportunity to identify a strategic and integrated solution through the provision of major additional transport infrastructure. Reference is made to a Highways and Transport Masterplan (the CLHTM) which will be led by the Highway Authority and 'complement' master planning and 'inform and support' the selection and delivery of sites through this (site allocations) DPD.
19. In this case the transport planning work has been undertaken by the County Highways Authority rather than the City Council, as Local Planning Authority. That does not entirely fit with the approach envisaged in either NPPF paragraph 41 or the PPG. The CLHTM indicates the options considered and taken forward in the masterplan for N W Preston although none of that work has been part of the statutory local plan process. Nevertheless there has been no serious challenge to the robustness of the evidence base which supports the strategic choice of the construction of the Preston Western Distributor Road (PWDR) not simply to serve residential development but also providing a link to the M55. There is, however, some criticism of the justification for the detail of the alignment eventually chosen by the County Council as their 'preferred route'. (See paragraph 21 below)
20. The only reference in national policy guidance to the treatment of road schemes in development plans is in paragraph 41 of the NPPF which states that LPAs should 'identify and protect', where there is robust evidence, the sites and routes which could be critical in developing infrastructure to widen transport choice. A whole section was introduced in Planning Policy Guidance in October 2014 on developing an evidence base to support transport proposals in plans.
21. The consultation processes for the road scheme were not undertaken as part of the plan-making process. Instead, the County Highways Authority carried out their own non-statutory consultation on alternative alignments from which one has been selected. The County Council have now requested⁴ that their 'preferred route' be protected in the development plan. A road is a land use which requires planning permission for its construction but the policy now

⁴ Lancashire County Council resolution of 11 November 2014, document EL7.018d.

being suggested (SM31) is to protect the route from development which might prejudice the future construction of the road. That could result in planning blight but it is not the same as an actual proposal to construct the road on the preferred route. That will come when a planning application is made for the scheme at which time an Environmental Assessment may be required. A landowner might also contest land acquisition through compulsory purchase. The evidence submitted is sufficient to support a safeguarding policy even though possible alternative alignments, such as those to the west of Bartle Hall, have not been evaluated through the planning process.

22. Policy IN1 in the submitted plan is not sound because it gives no indication, in accordance with the guidance in paragraph 154 of the NPPF, of what action a decision-maker might take in response to a development proposal. That would be remedied by the wording proposed in SM31, which is recommended **(MM4)**, linked to the depiction of the road route on the policies map (PM1). The textual additions and amendments in PCs 23, 26 (part) and 28-32 inclusive are of a factual nature.
23. Nowhere in the submitted plan is there reference to the Cottam Link Road. Nor is there reference to it in the CLHTM. I am informed that it does not form part of the planning proposals for the Cottam Strategic site (policy MD1) because it is not necessary for that development to take place. It may well only be a short section of road off the PWDR to provide access from the Cottam development and would allow access to the now proposed 'Parkway' station (see below) and it appears to have been treated by the Highway Authority as part of the PWDR scheme. It first appears on the suggested amendment (PC01) to the Policies Map and so has not been consulted upon in any form through the planning process. There is no robust planning evidence to support it in accordance with paragraph 41 of the NPPF and, consequently, no justification to 'safeguard' the route for it. It is for the Council to consider whether they might include a factual reference in paragraph 4.10 to the link road providing access from Cottam Hall to the proposed parkway station.
24. The East-West Link Road (EWLR) is different. It is evident from the transport assessment work carried out as part of the master planning work for N W Preston that the full development could not take place without the construction of a distributor road through the development area. However, because the masterplan was not complete at the time of submission there is no reference whatsoever in the Local Plan to the EWLR. As it has been recognised, and is evidenced, to be a critical piece of infrastructure, the plan is unsound without a reference to the road. To that end PC 24 and the Council's proposed new paragraph 3.23 (PC26) are necessary for the plan to be fully effective, linked to the recommended replacement policy MD2. For completeness, PC25 relating to social infrastructure is of a similar nature. PC27 is also fundamental in explaining the source of finance critical to delivery of these aspects of infrastructure provision. All of those changes are, therefore, formally recommended as a main modification **(MM3)**. I accept, by way of amendment to MM3, that the reference should be to the 'East-West Link Road'.
25. The route for the EWLR as shown in the masterplan is stated to be 'indicative' (if it were not the masterplan could not progress as an SPD) but the County Council included the road in their final stage consultation on a 'preferred route' for the PWDR even though it extends well outside the 'corridor of search'

shown on the submission Policies Map. The County Council resolution of 11 November 2014 asks that the route be protected in the development plan and shown as such on the Policies Map.

26. Making reference to the road in the text of the plan and in policy MD2 is sound but there would be procedural complications in 'safeguarding' an actual route. No 'robust' evidence has been presented at this examination, in the terms of paragraph 41 of the NPPF, to justify the alignment which is now preferred by the Highway Authority.
27. It is a matter of concern that what would amount to a completely new policy would be introduced only by way of modification at the very end of the plan-making process. To do so runs directly counter to the front-loaded nature of that process. Not only that but there has been no consultation through the planning process on possible alternatives. It is clear that developer interests in N W Preston have concerns over the effect of not only the road but also the location of other elements of social infrastructure such as schools and open space. Decisions on the distribution of such land uses are normally taken through the planning process, in an integrated manner. It is not sound planning to pre-determine a road alignment because the nature and form of that road should be the result of a detailed consideration of the design of the residential areas that adjoin it. For good design, as promoted in the NPPF, the road should be planned in conjunction with those residential neighbourhoods.
28. The Highway Authority state that they intend to carry out detailed discussions with landowners and developers to determine how the road would fit in with adjoining residential developments. Yet, in that situation it is difficult to see what would be achieved by 'safeguarding' a particular line for the road, especially if it is not intended to precisely 'fix' the route. It would seem highly unlikely that development would be permitted which would prejudice the construction of the road when it is regarded as an essential element of supporting infrastructure. Provided there is a clear policy intention to construct the road, the absence of a safeguarding policy and omission of the road from the policies map should not alter the nature of discussions with landowners or developers. I recognise the Highway Authority's concerns about community perception and the desire to 'signal' the intention to construct the road but I hold to the view that it is sufficient for the plan to include a reference to the road in text and as a specific requirement of Policy MD2, as subject to Main Modification 8.
29. For all of these reasons, I conclude that the plan should not be modified to include the East-West Link Road as a safeguarded route in policy IN1.
30. Policy IN2 in the submitted plan relating to the Broughton bypass is differently worded because the Highway Authority proposals for it were already more advanced at the time of submission. The policy 'safeguards' the route although the term is not defined. A similar wording to that for IN1 is needed (SM33) to make the policy fully consistent with paragraph 154 of the NPPF. **(MM5)** PC29 is of a factual nature.
31. Policy IN3 relates to the 'safeguarding' of sites for park and ride facilities at Broughton and Riversway. There is no definition in the plan as to what 'safeguarding' actually means in practice. As in policies IN1 and in IN2 a

sentence should be included to make it clear how a decision taker should react to any proposal on the sites. **(MM6)**

32. Policy IN4 in the submitted plan safeguards land at Cottam for a new station to act as a rail based park and ride facility (called a 'Parkway' station). The site shown as on the Policies Map is the same as that shown on the Proposals Map of the adopted 2004 Local Plan. It is easily within walking and cycling distance of existing residential areas and would be accessed from the Cottam area without a requirement for a new link road. However, it is to be noted that the station proposal has not been delivered during the currency of the 2004 Local Plan and it is understood there may be signaling constraints for a station so close to the junction with the East Coast main line.
33. At submission, but not consulted upon nor made subject to sustainability appraisal, the Council indicated (PC33) that Lancashire County Council has been in discussion with Network Rail about the optimum location for a new Cottam Parkway railway station which would be at the intersection of the railway line with the PWDR. An amended policy IN4 is proposed (PC34) to state that a 'general location' for such a station is indicated on the Policies Map. Linked to that (PC10) the site shown on the submission Policies Map, off Tom Benson Way, would be deleted and the land shown as part of the existing residential area to which policy AD1(a) applies.
34. This would be a significant change to the plan. The provision of a new station would be part of the balance to achieve a sustainable transport package but the concept of a 'parkway' station accessed from a major new road is one which relies primarily on access by private motor vehicle even if the site might also be served by buses and can be accessed by cycle. It would not be within such an easy walking distance of residential areas.
35. At my request, the Council undertook a sustainability analysis of the proposal which suggests that although there would be disadvantages in encouraging greater use of cars overall, taking account of accessibility, the effect of the 'move' would be neutral.
36. Nothing should detract from the importance of negotiations with Network Rail to reach agreement on the proposal and to identify a site for the development, especially as the railway line to Blackpool North is programmed for electrification. However, a policy which simply states that a 'general location' for the station is shown on the Policies Map achieves nothing. It does not protect any area of land and could cause a more general blighting around the possible site. It would not provide a certain basis for the planning authority to refuse permission for development which might prejudice the proposal. It would not be consistent with paragraph 154 of the NPPF and, therefore, would not be sound.
37. The wording of PC33 also suggests that policy IN4 would have a very short 'shelf life'. It might be expected that the discussions with Network rail on the optimum location might be concluded relatively quickly. The proper way forward in this matter is for the plan to include a factual statement as in the first sentence of PC33 but continuing to the effect that an option under consideration is for the station to be located at the intersection of the railway line and the PWDR **(MM7)**. It is premature to include a policy and policy IN4

has to be deleted for the plan to be sound although the matter will need to be kept under review. To reflect this, the cross-reference in paragraph 7.6 (PC70), if it is to remain, would require re-wording. As the safeguarding of the Tom Benson Way site is no longer justified it will need to be deleted from the policies map (PM2).

Chapter 4. – Areas for Development

Issue 4: Whether the plan policies for major development (MD1 and MD2) will deliver viable housing development together with associated transport and social infrastructure.

38. Policy 1 of the adopted Central Lancashire Core Strategy (Locating Growth) indicates that growth and investment will be concentrated on Central Preston together with the northern suburbs of Preston, including the Cottam Strategic Site and the North West Preston Strategic Location. The latter two sites /location make up the majority of the land allocated for new housing development in this local plan and are subject to policies MD1 (Cottam) and MD2 (N W Preston). They are clearly of major strategic importance and their delivery is key to the effectiveness, and thus the soundness, of the plan.

Policy MD1 – Cottam

39. The larger part of the allocated site (Cottam Hall) has the benefit of outline planning permission subject to conditions and a s106 agreement. A masterplan has been agreed and reserved matters applications will accord with it. Development has commenced on site. As the circumstances envisaged in paragraph 4.12 have, in the Council's words been 'largely overtaken by events' it is not clear what the policy is intended to achieve.
40. The allocation also includes a former brickworks site, as mentioned in paragraph 4.9 of the plan text. Outline planning permission for 206 dwellings was granted in 2009 as well as full permission for a 4300 m² retail superstore. There has been no reserved matter submission and there is debate as to when development might start. Policy EP3 in the plan provides for a new district shopping centre at the Cottam Brickworks site and a new outline permission has been submitted to cover that aspect.
41. After some discussion, the Council have suggested an addition to criterion c) of policy MD1 to make reference to the district centre proposal. However, the plan should be read as a whole and it is not necessary for soundness to include cross-references between policies. A plan user would also reference the Policies Map which, as in PC05, would show the approved uses for the Brickworks site. For the same reason it is not necessary to include reference to the Biological Heritage Site in the policy (PC35) because it is covered by policy EN10 in any event. For clarity, the Council may wish to consider the inclusion of additional text to cover these factors but the policy itself is sound without additions.

Policy MD2. North West Preston

42. The Council have proposed that this policy be completely re-written. It is because, at the time of publication in July 2013, a masterplan for the comprehensive development of the whole area was still in the course of preparation. The land is in multiple ownerships with several different developers involved and there is clear need for co-ordination, especially in the provision of supporting infrastructure including an east-west distributor road. The submission plan policy sub-divides the allocated site into four parcels (A) to (D) with an east to west phasing starting with parcel (A), and placed what amounted to an interim restriction on parcels (B) to (D) on highway grounds. The policy became out-of-date with the Council's approval of the masterplan in February 2014. It is not positively framed and could no longer be effective.
43. After consideration of representations made on the publication draft plan the Council put forward substantial changes at submission to both policy MD2 (PC40) and the accompanying text from paragraph 4.13 to 4.15 (PC37 & 38) with paragraphs 4.15-26 deleted (PC39) to be replaced by new text. There have also been some minor changes to the area covered by the policy as indicated on the submission policies map (PC02) to align with the boundaries shown on the masterplan, with parcels A-D also removed. None of these changes were consulted upon prior to submission of the plan.
44. For the plan to be effective it should provide a realistic framework for the proposed development giving clear guidance on what is required and the basis for decisions on planning applications, as required by paragraph 154 of the NPPF, but the policy as in PC40 is brief and would not fulfil this a role. Most significantly, it would relegate all detail to a masterplan through a wording 'New development proposals must adhere to the principles set out in the agreed Masterplan'. There is no indication of what those principles are. It would not be a sound policy.
45. In recognition of this, since submission the Council have withdrawn PC40 and put forward a more detailed policy (SM27). That has been further amended after discussion (SM39) with revised supporting text (SM40) which sets out the infrastructure requirements. Additional (minor) textual amendments would remain in PCs 37 and 38. However, PC39 is of a more substantive nature and is discussed below.
46. Suggested Modifications (SMs) 39 and 40 are a step in the right direction in so far as they bring into the plan important principles derived from the master-planning work. However, as drafted, SM39 has rightly been criticised for being very generalised in its approach and for not specifically identifying the range and nature of the uses proposed, particularly the areas required for local retail, community and open space uses. Nor is it very specific about infrastructure requirements other than that of the east-west link road. As a result of the disparate land ownerships, the exact location within the development area of non-residential uses and the relationship to the link road is of importance to the viability and hence deliverability of individual parcels. Hence the demand for the 'burden' of costs to be spread equitably between developers and for the proposed land uses to be examined independently and tested through the development plan system. Questions have been raised in representations, in

connection with the effect on the viability of the development of individual landholdings but I am satisfied that looking at the development as a whole, drawing on the evidence in the 'Glover' report⁵, adequate account has been taken of the potential effect on viability of individual elements within the masterplan proposals. 'Equitability' is the key with which the Council propose to deal in policy terms through a statement within part 8 of SM39. See paragraph 51 below.

47. The masterplan has been subject to consultation but is before me only as part of the Council's evidence base⁶. Despite what it says in paragraphs 1.1 and 6.1 it is not, in itself, a Local Development Document. It does not contain land use policies as such and the layout plans at figures 5 and 6, although detailed and on an Ordnance Survey base, are stated to be 'indicative'. This raises an issue as to whether this Local Plan, together with what the Council intend should be a Supplementary Planning Document (SPD), would provide sufficient guidance to developers in the terms of paragraph 154 of the NPPF to ensure timely delivery of the proposed development. If the policy does not achieve that aim, for a strategic site at the centre of the plan, then the whole plan would be unsound.
48. It is not for me to take a view as to whether the masterplan should form the basis of an Area Action Plan. Interpretation of the Regulations is a legal matter. Moreover, it is not appropriate to specify in a plan policy that the masterplan should be an Area Action Plan. That is a matter for the Local Development Scheme. However, although the statements in suggested paragraphs 1.11 (PC18), 2.10 (PC22) and 4.17 (PC39) would be factually correct, bearing in mind the debate about the issue, it would be better to use the statutory generic term 'Local Development Document' to cover all eventualities. That applies to all references to the status of the masterplan.
49. Should there be unresolved disagreement on the exact scale and location of uses within the strategic location such as local centres, schools and open space there is a risk of delay in the development process. An SPD cannot resolve such issues. Nevertheless, there is clearly a need for a more detailed document to be read alongside an over-arching policy in this DPD which provides sufficient detail to enable decisions on planning applications to be taken. Such a 'twin-track' approach is sound but there has to be flexibility to facilitate early development and over-prescription within the policy should be avoided. For that reason, whether there should be a central 'boulevard' is a matter of detail which should not be prescribed by policy. Also, existing adjacent residential areas may not be an appropriate model should 'garden city' principles be adopted.
50. Having considered the written representations made after the relevant hearing on this matter and the Council's responses to them I conclude that SM39 together with SM40 do not go far enough to form the basis of a sound policy. On the other hand, the list of community land uses and infrastructural requirements, suggested by the Council (SM40) to be within the supporting text, warrants inclusion in the policy itself to strengthen it. There are also merits in certain parts of the alternative policies suggested by the participating representors. I recommend a main modification to make the plan sound which

⁵ Within the Delivery and Implementation Plan, Doc. PCCED042

⁶ Docs. PCCED038-042 inc.

would replace policy MD2 by a composite of these positive suggestions avoiding overlap and cross-references to other policies (**MM8**). As part of this a modification to the introductory text to the policy is needed, based on PC39, to clarify the status of the masterplan and without which the plan would not be sound. Suggested paragraph 4.19 is omitted because it adds little to the plan and would be covered in part by PC38. The Council may wish to consider integrating the first sentence with PC37 at the end of paragraph 4.13 as an additional modification.

51. Some of the text in SM39 is in the nature of a statement of operational intent by the Council, for example with regard to the 'equalisation' issue, which would be more appropriately placed in the supporting text than in the policy itself. That applies to most of the suggested part 8 of the policy. Delivery is central to the soundness of the plan and it is clear to me that a satisfactory resolution to the equalisation issue is fundamental to this. An expansion of part 8 based upon suggestions put forward by representors would provide the necessary support to the policy and is incorporated within MM8 for that reason.
52. As the new policy recommended in MM8 relates to the masterplan area without subdivision the Policies Map will need to show the amended area, as in PC02 (PM3). There is an area of land in the eastern part of the MD2 allocation, part of area MD2(A) in the submission plan and described in paragraph 6.23 as 'land north of Eastway' and listed under policy EP1 as site EP1.7. A cross-reference within policy MD2 itself is not necessary for the plan as a whole to be sound but, for clarification, it will need to be shown separately on the adopted Policies Map (PM4).
53. The submission plan policy makes no reference to retail uses but the masterplan suggests that there should be a 'main' local centre supplemented by smaller neighbourhood centres which should be accessible by walking and cycling. Policy 11 in the adopted Core Strategy specifies a District Centre at Cottam and that is followed through by policy EP3 in this plan. The location of the District Centre is shown on the submission Policies Map but, for consistency, a larger scale plan might be included in Appendix C (SM18). The proposed centres at Strategic Locations are stated in part e) of CS Policy 11 to 'appropriately serve local needs'. This appropriately includes community uses, including nurseries.
54. It is stated in paragraph 5.4 of the masterplan that an alternative to provide an 'all-encompassing larger centre' was not chosen as the preferred option. As the Council have clarified, it is Cottam which will provide the higher order retail services; the 'main' local centre will remain a 'local centre' as defined in the plan glossary which provides some flexibility with no specific floor space limitations. This approach is consistent with the Core Strategy and I find it to be sound. However, there does need to be a reference to the local centres within policy MD2 as recommended to be modified.
55. With such an addition to the policy it is logical that the additional explanatory text (paragraph 6.48) suggested by the Council as PC65a, amended by SM29, should be inserted within the introductory section to policy MD2. It is new paragraph 4.18 as incorporated within MM8.

56. MM8 would be a significant amendment to policy MD2 as included in the submitted plan. The substantive nature of the representations on it reflect the central role the policy plays in securing the delivery of the majority of the housing development in Preston over the next 10+ years. My attention is drawn to guidance in the PPG⁷ which states that the Local Plan should make clear, at least for the first five years, what infrastructure is required, and how it relates to the anticipated rate and phasing of development. That level of detail would not be included in policy MD2 as subject to MM8 and in response to my supplementary question on the issue the Council draw attention to the detail contained in the masterplan and City Deal Infrastructure Delivery Plans, which form part of the evidence base for the Local Plan. The Council have also confirmed that they are progressing the masterplan as an SPD, not as an Area Action Plan. It will not, therefore, be part of the statutory development plan.
57. As the Council have also pointed out the PPG is guidance, not policy. I take the view that MM8 will significantly strengthen the policy context for decisions governing development in N W Preston. It sets out the principles drawn from the masterplan. A balance needs to be struck between the need for clarity in policy to aid delivery and the inclusion of overly detailed and unduly prescriptive policies. I consider that MM8 represents the correct balance. This is especially the case when it is considered that the planning permissions needed to deliver the required housing for the first five years of the plan period have already been granted subject to a package of s106 agreements. It is therefore not essential that the policy should include triggers for major infrastructure provision which might signal the holding back development pending that provision.
58. Furthermore, from the additional information supplied by the Council on the background to the decision to refuse permission for the Hoyles Lane site, I am satisfied that there were particular circumstances on that site such that it does signal an across-the-board intention by the Council not to grant further permissions until completion of the EWLR in 2019 or thereabouts. In any event, there is a variety of mechanisms in place to fund construction of the EWLR. I accept that a ransom situation would be unlikely to arise given the application of the 'Pointe Gourde' principle, as explained in the Council's written response. Overall, I am satisfied that the Council's (October 2014) housing trajectory remains reasonably robust, including assumptions as to delivery rates in N W Preston.
59. An issue is also raised in the representations on the inclusion of a requirement for a secondary school within the package of community infrastructure provision in MM8. This is on the basis that it is a rather late addition and that there is uncertainty as to how it is to be funded because it is not included in the Council's CIL Regulation 123 list⁸. However, it is recognized in the N W Preston Delivery and Implementation Plan⁹ that there will be a funding gap which will need to be discussed with the Department for Education. The scale of development proposed in N W Preston in addition to demographic forecasts indicates that an additional secondary school will be required after 2019. It is an important element of infrastructure and the inclusion within an amended policy MD2 has been adequately justified.

⁷ Reference ID: 12-018-20140306

⁸ Document PCCED058

⁹ Document PCCED042, paragraph 2.1.4

Chapter 5 – Homes for All

Issue 5: Whether the plan should meet objectively assessed housing needs

60. It is stated under the first bullet point in paragraph 47 of the NPPF that, in preparing local plans, councils should use their evidence base to ensure that the plan, through the identification of key sites, meets the full objectively assessed needs for housing in the housing market area, as far as that is consistent with the policies in the Framework. Other bullet points in the same paragraph set out the expected approach to the delivery of housing over the plan period, including during the first five years of the plan period. Those sub-paragraphs are not specific to the plan-making process but for a plan to be positively prepared and fully consistent with national policy in accordance with paragraph 182 of the Framework it needs to be clearly demonstrated that the allocations in the plan for housing will meet the required housing requirement. That includes making up for any shortfall at the plan base date through under-supply against earlier targets and allowing for a 'buffer' to ensure choice and competition in the market for land.
61. Representations were made to the publication plan on the basis that the objectively assessed housing need in the Borough, based upon recent ONS population and household projections, is higher than the requirement for Preston set by policy 4 of the (2012) adopted Central Lancashire Core Strategy (CLCS). The CLCS requirement is for a minimum of 507 dwellings¹⁰ a year to be delivered over the 16 year period 2010-2026 and is the same annual requirement as that of the now revoked Regional Spatial Strategy, 2003-2026. A Council commissioned 'SHMA type' study in 2013¹¹ suggested a requirement of 615 dwellings a year to meet affordable housing needs.
62. Nevertheless, the Preston Local Plan, as a site allocations DPD, does not purport to re-assess the need for housing in the city as against the Core Strategy. One of the purposes of the plan is to identify and allocate sites for housing specifically to meet the housing requirements of the Core Strategy. As such the circumstances of this plan very closely mirror those considered by the High Court in a judgment dated 11 July 2014¹² in which it was ruled that there is no requirement for an Inspector, when examining a site allocations document, to consider whether an objective assessment of housing need would disclose a need for additional housing.
63. Not only is there a statutory requirement for the plan-making body to 'have regard' to any other local development document for the same area but also the proper medium for any re-assessment of overall housing need would be through a review of the Core Strategy either jointly for the three Central Lancashire authorities or individually through the preparation of a fully comprehensive local plan for Preston. This DPD is not such a document. The Core Strategy was approved a little under 3 years ago and was examined after the issue of the NPPF. The housing requirements derived from it may or may not represent the current objectively assessed need but it is necessary to move forward to secure implementation of the strategy. In this regard, the Council may wish to re-consider their suggested revised wording of paragraph 5.6 in the plan text

¹⁰ Net of demolitions

¹¹ Housing Needs and Demands Assessment (Doc. EL1.011)

¹² Gladman Developments Ltd. and Wokingham Council (CO/1455/2014)

(PC42, last part). The minimum requirement is for land to be identified in this plan to ensure the delivery of 7605 dwellings over the 15 year plan period from April 2011 until the end of March 2026 (6084 from April 2014) plus a figure for making good past under-supply.

64. Somewhat late in the examination the Council suggested that a 'stepped approach' might be taken to housing delivery in the early part of the plan period taking account of the poor local market in recent years, reducing the annual requirement accordingly. They cite the situation in West Lancashire. I find no sound basis for applying such an approach in Preston. There is no evidence that the housing need has been reduced through demographic factors nor that there are major policy constraints, such as green belt, which would warrant such an approach.

Issue 6: What allowance, if any, might be made for bringing long-term empty homes back into use.

65. The Council have identified the extent of under-supply since the RSS base date of 2003. This equates to 547 dwellings at the 2011 plan base date but it had increased to 1217 dwellings by 1 April 2014¹³ which is the latest comprehensive monitoring data available. However, in the Council's calculation the under-supply figure has been reduced by making an allowance for bringing long-term empty homes back in to use. Between April 2006 and March 2014 498 homes had been created in that way. If no such reduction was made the under-supply figure would be 1715 at the same date.
66. Clearly the Council's empty homes strategy¹⁴ has brought positive results with a steady decline in the number of long-term empty homes since 2009 matched by a noticeable increase in the numbers of homes brought back in to use. The strategy fully accords with paragraph 51 of the NPPF although specific guidance on the treatment of empty housing in relation to calculations of five-year housing supply is given in the PPG¹⁵. For empty homes brought back into use to be counted against housing need, as if they were new dwellings, there should be robust evidence that such dwellings were not counted as part of the existing stock when the overall need for dwellings was calculated.
67. There is some difficulty in this regard because the housing target derives from the RSS. There is justifiable criticism of the approach the Council have taken in simply adding the number of long-term empty homes¹⁶ brought back into use annually since 2006 to the completions of new homes in each year. However, the Council have drawn attention to a report by NLP for the then NW Regional Assembly which clarifies that household projections took no account of supply-side factors¹⁷. Also policy L3 in the former RSS set an objective to reduce the vacancy rate in the existing stock to 3% across the region. That allows for the normal 'churn' in the stock and will have been taken into account in the overall housing requirement figures.

¹³ Council's statement for Matter 1, table on page 8

¹⁴ Document EL1.012

¹⁵ PPG reference ID: 3-039-20140306

¹⁶ Defined as empty for 6 months or longer for Housing Strategy statistical returns

¹⁷ Document EL1.017, appendix 2

68. In their final written response on examination matter 1¹⁸ the Council have supplied a table putting together DCLG tables 615 (empty stock) and 125 (total stock) which shows the position in Preston since 2004. This shows that the proportion of the total stock which had been vacant each year had been consistently above 4% between 2004 and 2009 since when it has declined (with something of a 'blip' in 2012), falling to 3.62% in the last year 2013/14 when the number of long-term vacant properties brought back into use was a record 112. Even so, there remained 766 long-term vacancies out of a total of 2193.
69. Preston has a legacy of terrace housing dating from the late 19th and early 20th centuries. There has been a clearance programme but without public intervention it is likely that more of the stock would become vacant and, eventually lost to the stock. On that basis I consider it reasonable to set an overall 3% vacancy rate as a target. The Council have suggested a monitoring criterion related to that with long-term empty stock brought back into use counted only as long as the total proportion of empty stock remains above the 3% level. As at March 2014 that remained the position, if only by 375 units. In all of the circumstances, I conclude that the Council's evidence on the subject is as robust as might reasonably be expected and that the 498 dwellings brought back into use since 2006 may be counted as additions to the stock reducing the under-supply factor to 1217 dwellings as at March 2014.

Issue 7: Whether past under-supply should be 'made good' in the first five years or over the remaining plan period (2014-26).

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 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.
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

¹⁸ Document ref, EL7.015

¹⁹ Reference ID: 3-035-21040306

²⁰ Prior under-provision is dealt with in paragraph 48 of the report (Doc. EL1.010a)

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.

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 figures²¹ 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.
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 dwellings²² 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 out-of-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)**.

Issue 8: Whether an adequate supply of land for housing has been identified in the plan and will be maintained over the plan period taking account of the requirement for a 'buffer'

74. It is stated under the second bullet point in paragraph 47 of the NPPF that local planning authorities should identify a supply of 'specific deliverable' sites for housing sufficient to provide five years' worth of housing against their housing requirements plus a 'buffer' of 5% (moved forward from later in the plan period) to ensure choice and competition in market for land. Furthermore, where there has been a record of 'persistent under delivery of housing, the buffer should be increased to 20%. The third bullet point in the same paragraph indicates that 'specific, developable' sites or broad locations should be identified for years 6-10 and, where possible, for years 11-15.
75. The question as to whether it would be appropriate to apply a 5% or 20% buffer to the housing supply during the first five-years period (2014-19) was the subject of considerable debate during this examination. The issue had been considered during the examination of the Core Strategy when the Inspector concluded that the annual under-provision between 2003 and 2010 had been

²¹ Doc. EL6.002a

²² $507 \times 12 = 6084 + 1217 = 7301$

'varied' rather than 'persistent'²³. The under-supply has been cumulative since April 2008 and is almost certainly a reflection of the depressed state of the housing market in the recession, albeit that the statistics show no sign of any upturn in completions even latterly to March 2014. It may reflect initial slow progress on the release of sites in N W Preston but there has been a significant increase in the rate at which planning permissions for housing development have been granted in the last year with over 2000 dwellings permitted in the period.

76. The Council conceded at several planning appeal inquiries during 2013 and 2014 that there had been a 'persistent' under-supply and that a 20% buffer should be applied. However, the appeal decisions and some taken by the Council themselves, pre-dated advice in the PPG which is to take a longer-term view to allow for peaks and troughs in the housing market cycle²⁴. When that is done, even though there have been only 4 years since 2003 (2004-2008) in which the completion rate has been above the RSS requirement, the annual under-supply has not been 'persistent' by the strict (dictionary) definition of the term. That points towards a 5% buffer being sufficient to meet Government policy objectives on land supply. Furthermore, as discussed below, there are a number of special factors to be taken into account.

The overall housing land supply position

77. The Council's Housing Position Paper²⁵ lists sites with planning permission as at 1st April 2014 together with sites allocated in the plan with estimates of delivery dates by five year bands extending beyond the end of the plan period in 2026. After discussion at an examination hearing about individual sites the Council agreed to amend their assumptions for delivery in the first five years and produced a trajectory²⁶ showing a total supply of 3234 dwellings 2014-19 and 7437 dwellings overall 2014-2026 with a further 2837 dwellings after 2026 on sites within the NW Preston strategic allocation (policy MD2). However, there remains disagreement over a site at Cottam Brickworks for which the Council had assumed 90 completions by 2019 with the developers indicating 30-45 at most. On the other hand, although the Council have included supply from sites with planning permission and prior notification office conversion approvals in the City Centre this Local Plan excludes that area. The City Centre Local Plan was published for consultation in late October 2014 and submitted to the Secretary of State in February 2015. Although subject to examination, it is indicated in the plan that there is potential for some 600 dwellings in the City Centre, with allocations for some 400 dwellings²⁷.
78. The figure for housing supply also includes student accommodation. Advice is given in paragraph 038 of the PPG²⁸ that this may be counted but only in so far as there is a release of housing stock back into the general market. The Council have provided statistics to show that, since the start of the plan period, the release of stock back into the general market has exceeded the new build. On that basis it seems reasonable to assume that proposed new build student

²³ Inspector's report, Doc. EL.1.010a., para. 53.

²⁴ Reference ID: 3-035-20140306

²⁵ Doc. PCCED034

²⁶ Doc. EL7.006

²⁷ Doc. EL1.015, policy SP4

²⁸ Full reference ID: 3-038-20140306

accommodation should release the equivalent back into the general housing stock.

79. The Council also assume a net gain of 75 dwellings a year throughout from empty homes brought back into use. As stated in paragraph 65 above the DCLG returns show that as at March 2014 a further 375 vacant dwellings needed to be brought back into use to reduce the vacancy rate in the stock to the 3% level and that there were 766 long-term empty dwellings at that time. It is reasonable to make an allowance for the 375 to be brought back into use in the first five years but not beyond that because the expectation should be that the vacancy rate will have fallen below 3% by that time. That reduces the overall provision by 525 dwellings. As that aspect has not been adequately justified paragraph 5.16 in the plan text requires amendment. It is part of **MM9**. I do not consider it requires further qualification as a monitoring indicator.

The five-year supply

80. From the above analysis, based on the adjusted March 2014 supply position, the five year housing supply would be around 3180²⁹ dwellings. That is just 12 dwellings short of the requirement (608 a year) plus 5%. Furthermore, since March 2014 significant additions have been made to the portfolio of immediately deliverable sites through the grant of planning permissions, some on appeal, for sites not allocated in the published plan³⁰.
81. The Council have provided an update of the Housing Position Paper which includes all additional permissions to the end of September 2014³¹. This is a somewhat unconventional approach in that it makes no allowance for completions in the intervening 6 month period so is not a true picture of actual availability but a retrospective addition to supply as at April 2014. It is, however, a factual recognition that the supply of sites has increased to provide more choice and flexibility in the market. Furthermore, as the general approach taken by the Council is to identify all sites for 5 dwellings or more as allocations in the plan, for overall consistency and soundness the additional sites should be shown in a revised and updated (to April 2014) policy HS1 and also included on the policies map (PMs 5-8 inc.). For consistency, updated information on the additional sites needs to be included in the following 'site description' section (**MM10**).
82. The figure given for five-year availability in the September position paper is 4733 dwellings, but the Council conceded at the hearing of matter 1 that it should be reduced by 678 to 4055. With a further reduction of 55 for Cottam Brickworks (paragraph 77 above) the 4000 dwelling figure includes a possible 316 dwellings on unconfirmed allocations within the draft City Centre Plan area. If those are also excluded the resultant figure is 3684 dwellings, thus providing a comfortable margin to ensure the delivery of at least 608 dwellings a year 2014-19, also providing potential to make up the prior under-supply in the first five year period should market conditions allow.

²⁹ If 34 completed at Cottam Brickworks

³⁰ In recognition of permissions granted, the Council suggest that an allocation at Longridge (HS1.14) be increased in area to accommodate an additional 208 dwellings

³¹ Doc. EL1.018c

83. From this it is concluded that, taking the recent permissions into account, there would be nothing to gain by delaying the adoption of the plan for further sites to be identified. The new (additional) sites have been subject to sustainability analysis and consultation in a draft modification to policy HS1.
84. My conclusion on this is not altered by the submissions made as the result of the consultation on the draft Main Modifications. The officer comment in a committee report that the five-year supply is 'fragile' relates to the nature of the housing market in Preston. It does not warrant re-evaluation of the position as explained above.

Housing land supply over the total plan period, 2014-2026, and beyond

85. The final version of the housing trajectory produced by the Council indicates that the total supply taking account of planning permissions and all plan allocations would be around 11,200 dwellings. However, 525 of that is an assumption relating to empty homes brought back into use after 2019 which needs to be deducted. Also, it is not unreasonable to assume 600 completions in the city centre (a reduction of 15), leaving 10,660 dwellings of which the Council now expect 2837 to be delivered after 2026. The resulting balance to 2026 is 7823 compared to a requirement of 7300 dwellings from 2014.
86. Thus the overall provision of housing land in the plan, taking account of all extant planning permissions is more than sufficient to meet Core Strategy requirements to 2026 with a sizeable contingency beyond that date. The additional land identified as part of the NW Preston strategic location is given in policy HS1 as those 'expected to be delivered' after 2026. It is clear that this is no more than an estimate which has increased considerably since submission. The land is shown as allocated on the Policies Map as subject to policy MD2. The timing of its delivery is linked in earlier years to the provision of major transport infrastructure, including the Western Distributor Road funded through the City Deal. In part, the east-west distributor road is also so funded. Otherwise, the delivery rate is largely based on a marketing assumption of 225 completions a year from 7 outlets.
87. As the Council have agreed that there is no policy intention to limit the number of houses completed in N W Preston to the number given in policy HS1 there is no reason to include a statement in the policy of the kind included in the second paragraph, even in the form promulgated by SM21. The reference, by way of explanation, in paragraph 5.12 as subject to SM22 is sufficient (**MM9, part**). However, for the plan to be sound in the sense of giving a positive indication of the approach to housing delivery the wording of the paragraph needs to be revised to give emphasis to the total plan allocation with the 'expectation' for 2026 a secondary consideration (**MM10, part**).
88. The Council's housing trajectory suggests that delivery towards the end of the plan period, 2024-26, might be somewhat below the annual requirement derived from the current Core Strategy. That is not a matter of great concern in that should the numbers in the trajectory actually be achieved there would be a slight over-supply by 2024 even allowing for the current under-supply situation. Subject to MM9, there would be no policy barrier to the contingency land being developed earlier if required to maintain a five-year supply. It also seems highly

likely that there would have been a plan review well before 2024 including an evaluation of objectively-assessed housing needs. Options available for other land in NW Preston between the Western Distributor and the M55 to be brought forward might be evaluated in such a review. The land is not required now.

Issue 9: Whether additional site allocations should be made for housing

89. Representations have been made seeking the allocation of additional sites in the plan, largely on the basis that insufficient land had been identified in the plan to meet the requirements of Government policy, especially in terms of the five-year supply. However, as indicated above, should new sites which have been given planning permission since plan publication be included, as allocations in accordance with the Council's standard practice, the modified plan would meet NPPF requirements and be sound in that regard. Consequently, I will deal briefly with the additional sites put forward.

Dodney Drive, Ingol

90. This site is well located on the urban fringe with good access to the city centre, within easy walking distance of bus routes. Although the traffic generated from the site could be accommodated on the local network there remains an environmental concern, in terms of noise and disturbance for residents on North Syke Avenue and Dodney Drive as the result of additional traffic flows. Alternative means of access remain to be fully investigated and may not be resolved until completion of the Western Distributor Road. In the circumstances it would be premature for the site to be allocated in this plan.

Ingol Golf Course

91. This site is within an AoMOS, subject to policy EN5, as discussed in paragraphs 142 - 147 of this report. In view of my conclusion on housing land supply there is no pressing requirement for the land to be developed for housing and, in view of the status of the AoMOS, the plan would not be sound were the site to be allocated for housing. Any proposals remain to be considered on individual merit under the provisions of policy EN5.

Additional sites at Grimsargh

92. In view of the overall conclusion on housing land supply there is no justification for a further 'rolling back' of the settlement boundary of the village of Grimsargh or for incursions into the Area of Separation around it. The sites suggested do not represent appropriate infilling in accordance with Core Strategy policy 1(f). The plan is sound as submitted in this regard. My conclusion on this is not altered in any way by the recent determination of a planning application for development of a site off Preston Road in Grimsargh.

Issue 10: Whether the plan should include a phasing policy

93. Policy HS2 in the published plan is a phasing policy. Representations have been made that the policy is too much of a reflection of the 'Plan, Monitor and Manage' approach of PPS3 and is not compliant with the positive approach of the NPPF. In response, the Council have, in effect, accepted that the submitted plan was not sound by proposing that the policy be deleted in its entirety (PC53) along with much of the associated text (PCs 42 and 52) and with Appendix A to be replaced by a list of sites with permission (PC60).
94. I agree that policy HS2 is not consistent with current Government policy and should be deleted for that reason along with all of the text which supported the approach taken in the policy (**MM11**). However, the Council's proposed change, PC52, would leave paragraphs 5.40, 5.42 and 5.44 in place with a continued reference to phasing. There appears to be scope for bringing those paragraphs together to clarify the scope of the Annual Housing Position Paper, as background information. I have considered the representations on draft MM11 which seek the retention of the policy in some form linked to the timing of infrastructure delivery such as that of the EWLR. However, at best, such timing would be no more than an estimate and, as the Council do not seek to constrain development pending such delivery, a policy to that effect would have little practical value.
95. At the end of this report I deal generally with the status of the appendices. Appendix A, in its revised form as in PC60, would have some value in providing information on the scale of existing commitments for housing in terms of planning permissions granted. However, its usefulness is primarily as part of the evidence base in support of the allocations made in the plan; to demonstrate that the Core Strategy requirement is met. It relates to the April 2014 situation and will be out-of-date once information for April 2015 becomes available. The appendices are part of the plan and to be effective the whole plan should be as up-to-date as possible for it to be sound. Therefore, the deletion of Appendix A is recommended, as is the deletion of Appendix B which is historic information relating to sites considered at an earlier stage in the plan-making process of no relevance in an adopted plan (**MM12**).

Issue 11: Whether policy HS5 on agricultural dwellings is consistent with Government policy guidance and is likely to be effective in terms of its requirements

96. National policy, as stated in paragraph 55 of the NPPF, is that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances. The first of these is when there is an essential need for a rural worker to live permanently at or near their place of work in the countryside. However, the third such circumstance is 'where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting'. It also has to be borne in mind that the conversion of agricultural buildings to residential use, subject to a prior notification procedure and provided certain conditions are met, is permitted development under class MB of the General Permitted Development Order 1995 ('the GPDO') as amended in March 2014³².

³² SI 2014 No. 564

97. Policy HS5 has been brought forward from the adopted Local Plan and its provisions largely reflect the approach which has been taken by the Council in determining planning applications for rural dwellings in recent years. However, it pre-dates the shift in policy on conversions represented by the NPPF and the recent changes to the GPDO³³ which permit the conversion of agricultural buildings of under 450 m² to residential use subject to certain restrictions. The policy applies to the conversion of existing buildings as well as new buildings and states that conversions will only be permitted where it is to meet the essential need for a worker to live in the vicinity. The third bullet point in paragraph 55 of the NPPF is not linked in any way to the first bullet point; they are separate and distinct 'special circumstances'. The only caveat applied by the NPPF is that the proposal should enhance the immediate setting. The Council's response, that the conversion of an agricultural building would be preferred over a new building in the countryside, is not a justification to take a more restrictive policy stance than advocated in national policy and, in view of the new permitted development rights is likely to be largely ineffective. The policy is not, therefore, sound in that regard but can be made so by the deletion of the reference to conversions. The representations on the draft Main Modification do not alter this conclusion.
98. The first part of the policy is not restricted to agricultural workers' dwellings but applies also to 'other rural employment'. In line with the NPPF the last part of the policy on the removal of conditions should also do so and the heading requires amendment.
99. The Council were not able to justify the five year requirement in criterion b) of the last part of the policy. However, the addition of an 'exceptional circumstances' clause (PC55) would make the policy more flexible, and hence sound in that regard. A representation suggests that the requirement under criterion (c) that a property should be offered for sale on the open market for at least 12 months before an occupancy condition might be removed might be illegal should the occupant wish to retain the property for their own use but no longer comply with the original condition. There may also be Human Rights implications. Accordingly, criterion c) requires re-wording to make the plan sound in terms of its effectiveness, i.e. the Council's ability to apply the policy without challenge. A wording based on SM43, but somewhat re-structured, is recommended. Any application for the 'removal' of an occupancy condition in these circumstances would be under s73(1) of the 1990 Act. The reference has to be to 'development' in general, not to a change of use which may, or may not, have been involved **(MM13)**.

Issue 12: Whether the wording of policy HS6 – University of Central Lancashire – provides sufficiently clear guidance to the decision maker

100. This policy is only of relevance to the University. Nevertheless, it needs to be clear, in accordance with paragraph 154 of the NPPF, how a decision maker would react to a development proposal. The Council's proposed changes (PCs 58 and 59) have been arrived at after discussion with university representatives and would assist in clarifying the intentions of the policy. The final sentence referring to seeking the views of the University on student accommodation proposals is no more than a statement of intent, not policy. The changes are recommended **(MM14)**.

³³ Class Q in Schedule 2 to the Town and Country Planning (General Permitted Development)(England) Order 2015

Chapter 6 – Delivering Economic Prosperity

Issue 13: Whether the plan provides sufficient deliverable sites for employment development

101. Paragraph 14 in the NPPF applies equally to the identification and bringing forward of land for employment as it does for housing. There is a requirement to meet objectively assessed needs as far as is consistent with the policies in the Framework. The third bullet point in paragraph 17 of the NPPF sets a core planning principle to 'proactively drive and support sustainable economic development' given further emphasis in paragraph 20.
102. As with housing provision, the Site Allocations plan looks to identify sites to ensure that land is brought forward for development for employment purposes to meet the adopted Core Strategy requirement for Preston of 118.5 hectares of land 2010-2026. That figure is derived from the Central Lancashire Employment Land Review of 2009³⁴. Although somewhat dated, the review has clearly taken account of likely losses of poorer industrial sites to other uses and takes a realistic view on the opportunities for maximising the use of existing sites as a priority to the use of greenfield sites. CS policy 10 provides a criteria for the retention of the better sites. As explained in the plan text at a paragraph 6.35 further guidance on controlling the re-use of employment premises is given in an SPD³⁵. Despite the lapse of time the overall approach is consistent with NPPF advice and a sound basis for plan making.

Issue 14: Whether the sites allocated for employment are the most appropriate in all the circumstances

103. In line with positive approach required by the NPPF the Council sought to identify a wide variety of sites which must include green field sites suitable for modern employment premises. They have evaluated alternatives put forward in a 'search for sites' exercise, although those were somewhat limited. That was done before the proposal for a Western Distributor Road came forward as a result of the 'City Deal' agreement (see paragraph 7) and in the context of a Core Strategy which also does not take account of the PWDR. The construction of the road might well open up additional opportunities for employment related development in the western part of the city, not necessarily restricted to the southern end of the road. However, that is a matter which would properly be the subject of a review of the Core Strategy or in a new full Local Plan, although I note that no such review is currently proposed in the Local Development Scheme.
104. Core Strategy policy 9 identifies, in part (d)(ii), Preston East/Millennium City Park as one of two 'sub-regionally significant developments for employment' in Preston, the other being Riversway. Allocations EP1.10 and 11 have been made in accordance with this policy and are 'new' in the sense that they are not in the existing local plan or otherwise committed. They total just over 50 hectares and are needed to satisfy the 118.5 hectare land requirement. Site EP1.10, close to Cow Hill is the subject of a number of representations against the proposal. An alternative site is suggested at Three Mile Cross Farm off the Longridge Road,

³⁴ Document PCCED025

³⁵ Document PCCED027

immediately to the north-west and contiguous with the EP1.11 allocation, both sites lying to the north-east of the Roman Way Industrial Estate. The alternative site has been considered by the Council at the options stage, under the reference NP099.

105. The Council are concerned that, because NP099 is smaller than EP1.10, taken together with EP1.11 it would result in a shortfall against the CS requirement. However, any such statistical shortfall is likely to be of only marginal significance in real terms. It is well within the margin of error in the calculation of employment yield using job density assumptions and applied to the gross site area rather than the net developable area.
106. Allocated site EP1.10 (Preston East) lies to the north of areas allocated for employment use in the adopted Local Plan (EP1.3) and would have access off the eastern loop to the M6 motorway at junction 31A. Allocation EP1.3 is in part occupied by a very large recently constructed distribution warehouse which is located in a prominent position and about which many adverse comments have been made in representations, especially about noise and light pollution at night. That is not a matter for this examination but for the Council to investigate compliance with conditions on the permission.
107. The allocated site is an undulating area of farmland with a group of farm buildings, or former farm buildings, at Little Rough Hey Farm in the south-western part of the area. The farm, which on a secure tenancy, provides a form of community facility with a horse livery and a small garden centre with five people employed on the site including a farrier and gamekeeper. Many representations support the retention of these facilities. There are also concerns about the environmental impact of the development of what is currently open countryside. Indeed, the site presents a very rural aspect from within the adjacent hamlet of Cow Hill and there are justifiable concerns about the compatibility of the proposal with residential uses.
108. Although the site is farmland it has a history as part of the former Central Lancashire New Town and is now vested in the Homes and Communities Agency (HCA). They have prepared a development statement³⁶ in support of their proposals for the site which show possible access and layout arrangements and, significantly, the creation of landscape buffer zones to protect adjoining residential uses which could also provide additional screening of the distribution warehouse to the south. A strengthening of the supporting text is required to ensure compliance with these requirements (see below).
109. I am assured by the HCA that the nature of the tenancy of Rough Hey Farm does not present an undue encumbrance to the delivery of the site as a whole. Indeed, it is a relevant consideration that the HCA is a public body and would actively provide a financial return to assist in regeneration within the city. The involvement of such an agency also increases the confidence that delivery may be achieved within the timescale envisaged to meet local employment needs. The loss of the existing small business on the site would be more than counter-balanced by the potential for significant employment provision on the site as a whole. Although currently pleasant open farmland it is not of any particular

³⁶ Document PCCED043

landscape value, certainly not such as to suggest that the proposed allocation would be unsound on such grounds.

110. Those representations in favour of the allocation of the Three Mile Cross site state that the site is equally deliverable, being in the hands of a single owner. It is also claimed that the site would be less environmentally intrusive than EP1.10 because it would be seen as a natural extension to allocation EP1.11. I agree that the site is hidden to a degree behind the ribbon of development along the Longridge/Preston Road but it is visible from the public footpath skirting the eastern side of the Roman Way Industrial site. It is, in essence, part of the same landscape tract as EP1.11.
111. If site NP099 were to be developed as proposed the effect would be to consolidate the built form on the northern fringe of Preston, in depth as opposed to the single ribbon of housing currently along the eastern side of Preston Road. There are occasional glimpses of open countryside through the gaps between houses. There is a similar ribbon of housing on the southern edge of Grimsargh with only a short gap, intersected by the drive to Grimsargh Hall Farm, before the Preston Road ribbon begins. Policy EN4 on the Area of Separation is discussed in paragraphs 127-134 below and the comments made on the issue in the decision on the Wainhomes appeal are noted but although the frontage gap would be as described therein the effect of developing NP099 as well as the Wainhomes site would be to consolidate both built-up areas thus reducing the effectiveness of the Area of Separation. The urban edge of Preston would be perceived as encroaching that much closer to Grimsargh thus reducing the individual identity of the latter settlement.
112. Gaining access to NP099 directly from the B6243 is not an acceptable option in highway safety terms although it transpires it may be possible to link through allocation EP1.11 and the Roman Way estate with some junction improvements. But that is not the main issue in highways terms. The Three Mile Cross site is further from the M6 at junction 31A than EP1.10 and heavy goods vehicles would be added to the already congested Longridge Road, which is also a bus route. The spur to junction 31A has been improved and is suitable for use by commercial traffic. It may be that the Highway Authority has concerns about the capacity of the junction (which provides access for the M6 to and from the south only) but any constraints of that nature would apply equally to NP099 as to EP1.10.
113. In terms of the approach to soundness outlined in paragraph 182 of the NPPF, for the plan to be unsound it would need to be demonstrated that the choice of sites for employment listed under policy EP1 in the plan did not represent the most appropriate strategy and, hence, that the submitted plan had not been adequately justified. In other words, for an alternative site to be substituted for the one allocated in the plan it would have to be shown firstly that the submitted plan was unsound and secondly that it would be made sound if the alternative site were to be substituted for it.
114. That is not the case here. NP099 does not have any significant advantages over EP1.10. Both sites have an overall 'D' ranking in the Sustainability Appraisal of the plan (as does EP1.11). Indeed, the reduction in the effectiveness of the Area of Separation militates against the Three Mile Cross site. I conclude, therefore, that the sites allocated under policy EP1 are not only consistent with the adopted

Core Strategy but they are justified in the sense of representing the most appropriate strategy. The plan is, therefore, sound in this regard.

115. There are, however, certain details in the application of policy EP1 which require amendment for there not to be any uncertainty for the decision-taker in seeking to implement the plan, in accordance with paragraph 154 of the NPPF. Unless the policy itself or supporting text which qualifies the application of the policy is clear and unambiguous the plan is unsound and main modifications are required to rectify the deficiency. The Policies Map is also required to correctly depict the area to which the policy applies otherwise the plan would be unsound. Other suggested textual amendments and corrections of a factual nature are additional.
116. The first of these amendments is in respect of allocation EP1.5. The Council accepted (PC08) in response to a representation that additional land should be included and shown on the Policies Map (PM9). To be sound, consequential amendments are needed to the site area given in the policy table and to Table 2 of the plan. For consistency within the plan the figures should be based on the most up-to-date information available in 2014 (**MM15**). Furthermore, the Council have accepted that B1(b) uses might be permitted and this needs to be stated in the policy (PC61). The correction to state that the allocation is made up of two sites (SM05) is of a factual nature only.
117. Although policy EP1 as a whole applies to employment, or Class B uses, the table shows that site EP1.6 includes a proposal for a hotel (C1) use. There is no explicit reference to this in the plan text, paragraphs 6.21 and 22. Nevertheless, the site has good access to the M6 and the location is one identified in the Hotel Needs Assessment³⁷. For consistency, and to be sound, the area of roughly 1 ha. estimated as required for the hotel should be deducted from Table 2 and the area column in policy EP1 and the C1 reference removed but the full allocation of 3.37 ha. should be shown on the Policies Map as mixed use (PM10). All updates and corrections to policy EP1 mentioned above and required for the plan to be sound are recommended as a main modification (**MM16**). Paragraph 6.22 of the plan text needs to be amended to clarify that 2.37 ha. of the total area is for employment use but that a hotel and other ancillary uses would also be permitted on the site (**MM17**).
118. Allocation EP1.7 is shown on the submission policies map as within a mixed use site and subject to policy MD2(A). However, PC39 and the consequent amendment to the Policies Map (PC02) do not refer to any employment use within this area, which is incorrect. As I indicate in paragraph 53, a cross-reference within a revised policy MD2 is not necessary as policy EP1 applies to it but the area of land needs to be clearly identifiable from the Policies Map (SM08)(PM4) and the correct area (2.1 ha.) given in policy EP1 (and Table 2) to reflect the permission granted, as in SM09.
119. As indicated in paragraph 103 above the plan text in support of policy EP1.10 (paragraph 6.31) requires strengthening to clarify the policy constraints which will apply derived from the HCA Development Statement. PC64 and SM10 are incorporated within SM42 which makes clear the nature of the uses which may be permitted on the site and the requirements for screening buffers to protect

³⁷ PCCED053

nearby residential areas. The text in SM42 is necessary for soundness but not minor further amendments put forward in a representation **(MM18)**.

120. Textual amendments (SMs 11 and 12) to paragraphs 6.32 and 6.34 are of a factual nature. However, PC65 together with the original text of paragraph 6.32 would go further to provide a specific policy requirement for EP1.11 relating to the nearby SSSI and nature reserve. Bearing in mind the application of policy EN10 it is not appropriate to seek to apply policy in this way and not necessary for soundness. However, the reference to the existence of the SSSI and Nature Reserve as an explanation for the need for a development brief would be clarified by additional explanatory text.

Issue 15: Whether the plan is sufficiently clear in the identification of a retail hierarchy and in the application of policies EP3 and EP4.

121. The application of the retail hierarchy is defined within policy 11 of the adopted Core Strategy. Its application within the N W Preston Strategic Location is discussed in paragraphs 54-56 above.
122. The Council have suggested a number of amendments to the supporting text for policies EP3 and EP4. For the most part these are factual corrections, including those to paragraph 6.45 (SM14) and Suggested Modifications 13, 16, 18 and 19.
123. I have concluded in paragraph 55 above that the suggested new paragraph 6.48 (SM41) would be better placed within the text dealing with the N W Preston masterplan, in section 4 of the plan and not under the heading 'District Centre' in section 6. However, as it stands the original paragraph 6.48 adds little to the plan. It also does not make clear that the Cottam District Centre is intended to serve the whole of the N W Preston area, not just Cottam. Submitted policy EP3 is also somewhat vaguely worded with the words 'will be encouraged' and thus not providing clear guidance for the decision-maker in accordance with paragraph 154 of the NPPF. The amended wording in PC66 is necessary to achieve that but the reference to a 'range of appropriate uses' is really only giving examples of what is meant by 'mixed use retail and commercial development'. Therefore, in tandem with PC66, which I recommend **(MM19)**, the last sentence of the original policy EP3 would be better added to paragraph 6.48. When the adopted plan is printed it may be better if policy EP3 were moved up to follow paragraph 6.48.
124. It is suggested (SM17) that paragraph 6.49 should be amended to state that policy EP4 will be applied to the proposed new centre in N W Preston. It would be appropriate, for clarity, to add a statement to the effect that new local centres are proposed as part of the N W Preston development under policy MD2, but that is all. Policy EP4 applies to existing local centres which are identified on the Policies Map with larger scale plans in Appendix C, as stated in paragraph 6.42 of the plan text. Policy EP4 could not be applied in its entirety to centres which do not yet exist and precise sites have not been agreed but are merely 'illustrative' in the master plan. Neither could the sites be 'allocated' in an LDD unless it is a DPD. Having said that, I agree that the submitted plan policy EP4 does not entirely reflect NPPF guidance and that PC67 would achieve that, thus making the plan sound **(MM19)**. I suggest that, for clarity, the Council may wish to

consider the addition of the word 'existing' before 'Local Centres' in the first sentence of the policy.

Issue 16: Whether Policy EP7 for telecommunications development is fully consistent with national policy (NPPF)

125. National policy on telecommunications development is set out in section 5 of the NPPF, paragraphs 42 to 46 inclusive. The Council accepted that the policy as submitted is not entirely consistent with the NPPF in so far as criterion a) might be interpreted as questioning the need for the development contrary to paragraph 46. The Council have put forward a replacement policy (PC69) which is broadly consistent with national policy. However, the suggested criterion e) refers to 'undertakings' with regard to dismantling the equipment when the use has ceased. SM20 proposes to remove that criterion because the matter might be dealt with by condition rather than by obligation. Subject to that the proposed replacement policy is sound and is recommended **(MM20)**.

126. The Council have stated that policy EP7 is intended to apply only to proposals for cellular (mobile) telephone network and other commercial telecommunications infrastructure. The NPPF guidance clearly applies only to that category but there are other forms of development which also come within the definition of 'telecommunications' under the Telecommunications Act. The term also covers amateur radio installations which are not uncommon within the residential environment. The Council may wish to consider the addition of a note to clarify their position, perhaps to state which policy(ies) might be applied to such development.

Chapter 8 – Protecting and Enhancing the Built and Natural Environment

Issue 17: The consistency of policies EN2 (Green Infrastructure) and EN3 (Future provision of green infrastructure) with national policy and their relationship with policy EN10 (Biodiversity and Nature Conservation)

127. The term 'green infrastructure' is stated in paragraph 8.5 of the plan to be 'the network of natural environmental components used for sport, leisure and recreational purposes'. There follows a list of land uses which are regarded as making up green infrastructure ('fishing' is an activity not a land use). The Council have clarified that the list is not intended to be exhaustive and intend to amend the paragraph to say that the list 'includes' the examples (SM34).

128. In the NPPF, section 8 deals with Health and Wellbeing with paragraph 74 covering sport and recreation. It is section 11 which deals with conserving and enhancing the natural environment wherein paragraph 109 deals with biodiversity. Paragraph 114 covers the role of local plans with reference to both.

129. In so far as the list in paragraph 8.5 includes nature reserves there is a degree of overlap but it is policy EN10 which is primarily dealing with biodiversity for its own sake. As the Wildlife Trust point out ecological networks provide functional and connected infrastructure for all wildlife. Unlike the uses listed as green

infrastructure ecological networks would not necessarily be subject to human recreational pressure, although they may be.

130. Policy EN2 is more closely aligned with the approach taken in paragraph 74 of the NPPF and it needs to be consistent with it, recognising that any loss should be replaced by equivalent or better provision – mainly of recreational open space. To achieve this, and thus render the plan sound, a modification along the lines of the Council's SM35 is necessary (**MM21**). However, the NPPF refers to the 'restoration' only in the context of biodiversity (paragraph 117); otherwise it is a form of enhancement. In view of the degree of overlap, a cross-reference to policy EN10 within policy EN2 is acceptable to avoid any possible mis-application of the policy.
131. Criterion b) of Policy EN3 covers environmental assets, natural resources and biodiversity and thus directly overlaps with policy EN10 and duplicates it to a degree, although there is no conflict. To be consistent with the NPPF, and thus be sound, it should refer to enhancement of the resource but 'restore' would be tautologous (**MM22**). Reference to the City's Ecological Network is not necessary for soundness and is covered by policy EN10. Its inclusion is a matter for the Council.

Issue 18: Whether the areas of separation, subject to policy EN4 and as shown on the submission Policies Map, have been adequately defined

132. Core Strategy policy 19 provides for 'areas of separation' to protect the identity, local distinctiveness and green infrastructure of certain settlements and neighbourhoods and to ensure that those places at greatest risk of merging are protected. In Preston, the wording is that Areas of Separation (AoS) will be designated 'around' Broughton, Goosnargh/Whittingham and Grimsargh.
133. In the Local Plan, policy EN4 reflects the above wording although it refers to the areas 'between' Broughton and the Preston Urban Area and, similarly, between Grimsargh and Preston. That is a reasonable interpretation of the diagrammatic representation of the areas to be covered shown on the Core Strategy key diagram which, of course, is not on an Ordnance Survey base.
134. However, the submission policies map shows, in addition to the small area between Broughton and the M55 motorway, a wide swathe of countryside stretching eastwards from the M6 as subject to the policy. It covers the whole area between Goosnargh/Whittingham and Grimsargh right up to the boundary with Ribble Valley district, north-eastwards to the edge of Longbridge. It is far more than the 'small amount of open countryside' envisaged by CS paragraph 10.14.
135. The inner edges generally abut the respective settlement boundaries and the outer edges are stated to be based on readily identifiable landscape features which are likely to be permanent. The boundary to the south of Three Mile Cross Farm does not obey that rule but nevertheless performs the function of protecting the gap between Grimsargh and the Preston Urban edge where there is pressure for employment related development. As discussed in paragraph 106, that gap has been reduced somewhat by the permission granted on

appeal³⁸ for an extension of housing to the south of Grimsargh, although not such as to limit its effectiveness. It has not been established that any alternative outer boundary to that shown on the submission policies map would be any more sound. Indeed, any boundary drawn further north would potentially narrow the gap remaining.

136. The general approach taken by the Council is to show larger unimplemented planning permissions for housing as allocations on the policies map and to list them under policy HS1. The plan would not be up-to-date, and thus fully sound, unless the Grimsargh appeal site was so depicted. Linked to that the site would be excluded from the Area of Separation (SM37). Also, it is represented that it would be logical to exclude a further area to the east on the southern edge of Grimsargh, which forms part of Wood Top Farm. It is argued that the gap between Grimsargh and Preston (employment site EP1.11) widens to the east but I find there to be no sound case for moving the inner boundary away from the settlement edge. This local plan should be consistent with the adopted Core Strategy in which policy 1 provides only for small scale development and infilling within smaller villages such as Grimsargh. Given a number of relatively recent permissions granted for housing development there is now no over-riding requirement in terms of housing land supply to justify further development. Furthermore, a review of the Core Strategy would be necessary to assess the sustainability of options for accommodating additional development before development in this location might be justified. Similar considerations apply to other sites suggested on the edge of villages within the Area of Separation.
137. Policy EN4 does not preclude development. As has been shown in a number of appeal decisions, as well as those taken by the Council themselves within the last year, it allows for the positive consideration of development proposals on their individual merits, as stated in the policy itself. It certainly does not take the very restrictive 'green belt plus' approach which might be suggested by paragraph 10.14 of the Core Strategy. Such an approach has not been accepted in other parts of Central Lancashire and there would be no justification for it in Preston. It would have no basis in national policy.
138. In view of the permissive nature of the policy, the washing over of wider areas of countryside on the policies map than might be envisaged from a strict interpretation of the wording in CS policy 19 has clearly not prevented the Council from granting permission to development which is not judged to contravene the stated purpose of the policy. The approach is not, therefore, unsound. A case in point is to the west of Longridge where, for similar reasons to the Grimsargh site, allocated site HS1.14 is recommended to be extended to reflect permissions granted (PC03 and SM36).
139. Nevertheless, the detailed wording of policy EN4, in terms of 'assessing impact' and 'resisting development' is not consistent with paragraph 154 of the NPPF in that it doesn't provide clear guidance to the decision-taker as to how applications should be determined. The Council have suggested (SM38) that the text in paragraph 8.9 might be expanded to clarify the factors which would be taken into account in implementing policy EN4. For the plan to be sound, I recommend that the wording be incorporated in the policy itself rather than only within the

³⁸ Land off Ribblesdale Avenue, Grimsargh, appeal ref. APP/N2345/A/13/2208445

plan text (**MM 23**). That is not a weakening of the policy intent and has found support.

Issue 19: Whether policy EN1 (Development in the Open Countryside) applies within the Areas of Separation

140. By definition, the Areas of Separation are in the open countryside. There is nothing in the plan itself to suggest that policy EN1 should not also apply within the Areas of Separation, as it does within the Bowland AONB (policy EN6). The two policies are not mutually exclusive and deal with different policy topics. It is not analogous to 'green belt plus'. As explained in plan paragraph 8.4 there are smaller settlements and 'clusters' of buildings to which policy EN1 (criterion c.) and Core Strategy policy 1(f) apply. However, the coloured annotation on the submission policies map might suggest that there is no overlap between the two policy areas.
141. Policy EN1 is sound in its own right. It is a proper reflection of the provisions of paragraph 55 of the NPPF dealing with development in the countryside as it permits agricultural and forestry developments and the diversification of the rural economy as well as the re-use of existing buildings and infilling within groups of buildings in smaller rural settlements. It is clear from the submission policies map that there are several such settlements within the Areas of Separation. Infilling within them would be most unlikely to run counter to the aims of policy EN4. Furthermore, should policy EN1 not apply within the Area of Separation an anomalous situation would arise with no policy covering, for example, conversions of existing buildings within those areas. In discussion the Council have accepted that this is an error in drafting and I consider that the plan is unsound in this regard. An addition to the text in paragraph 8.9, as in SM45, would remedy this (**MM24**). In due course this will need to be shown on the 'adopted policies map' (PM11)³⁹.

Issue 20: Whether there is a sound basis for the identification of all of the land to the south of Tom Benson Way as being part of an Area of Major Open Space (AoMOS) subject to Policy EN5.

142. Policy 19 of the adopted Core Strategy also applies to areas of open land within the Preston Urban Area. There are two such areas, the first is between Ingol/Tanterton and Greyfriars/Cadley and the second is between Sharoe Green and Fulwood. CS Policy 19 states that these areas 'will be designated' and in paragraph 10.16 it is indicated that the detailed boundaries are to be set out in the Site Allocations Development Plan (this plan). Paragraph 10.16 also makes clear that these areas 'are valued as part of the local Green Infrastructure'; that the (open) spaces 'help to maintain the distinctiveness of the adjoining neighbourhoods' and help protect Central Lancashire 'as a place with room to breathe'. Those phrases effectively set the objectives for the identification of the AoMOS.
143. The second part of Policy EN5 is a development management policy which sets criteria against which proposals for development within the AoMOS may be

³⁹ Regulation 9, Local Plans Regulations 2012

judged. The operation of the policy has been amply demonstrated by the Council's consideration, in September 2014, of a planning application for the development of up to 164 houses on land to the south of Tom Benson way. The officer recommendation, after assessment against the policy criteria and the housing land supply position, was for approval, although that was not accepted by Council members. What it shows is that inclusion within an AoMOS does not necessarily preclude development.

144. By law a planning application has to be determined in accordance with the development plan (taken as a whole) unless material considerations outweigh. It is a different process to the consideration of the soundness of the development plan. For example, there is no dispute that the re-structuring of the Ingol Golf Course has resulted in the land in question effectively becoming surplus to requirements as part of the active golf course, thus satisfying criterion b) of policy EN5. However, although the use of land in the AoMOS has primarily been as golf course, the effect on that as a sports facility is covered by CS Policy 24, not Policy 19. The objectives of AoMOS designation are wide, as indicated above, and are about the value of land in its own right as open space, whether or not there is public access. The area of land in question has continued amenity value as an undeveloped area within the interstices of an urban area, whatever its intrinsic landscape value might be as identified in a Landscape and Visual Impact Analysis (LVIA).
145. Evidently, there is a long history to the development of this area as part of the former Central Lancashire New Town proposals. A concept of a golfing village was taken forward with islands of housing within the golf course itself. It would seem, though, that proposals for the designation of some parts as public open space, including the land immediately to the south of Tom Benson Way (as now is) were never pursued. There may now be no public access to the land although there were signs on the ground (paths) of public usage. As part of the 'green infrastructure' of the city the land may rightly be described as 'semi-natural green space'.
146. Whatever the access rights might be, the land abuts and wraps around the residential 'inlier' of The Avenue, Tanterton and thus helps to protect the 'local distinctiveness' of that area. The open nature of the land also contributes significantly to the semi-rural character of Walker Lane which is an important pedestrian route between Tom Benson Way and residential areas to the south. That walkway is likely to be used increasingly as a link to the large residential development to take place in N W Preston during the plan period. The land provides 'room to breathe' in that context.
147. For all of these reasons, I conclude that the area of land in question properly fulfils the function of an AoMOS as envisaged by the Core Strategy and that the plan is sound in that regard, as is Policy EN5 even though the cross-reference to policy EN2 is not strictly necessary.

Issue 21: The need to 'conserve and enhance' the natural beauty of the Forest of Bowland AONB (policy EN6)

148. Paragraph of the NPPF states that great weight should be given to conserving scenic beauty in National Parks and Areas of Outstanding Natural Beauty. Reference is also made in paragraph 109 to protecting and enhancing valued landscapes. Therefore, as in SM03, the inclusion of the words conserve and enhance within the policy rather than only in the plan text, paragraph 8.13, would bring the policy into line with the NPPF and thus be sound **(MM25)**.

Issue 22: Whether policy EN10 is fully consistent with national policy guidance

149. The policy guidance in paragraphs 117 and 118 of the NPPF is most directly applicable to the factors set out under policy EN10. It is a comprehensive policy covering a wide range of protected sites and also refers to protected species, thus overlapping to a degree with policy EN11, although that does not, in itself, make it unsound. Habitat protection is of recognised importance and not all 'Habitats of Principal Importance'⁴⁰ are within protected areas. The inclusion of a reference to such habitats within the policy (PC79) would bring it more closely in line with Planning Policy Guidance⁴¹. The Council's suggested additional explanatory text in PC77 is of a useful factual nature. However, part of PC78 would have the nature of a policy statement and should, therefore, be included within criterion e. for the policy to be fully consistent with the guidance in paragraph 118 of the NPPF and is recommended **(MM26)** for the plan to be sound. The reason would remain as part of the policy justification in paragraph 8.57.

Issue 23: Whether there is a need for a Green Belt policy

150. The submission policies map shows the extent of the statutory green belt in the south-eastern part of the Borough. However, the function of the policies map at submission stage is only to show the areas subject to policies in the plan or to denote saved policies which would be superseded by a new policy once the plan is adopted. As indicated in Appendix G, saved Policy DC1 in the 2004 Local Plan, which is a Green Belt policy, is intended to be deleted but there is no policy to supersede it. This was an oversight and the plan would be unsound without some form of policy statement.
151. The Council have suggested a modification (SM04) to introduce a new policy in Chapter 8 of the plan stating that national green belt policy will be applied. It will be for the Council to decide where it might best be placed but, for convenience, I have labelled it Policy GB1 **(MM27)**.

⁴⁰ As indicated in PC77 this is under s41 of the Natural Environment and Rural Communities Act, 2006.

⁴¹ Paragraphs 8-007 and 8-008

Chapter 9 – Promoting Health and Wellbeing

Issue 24: Whether the site allocation WB2.1 for a pharmacy and medical centre with sheltered or extra care housing for the elderly on a site off Preston Road, Grimsargh, is sufficient for the purpose intended

152. It is represented that certain development constraints on the site and revised requirements, particularly for the care element, means that the allocation needs to be enlarged. However, the area sought for expansion to the west is within the Area of Separation. The information supplied does not categorically establish that unless the larger site is allocated the proposed development would be unviable or undeliverable and thus undermine the effectiveness of policy WB2. Also, as indicated above, policy EN4 is permissive and requires only an assessment of the impact of the development on the effectiveness of any gap between settlements. Any such effect would need to be balanced against a justifiable requirement for a larger site. That is an issue which is better considered in the context of a planning application.

Issue 25: Whether a limitation on the location and operation of hot food takeaways is justified in the light of national and Core Strategy policy on health and well-being with regards especially to problems of obesity in school children

153. The emphasis in section 8 of the NPPF on creating healthy communities is in the provision of facilities and open space in order to promote a healthy lifestyle through sport and recreation. However, the PPG includes a paragraph⁴² on the links between health and planning and lists the range of issues that could be considered through the plan-making process one of which is 'promotes access to healthier food'. There is a link to a March 2014 report from Public Health England entitled *Obesity and the environment: regulating the growth of fast food outlets*. In part 4 of that report there is a section on school food and a reference to a recommendation by NICE⁴³ which encourages planning authorities "to restrict planning permission for takeaways and other food retail outlets in specific areas (for example, within walking distance of schools)". There is, therefore, a researched basis for such a policy approach.

154. Core Strategy policy 23 deals with health issues in which part e) refers to the need to 'manage the location of fast food takeaways'. As submitted, policy WB3 permits hot food takeaways within district and local retail centres in accordance with policy EP4 but only if they are not within a defined 400 m. 'exclusion zone' around primary and secondary schools and sixth form colleges. Such a restriction is excessive and more than is necessary to deal with the problem being addressed which is only related to older school children permitted to leave school premises unaccompanied at lunchtime walking to a takeaway instead of eating healthier school meals. It is not supported by the NPPF. The submitted policy is not sound.

⁴² ID 53-002-20140306

⁴³ NICE public health guidance, 'Prevention of Cardiovascular Disease'

155. The Council in effect accepted that by putting forward amendments to both the policy and the supporting text in PCs 81-88 inclusive. PC88 would significantly re-write the policy to make clear that takeaways may be permitted in any district or local centre provided it meets the requirements of policy EP4, including that it would not threaten the viability and viability of the centre. There is no reference to 'over-concentration' in the policy.
156. PCs 81-84 properly correct and amplify paragraphs 9.14 and 9.15 of the plan text to provide a factual background and introduction to policy WB3. However, paragraph 9.16 largely repeats the policy wording and is not entirely consistent with it. Deletion of the paragraph is recommended with wording incorporated in the policy itself for it to be sound. A replacement paragraph (PC86 as amended) is of an explanatory nature, as would be the amended (PC87) paragraph 9.17.
157. The second part of the policy, as in PC88, would no longer preclude the development of hot food takeaways in district or local centres within 400 m. of a secondary school or sixth form college provided that they are subject to a condition restricting opening and over-the-counter sales before 17.00 hrs. Such a restriction would directly address the justifiable concerns about access to, and availability of, hot food outlets during school lunch breaks and is entirely consistent with the Government guidance mentioned above as well as Core Strategy policy 23. The policy would therefore be sound if modified to include this provision (**MM28**).
158. A representation on the draft version of MM28 rightly draws attention to the need to reference the sequential test within the policy in accordance with Government policy and MM28 is amended to that effect. However, the evidence does not support the retention of exclusion zones around primary schools as favoured by the County Council. An amended plan showing the 400 m. zones to which the policy applies is at Appendix F (**MM29**).

Plan Appendices

159. Although the text and plans on pages 80-110 inclusive are described as 'appendices' (A-G) they are between the front and back covers and part of the plan as submitted for examination. Appendices A and B are recommended for deletion by MM12. Appendices C, D and F are directly related to the implementation of policies in the plan whilst Appendix G is the monitoring framework which is an important aspect of the plan process setting key indicators and targets. Although not related directly to a policy the assumptions on housing delivery include an allowance for bringing empty homes back in to use. The additional indicator of the number of empty homes as a proportion of the total stock requires monitoring (see paragraph 65 of this report).
160. Appendix E is headed 'Schedule of Development Management Policies' and, undoubtedly, is of value to the plan user. However, it fails to make clear, as required by Regulation 8(5), which policies in this plan are intended to 'supersede' which saved policies in the 2004 adopted Local Plan. That is needed to meet the statutory requirement (**MM30**).

The Policies Map

161. A fully coloured and detailed Policies Map was submitted with the Local Plan. The Policies Map is not part of the Local Plan itself but accompanies it. In due course, the 'adopted Policies Map' should illustrate geographically the application of the policies in the adopted development plan⁴⁴. The Regulations do not empower me to recommend modifications to the Policies Map but unless it is amended by the Council so that it is consistent with the recommended Main Modifications the plan would be ineffective and therefore unsound. Therefore, in this report I have included a numbered reference in brackets, for example (PM1) to indicate that an amendment to the Policies Map will be consequential upon a recommended Main Modification. A list of these Policy Map amendments is set out in Appendix B to this report.

Assessment of Legal Compliance

162. My examination of the compliance of the Plan with the legal requirements is summarised in the table below. I conclude that the Plan meets them all.

| LEGAL REQUIREMENTS | |
|---|--|
| Local Development Scheme (LDS) | The Preston Local Plan 2012-2026 is identified within the approved LDS dated June 2014, as previously entitled the 'Site Allocations and Development Management Policies DPD. The plan was submitted only marginally later than expected, in July 2014. The timing of the examination stage has not been within the Council's control and adoption will clearly be significantly later than envisaged in the LDS (February 2015). However, in terms of content the Local Plan is fully compliant with the LDS. |
| Statement of Community Involvement (SCI) and relevant regulations | The SCI was adopted in April 2006 and consultation has been compliant with the requirements therein, including the consultation on the post-submission proposed 'main modification' changes (MM) |
| Sustainability Appraisal (SA) | SA has been carried out and updated at each stage of plan preparation including the MM stage. A concern expressed by Historic England in relation to the treatment of Heritage Assets has been satisfactorily resolved. The SA is adequate. |
| Appropriate Assessment (AA) | The Habitats Regulations AA Screening Report of June 2013 concluded that the plan would not have a significant effect on any European sites and that, consequently an Appropriate Assessment would not be required. An addendum report issued in June 2014 does not alter that position. A further screening report was prepared relating to the Main Modifications. Natural England have not taken issue with the conclusions of the HRA screening. |

⁴⁴ Regulation 9(1)(c) of the Local Plans Regulations 2012

| | |
|---|--|
| National Policy | The Local Plan complies with national policy except where indicated and modifications are recommended. |
| Sustainable Community Strategy (SCS) | Satisfactory regard has been paid to the SCS. |
| Public Sector Equality Duty (PSED) | An Equality Impact Assessment demonstrates that the LPA have complied with the Duty in preparing the plan. |
| 2004 Act (as amended) and 2012 Regulations. | The submitted Local Plan complies with the Act and the Regulations with the exception of Regulation 8(5) but that is a matter which can be remedied (see MM30) . |

Overall Conclusion and Recommendation

163. The Plan has a number of deficiencies in relation to soundness and/or legal compliance for the reasons set out above which mean **that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act.** These deficiencies have been explored in the main issues set out above.
164. The Council have requested that I recommend main modifications to make the Plan sound and/or legally compliant and capable of adoption. **I conclude that with the recommended main modifications set out in the Appendix the Preston Local Plan 2012-26 satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.**

John R Mattocks

Inspector

This report is accompanied by Appendix A containing the Main Modifications and Appendix B which lists the changes to the submission policies map which will need to be made consequentially upon the Main Modifications.

APPENDIX A LIST OF MAIN MODIFICATIONS

The modifications below are expressed in the conventional form of ~~strike through~~ for deletions and **underlining** for additions of text

The page numbers and paragraph numbering below refer to the submission Plan and do not take account of the deletion or addition of text.

Other, “additional” modifications will be made to the text in the adopted plan to ensure that it is as up to date and factually correct as possible. These additional modifications are not incorporated into the table below as they are not concerned with the soundness of the Plan and, therefore, are not referred to explicitly in the Inspector’s report.

| REF | PAGE | POLICY / PARA | MAIN MODIFICATION |
|-----|------|---------------|--|
| MM1 | 6 | V1 | <p><i>In the third paragraph of Policy V1 (Model Policy) first line, insert the words ‘statutory development plan’ between ‘no’ and ‘policies’ as follows:</i></p> <p>“Where there are no <u>statutory development plan</u> policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise, taking into account whether:</p> <ul style="list-style-type: none"> a) Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole and those contained in the Core Strategy; or b) Specific policies in the Framework and Core Strategy indicate that development should be restricted.” |
| MM2 | 8 | 2.12 | <p><i>Delete existing paragraph 2.12 under the heading ‘Key Service Centres’ and replace by the following additional text:</i></p> <p>“2.12 Longridge – where land within Central Lancashire may be required to support the development of this Key Service Centre in Ribble Valley.”</p> <p><u>“2.12 Key Service Centres act as service centres for surrounding areas, providing a range of</u></p> |

| REF | PAGE | POLICY / PARA | MAIN MODIFICATION |
|-----|-------|---------------------------|--|
| | | | <p><u>services including retail, leisure, community, civic, health, education and financial and professional services. They have good public transport links to surrounding towns and villages, or have the potential for their development and enhancement.</u></p> <p><u>2.13 Development in rural areas should be concentrated in Key Service Centres, and should be of a scale and nature appropriate to fulfil the needs of local communities for housing, employment and services, and to enhance the quality of rural life.</u></p> <p><u>2.14 Although the town of Longridge is situated in Ribble Valley, just outside the Preston administrative boundary, the Core Strategy identifies Longridge as a Key Service Centre, where land within Central Lancashire may be required to support the town’s role and function.”</u></p> |
| MM3 | 10-11 | 3.8; 3.10; 3.23; and 3.25 | <p>Should be bold and underlined <i>Insert reference to the East West Link Road in paragraph 3.8 of the plan text as follows:</i></p> <ul style="list-style-type: none"> • New Preston Bus Station • Broughton Bypass • Preston Western Distributor • Cottam Parkway Railway Station Park and Ride • <u>North West Preston East-West Link Road</u> <p><i>Amend paragraph 3.10 of the plan text to read:</i></p> <p>“3.10 New social infrastructure includes:</p> <ul style="list-style-type: none"> • Additional primary school provision at Whittingham (<u>1 school site</u>), Cottam (<u>1 to 2 school sites</u>) and North West Preston (<u>3 to 3.5 school sites</u>) • Additional secondary school provision at North West Preston • Additional primary care facilities in Central Preston, Ingol and North West Preston <p><i>Insert new paragraph 3.23 as follows:-</i></p> <p><u>“3.23 The Highways and Transport Masterplan proposes a North West Preston East-West Link Road (EWL). This is a local distributor to serve the new development. It is crucial to deter</u></p> |

| REF | PAGE | POLICY / PARA | MAIN MODIFICATION |
|-----|------|---------------|---|
| | | | <p><u>through and locally generated traffic from using the congested routes to the east. The EWL is considered in more detail within the North West Preston Masterplan</u>".</p> <p><i>Insert new paragraph 3.25 as follows:-</i></p> <p><u>"3.25 The Preston, South Ribble and Lancashire City Deal, outlined in Chapter 1, is key to the delivery of transport infrastructure – specifically, the Preston Western Distributor and the Broughton Bypass."</u></p> |
| MM4 | 12 | IN1 | <p><i>Delete policy IN1 and replace it by the following policy:-</i></p> <p>A corridor of search is shown on the Policies Map within which the alignment of the Western Distributor will be identified</p> <p><u>"Policy IN1 – Western Distributor A Preferred Route is safeguarded for the Preston Western Distributor Road in the location shown on the Policies Map. Planning permission will not be granted for any development that would prejudice the construction of the road"</u></p> |
| MM5 | 13 | IN2 | <p><i>Amend policy IN2 – Broughton Bypass as follows:-</i></p> <p>"Alignments for the Broughton Bypass and D'Urton Lane / Eastway Link Road are safeguarded in the location shown on the Policies Map. <u>Planning permission will not be granted for any development that would prejudice the construction of the road.</u>"</p> |
| MM6 | 13 | IN3 | <p><i>Amend policy IN3- Park and Ride Sites (Broughton and Riversway) as follows:-</i></p> <p>"Land is safeguarded for proposed bus based Park & Ride facilities in the locations shown on the Policies Map. <u>Planning permission will not be granted for any development that would prejudice the future use of the land for that purpose.</u>"</p> |

| REF | PAGE | POLICY / PARA | MAIN MODIFICATION |
|-----|-------|------------------|---|
| MM7 | 13 | 3.34; IN4 | <p><i>Add the following sentence to the end of paragraph 3.34:-</i></p> <p><u>“Lancashire County Council is in discussion with Network Rail about the optimum location and size for a new Cottam Parkway railway station. An option for the location of the proposed station is at the intersection of the Preston – Blackpool railway line and the proposed Preston Western Distributor Road.”</u></p> <p><i>Delete Policy IN4.</i></p> <p>“Policy IN4 – New Railway Station and Proposed Park & Ride Site (Cottam) Land is safeguarded for a proposed station and rail-based Park & Ride facility at Cottam as shown on the Policies Map”</p> |
| MM8 | 16-18 | MD2; 4.16 – 4.26 | <p><i>Delete the whole section of the plan between paragraphs 4.16 and 4.26 inclusive, including policy MD2 and replace as follows:-</i></p> <p>(Introductory text, to be inserted before policy MD2)</p> <p>North West Preston Masterplan</p> <p><u>“4.16 Development of the scale envisaged requires careful planning and coordination, particularly in the light of the highway and other infrastructure requirements and the number of different land owners and developers involved in the area. The City Council with Lancashire County Council and the Homes and Communities Agency therefore commissioned the preparation of a detailed masterplan for North West Preston in April 2013.</u></p> <p><u>4.17 The boundary of the Masterplan area is the same as that shown on the Policies Map as subject to policy MD2. The Masterplan provides a comprehensive framework to guide the future development of North West Preston. It provides a clear understanding of the necessary infrastructure and phasing to serve such large scale proposals. The masterplan advocates Garden</u></p> |

| REF | PAGE | POLICY / PARA | MAIN MODIFICATION |
|-----|------|---------------|--|
| | | | <p><u>City design principles including the provision of appropriate ‘community’ centres where services such as shops, health and education will be located. An East-West Link Road will be the primary transport distributor. It will be the main bus route and will also provide for cyclists and pedestrians. The masterplan recognises the need for well-designed green infrastructure to meet the recreational needs of the new community, as well as protecting and enhancing biodiversity.</u></p> <p><u>4.18 Residential development of the scale envisaged in the North West Preston Strategic Location will need to be accompanied by local centres. It is envisaged that there will be a “main” local centre. This main centre, which will include a mix of uses including health and community based services as well as retail outlets, will be supported by smaller neighbourhood centres. None of these centres will be of a scale that exceeds “Local Centre” in the retail hierarchy. The absence of such facilities could create issues related to social isolation, promoting unsustainable patterns of development within the Strategic Location. The North West Preston Masterplan provides more detail on the type of facilities likely to be required and indicative sustainable locations given the likely distribution of population within the area.</u></p> <p><u>4.19 The Council approved the Masterplan as guidance in February 2014. However, further consultation will be carried out prior to its adoption as a Local Development Document to be read with policy MD2, as set out below:-</u></p> <p><u>POLICY MD2 – North West Preston</u></p> <p><u>Land is identified on the Policies Map at the North West Preston Strategic Location for a residential-led mixed-use development comprising the erection of approximately 5300 dwellings and associated local centres together with the infrastructure to facilitate the creation of a sustainable community.</u></p> <p><u>Community uses should be located in association with the local centres with one to include a health centre.</u></p> <p><u>Proposals should provide or financially support the provision of the following key infrastructure :-</u></p> <ul style="list-style-type: none"> <u>An East-West Link Road providing a connection from the Preston Western Distributor Road</u> |

| REF | PAGE | POLICY / PARA | MAIN MODIFICATION |
|-----|------|---------------|--|
| | | | <p><u>in the west to Lightfoot Lane in the east</u></p> <ul style="list-style-type: none"> • <u>A comprehensive package of on and off site transport measures to mitigate the development's impact on roads and encourage sustainable modes of transport</u> • <u>One 1.5 form entry primary school and one 2 form entry primary school</u> • <u>One secondary school</u> • <u>Green infrastructure and neighbourhood play areas, and a comprehensive package of on-site open space in accordance with standards</u> <p><u>Development will be allowed in advance of the completion of the entirety of the Preston Western Distributor Road and the East-West Link Road provided that development does not result in any severe impacts upon the existing highway.</u></p> <p><u>It should be demonstrated in any planning applications that the proposal would not prejudice the delivery of adjoining land and would support an integrated and coordinated approach to the development of the North West Preston Strategic Location. Such proposals should:</u></p> <ul style="list-style-type: none"> • <u>promote connectivity, ease of movement and legibility both within the individual development site and across the area as a whole; homes should have easy access to local services by a range of sustainable transport choices;</u> • <u>provide a range of house types and supporting community uses; the density of development and mix of uses should reflect the location of the site within the context of the wider area;</u> • <u>be designed in order to create a high quality townscape and an appropriate sense of enclosure including the delivery of a clear hierarchy of streets and spaces across individual sites and the area as a whole taking account, where appropriate, of the relationship with the East-West Link Road;</u> • <u>provide high quality public and private spaces which should contribute to the delivery of a new green infrastructure network across the area;</u> • <u>support the creation, and ensure the sensitive integration, of car parking and servicing areas within the development and ensure that such areas do not have a negative impact in terms of appearance or function of adjacent sites.</u> |

| REF | PAGE | POLICY / PARA | MAIN MODIFICATION |
|-----|------|--|--|
| | | | <p><u>(Explanatory text to follow policy MD2)</u></p> <p><u>4.20 The multiplicity of private landownerships and developer interests in North West Preston will be affected in different ways by infrastructure provision, including community land uses. The Council accepts the costs of such infrastructure will need to be borne both viably and equitably and will work with developers to ensure this. The Council will prepare guidance and identify a number of options, including through the City Deal programme, to help reduce developer costs on those sites where there is evidence that development is unviable.</u></p> <p><u>4.21 Drawing on the masterplan, the design, layout and indicative phasing of the development will be set out in the proposed Local Development Document. That document will consider the distribution of key infrastructure to ensure the viability and deliverability of the proposed development and set out a mechanism to ensure that in so far as is practicable, the infrastructure costs associated with the development are borne equally. If it can be proven that the delivery of any one parcel would be impacted negatively due to the requirements to provide infrastructure or land for infrastructure, the Council will reduce the S106 requirements on that parcel.”</u></p> |
| MM9 | 20 | 5.3 – 5.5; 5.12 – 5.14; and 5.16. | <p><i>Update all statistics to an April 2014 base. Amend paragraph 5.3 to read:-</i></p> <p>“5.3 Policy 4 of the Central Lancashire Core Strategy sets out the number of new houses required in Preston. These are in line with the Regional Strategy, which equates to 507 dwellings per annum to 2026 <u>and a total of 6,084 dwellings across the remainder of the plan period (2014-2026). At April 2014 there was an undersupply of 1217 units which has been factored into the housing requirement and brings the total requirement to 7,301 units across the period 2014-2026.</u> Even though the Regional Strategy is now revoked, the evidence on which the housing requirement is based remains the most robust available and has been subject to independent examination. ’</p> <p><i>Delete the plan text from the last sentence in paragraph 5.3 to paragraph 5.5 inclusive.</i></p> <p>5.3....The table below explains how this annual requirement figure translates into a Site Allocations Plan</p> |

| REF | PAGE | POLICY / PARA | MAIN MODIFICATION | | | | | | | | | | |
|---|--------|---------------|---|---|--------|-------------------------------|-------|--|-------|--|-----|---|-------|
| | | | <p data-bbox="689 264 943 296">Period requirement</p> <table border="1" data-bbox="969 445 1778 927"> <tbody> <tr> <td data-bbox="969 445 1626 572">a) Housing Requirement 2003-2026 (507 x 23 years)</td> <td data-bbox="1626 445 1778 572">11,661</td> </tr> <tr> <td data-bbox="969 572 1626 660">b) Housing Delivery 2003-2013</td> <td data-bbox="1626 572 1778 660">3,720</td> </tr> <tr> <td data-bbox="969 660 1626 748">c) Housing Requirement 2013-2026 (a – b)</td> <td data-bbox="1626 660 1778 748">7,941</td> </tr> <tr> <td data-bbox="969 748 1626 836">d) Annualised Requirement 2013-2026 (c : 13)</td> <td data-bbox="1626 748 1778 836">611</td> </tr> <tr> <td data-bbox="969 836 1626 927">e) Five-year requirement plus 5% buffer</td> <td data-bbox="1626 836 1778 927">3,208</td> </tr> </tbody> </table> <p data-bbox="689 963 2040 1129">5.4 Our plan is required by the National Planning Policy Framework to show that a supply of specific deliverable sites is identified sufficient to provide five years' worth of housing against this requirement, with an additional "buffer" of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. This "buffer" should be increased to 20% where there has been a record of persistent under-delivery.</p> <p data-bbox="689 1166 2029 1366">5.5 The Council does not consider that its record on delivery warrants a 20% buffer; therefore provision is made for a 5% buffer. The Central Lancashire Core Strategy Inspector's Report at paragraphs 52 and 53 justifies this approach by stating that in the period since 2003 'no clear trend emerges in terms of over or under provision' of housing, and that the overall under provision over this period should be 'made good'. However to achieve this, the Inspector states that it would be more appropriate to treat the annual requirement as a minimum, instead of bringing forward a buffer of 20%.</p> | a) Housing Requirement 2003-2026 (507 x 23 years) | 11,661 | b) Housing Delivery 2003-2013 | 3,720 | c) Housing Requirement 2013-2026 (a – b) | 7,941 | d) Annualised Requirement 2013-2026 (c : 13) | 611 | e) Five-year requirement plus 5% buffer | 3,208 |
| a) Housing Requirement 2003-2026 (507 x 23 years) | 11,661 | | | | | | | | | | | | |
| b) Housing Delivery 2003-2013 | 3,720 | | | | | | | | | | | | |
| c) Housing Requirement 2013-2026 (a – b) | 7,941 | | | | | | | | | | | | |
| d) Annualised Requirement 2013-2026 (c : 13) | 611 | | | | | | | | | | | | |
| e) Five-year requirement plus 5% buffer | 3,208 | | | | | | | | | | | | |

| REF | PAGE | POLICY / PARA | MAIN MODIFICATION |
|-----|------|---------------|---|
| | | | <p><i>Update paragraph 5.12 as follows:-</i></p> <p>“The Council has allocated land for 6,135 8,637 houses as set out in Policy HS1. This includes new allocations and major sites for development <u>that will be led by housing development.</u> Appendix A and Policy HS2 set out the proposed phasing periods for these sites up to 2026. This total includes land that has been identified for about 360 2,837 dwellings which are expected to come forward after 2026 <u>but could come forward sooner if required.</u> The sites listed within Policy HS1 are in locations that accord with the Central Lancashire Core Strategy and have a reasonable prospect of being available and developed within the timescale envisaged.</p> <p><i>Update paragraph 5.13 and delete paragraph 5.14 as follows:-</i></p> <p>“5.13 To meet the remaining requirement (1,806), there are existing housing commitments established through planning permissions totalling 1,299 1,043 new housing units on unallocated sites <u>at April 2014.</u> The Council would also expect to see some windfall developments on sites that have not yet been identified, to add some flexibility.”</p> <p>5.14 The net completion and outstanding planning permission figures used to establish the Plan Period housing requirement are accurate to a base date of 1 April 2013.”</p> <p><i>Update paragraph 5.16 to read:-</i></p> <p>“5.16 Finally, a contribution of 975 will come from the re-use of empty homes <u>an allowance of 375 is made during the period 2014-19 for bringing back into use of long-term empty homes</u> within the existing urban area. <u>Thereafter, such an allowance will only apply should the overall vacancy rate within the existing stock remain above 3%.</u> At 1 June 2013 there were 1,218 long-term empty properties in Preston, representing 1.99% of the housing stock. The wards with the highest numbers of long-term empty properties are Town Centre (127), St Matthews (113) and Riversway (85). Empty properties in both the Town Centre and St Matthews wards account for over 3% of their total housing stock. <u>As at 1 April 2014 there were 1142 long-term empty properties in Preston, representing 1.99% of the housing stock. At April 2014 the wards with the highest numbers of long-term empty properties are Town Centre (118), St Matthews (105) and Riversway (85). Empty properties in both the Town Centre and St Matthews wards account for over 3% of their total housing stock.</u></p> |

| REF | PAGE | POLICY / PARA | MAIN MODIFICATION | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|-------------------------------------|--|------------------------------|---|-----|------|-----------|-------|-----|--------|----|-------|-----|--------------------|---------------------------|-------------------------------|-------------------------------------|--|---------------------------|-------------------------------|-------|--|------|----|-------|-------------------|------|-----|-------|---------------|------|----|-------|----------------------------|------|----|-------|-----------------------|------|-----|-------|---------------------------------|------|----|-------|-------------------------------------|------|----|-------|-------------------------------|------|----|-------|--|------|----|--------|----------------------------------|------|----|--------|---|------|----|--------|--------------------------------------|------|----|--------|------------------------------|------|----|--------|--|------------------------------|--------------------------|--|--|--|--|
| MM10 | 23 | HS1; 5.35 | <p><i>Amend the second paragraph of policy HS1 as follows:-</i></p> <p>The allocated housing land equates to an estimated total of 5,775 houses over the Plan Period, with a further 360 houses expected to be delivered at North West Preston after 2028, making a total of 6,135 houses <u>8,637 houses of which 5,800 are expected to be completed in the period 2014-2026. There is capacity within the strategic allocation at North West Preston for the construction of an additional 2,837 dwellings as and when required.</u></p> <p><i>Update the tabulated part of policy HS1 as follows:</i></p> <table border="1"> <thead> <tr> <th>Ref</th> <th>Site</th> <th>Area (ha)</th> <th>Units</th> </tr> </thead> <tbody> <tr> <td>MD1</td> <td>Cottam</td> <td>70</td> <td>1,300</td> </tr> <tr> <td>MD2</td> <td>North West Preston</td> <td>290 319</td> <td>4,000 5,322</td> </tr> <tr> <td colspan="2">Major Development Allocations Total</td> <td>360 389</td> <td>5,300 6,622</td> </tr> <tr> <td>HS1.1</td> <td>Lancashire Fire & Rescue HQ, Garstang Road</td> <td>1.50</td> <td>40</td> </tr> <tr> <td>HS1.2</td> <td>Argyll Road Depot</td> <td>4.30</td> <td>300</td> </tr> <tr> <td>HS1.3</td> <td>Parker Street</td> <td>1.30</td> <td>50</td> </tr> <tr> <td>HS1.4</td> <td>Eastway Nurseries, Eastway</td> <td>1.45</td> <td>24</td> </tr> <tr> <td>HS1.5</td> <td>Tetrad, New Hall Lane</td> <td>2.85</td> <td>114</td> </tr> <tr> <td>HS1.6</td> <td>Skeffington Road/Castleton Road</td> <td>0.96</td> <td>38</td> </tr> <tr> <td>HS1.7</td> <td>Deepdale Mill, Deepdale Mill Street</td> <td>0.71</td> <td>28</td> </tr> <tr> <td>HS1.8</td> <td>Shelley Road/Wetherall Street</td> <td>0.67</td> <td>27</td> </tr> <tr> <td>HS1.9</td> <td>Stagecoach Bus Depot, Selbourne Street</td> <td>0.79</td> <td>32</td> </tr> <tr> <td>HS1.10</td> <td>Goldenhill School, Cromwell Road</td> <td>0.90</td> <td>20</td> </tr> <tr> <td>HS1.11</td> <td>Former Tulketh Community Sports College, Tag Lane</td> <td>1.31</td> <td>30</td> </tr> <tr> <td>HS1.12</td> <td>Brethrens Meeting Room, Egerton Road</td> <td>0.50</td> <td>12</td> </tr> <tr> <td>HS1.13</td> <td>Land North of Tom Benson Way</td> <td>1.33</td> <td>30</td> </tr> <tr> <td>HS1.14</td> <td>Former Riding's Depot, Whittingham Road, Longridge</td> <td>3.37 19.66</td> <td>90 488</td> </tr> <tr> <td></td> <td>Land North and South of Whittingham Road,</td> <td></td> <td></td> </tr> </tbody> </table> | Ref | Site | Area (ha) | Units | MD1 | Cottam | 70 | 1,300 | MD2 | North West Preston | 290 319 | 4,000 5,322 | Major Development Allocations Total | | 360 389 | 5,300 6,622 | HS1.1 | Lancashire Fire & Rescue HQ, Garstang Road | 1.50 | 40 | HS1.2 | Argyll Road Depot | 4.30 | 300 | HS1.3 | Parker Street | 1.30 | 50 | HS1.4 | Eastway Nurseries, Eastway | 1.45 | 24 | HS1.5 | Tetrad, New Hall Lane | 2.85 | 114 | HS1.6 | Skeffington Road/Castleton Road | 0.96 | 38 | HS1.7 | Deepdale Mill, Deepdale Mill Street | 0.71 | 28 | HS1.8 | Shelley Road/Wetherall Street | 0.67 | 27 | HS1.9 | Stagecoach Bus Depot, Selbourne Street | 0.79 | 32 | HS1.10 | Goldenhill School, Cromwell Road | 0.90 | 20 | HS1.11 | Former Tulketh Community Sports College, Tag Lane | 1.31 | 30 | HS1.12 | Brethrens Meeting Room, Egerton Road | 0.50 | 12 | HS1.13 | Land North of Tom Benson Way | 1.33 | 30 | HS1.14 | Former Riding's Depot, Whittingham Road, Longridge | 3.37 19.66 | 90 488 | | Land North and South of Whittingham Road, | | |
| Ref | Site | Area (ha) | Units | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| MD1 | Cottam | 70 | 1,300 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| MD2 | North West Preston | 290 319 | 4,000 5,322 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Major Development Allocations Total | | 360 389 | 5,300 6,622 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| HS1.1 | Lancashire Fire & Rescue HQ, Garstang Road | 1.50 | 40 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| HS1.2 | Argyll Road Depot | 4.30 | 300 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| HS1.3 | Parker Street | 1.30 | 50 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| HS1.4 | Eastway Nurseries, Eastway | 1.45 | 24 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| HS1.5 | Tetrad, New Hall Lane | 2.85 | 114 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| HS1.6 | Skeffington Road/Castleton Road | 0.96 | 38 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| HS1.7 | Deepdale Mill, Deepdale Mill Street | 0.71 | 28 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| HS1.8 | Shelley Road/Wetherall Street | 0.67 | 27 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| HS1.9 | Stagecoach Bus Depot, Selbourne Street | 0.79 | 32 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| HS1.10 | Goldenhill School, Cromwell Road | 0.90 | 20 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| HS1.11 | Former Tulketh Community Sports College, Tag Lane | 1.31 | 30 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| HS1.12 | Brethrens Meeting Room, Egerton Road | 0.50 | 12 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| HS1.13 | Land North of Tom Benson Way | 1.33 | 30 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| HS1.14 | Former Riding's Depot, Whittingham Road, Longridge | 3.37 19.66 | 90 488 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Land North and South of Whittingham Road, | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| REF | PAGE | POLICY / PARA | MAIN MODIFICATION | |
|-----|------|---------------|--|--|
| | | | | |
| | | | <u>Longridge</u> | |
| | | | HS1.15 <u>Former Whittingham Hospital</u> | <u>51.6*</u> <u>650</u> |
| | | | HS1.16 <u>Land off Forest Grove Barton</u> | <u>2.76</u> <u>62</u> |
| | | | HS1.17 <u>Land to the South of Ribblesdale Drive Grimsargh</u> | <u>4.5</u> <u>70</u> |
| | | | Total | 382 6,135 <u>486.09</u> <u>8,637</u> |
| | | | <p><u>*gross site area for mixed use development</u></p> <p><i>In the site descriptions section of the plan text, following policy HS1, amend paragraph 5.35 as follows:-</i></p> <p>HS1.14 Former Ridings Depot <u>Land North and South of</u> Whittingham Road, Longridge</p> <p>5.35 This is a <u>large part greenfield/part</u> previously developed site adjacent to the built up area of Longridge. In total, the site covers just over 3.4ha <u>19.5ha</u> and could accommodate approximately 90 new homes during the plan period. Infrastructure requirements would be associated with the development of this site, given the constraints of the highway network surrounding the site, and beyond. <u>and has recently been granted 3 separate planning permissions totalling 488 units.</u></p> <p><i>Add the following text after paragraph 5.35:-</i></p> <p><u>“HS1.15 Former Whittingham Hospital</u></p> <p><u>This site, the former Whittingham Hospital located on Whittingham Lane, Goosnargh, is owned by the Homes and Community Agency (HCA). The HCA have worked to secure planning permission for a mixed use development including 650 housing units (see also Employment Allocation EP1.1).</u></p> <p><u>HS1.16 Land Off Forest Grove Barton</u></p> <p><u>This is a 2.76ha greenfield site adjacent to the rural settlement of Barton. Reserved Matters approval was granted for 62 units on this site in April 2014.</u></p> | |

| REF | PAGE | POLICY / PARA | MAIN MODIFICATION |
|------|------|---------------------|---|
| | | | <p><u>HS1.17 Land to the South of Ribblesdale Drive Grimsargh</u></p> <p><u>This is a 4.5ha greenfield site adjacent to the settlement of Grimsargh off Ribblesdale Drive. Outline planning permission was granted at appeal for 70 units in June 2014</u></p> |
| MM11 | 26 | HS2; 5.36 – 5.46 | <p><i>Delete policy HS2 and all of the associated supporting text, paragraphs 5.36 to 5.46 inclusive.</i></p> <p><i>Phasing & Delivery & Monitoring of Housing Land Supply</i></p> <p>5.36—The Council proposes a phasing policy to ensure a steady supply of housing land across Preston throughout the Plan Period. Phasing the release of new housing allocations will also secure the necessary infrastructure and service requirements enabling sustainable patterns of development.</p> <p>5.37—In phasing the release of sites consideration will be given to factors such as the provision of infrastructure or the adequacy of existing services, which may indicate that a particular site cannot be released for development until a certain stage in the plan period. Such a phasing policy is best expressed in terms of fairly broad time periods.</p> <p>5.38—Under Core Strategy Policy 4: Housing Delivery and Site Allocations Policy HS1, the Council will review targets relating to housing completions or the use of previously developed land every year and adjust the phasing of sites included in Appendix A as appropriate to achieve a better match between the required targets and delivery</p> <p>5.39—The Council has identified three phases which are as follows:</p> <p style="padding-left: 40px;">Phase 1: 2013-2018</p> <p style="padding-left: 40px;">Phase 2: 2018-2023</p> <p style="padding-left: 40px;">Phase 3: 2023-2026</p> <p>5.40—The phasing of units is indicative and has been informed by housing land monitoring work, which records the number of units with planning permission and under construction; the 2012 Central Lancashire</p> |

| REF | PAGE | POLICY / PARA | MAIN MODIFICATION |
|-----|------|------------------|---|
| | | | <p>Strategic Housing Land Availability Assessment (SHLAA) Update; and, other site specific information about the deliverability and sustainability of sites.</p> <p>5.41—A number of sites already have planning permission, most of which have been included in Appendix A. Whilst it is likely that most of these will be built during the next few years, should any of these applications lapse, applications for their renewal will be considered in light of the Core Strategy, other policies and current build rates in Preston</p> <p>5.42—Policy HS2 and Appendix A The Annual Housing Position Paper identifies identify the phasing of sites throughout the Plan Period and the total number of units to be delivered in each phase. In phasing sites, account has been taken of the likely timescale for delivery bearing in mind the need for supporting infrastructure and the need to, wherever possible, prioritise previously developed land.</p> <p>5.43—Policy HS2 does not override the statutory requirement to keep plans under review. House building activity will be monitored and measured annually against the phasing in this policy. As monitoring is carried out, it may be necessary to move sites between phases, for example, if insufficient sites in Phase 1 are being developed, sites from Phase 2 can be moved forward to maintain supply. Conversely, if more housing development is occurring through windfall development, greenfield sites can be moved into later phases. There may also be occasions where sites in later phases require, due to their size or infrastructure requirements, a greater lead in time. Where a longer lead in time can be justified, such sites may be released in advance of the phase in which they are identified to come forward.</p> <p>5.44—The phasing of housing land, as shown in policies HS1 and HS2, and Appendix A, demonstrates how proposed new site allocations and existing commitments together contribute to meeting the housing requirement in Preston over the next 13 years.</p> <p>5.45—Wherever possible the Council will seek to bring forward previously developed sites within the first five years. However, due to delivery issues with previously developed land, greenfield land also needs to be brought forward at an early stage. The larger greenfield sites are however dependent on the delivery of significant infrastructure projects.</p> <p>5.46—The pace of housing delivery will be monitored annually, based on economic factors and build rates. Depending on the results of monitoring, it may be necessary to adjust the phasing of sites—this might include looking at whether sites phased for future years can be brought forward if the delivery of homes in</p> |

| REF | PAGE | POLICY / PARA | MAIN MODIFICATION |
|------|------|---------------------|--|
| | | | <p>earlier phases is delayed.</p> <p>Policy HS2—Phasing, Delivery and Monitoring</p> <p>The release of housing sites, as shown in Appendix A will be managed in order to:</p> <ul style="list-style-type: none"> ▪ Meet the scale of development required over the Plan Period. ▪ Ensure the scale and timing of development is co-ordinated with the provision of new infrastructure that is required. <p>Sites will be released for development in the following three phases:</p> <p>Phase 1: 2013-2018 (Total: 2,584)</p> <p>Phase 2: 2018-2023 (Total: 2,045)</p> <p>Phase 3: 2023-2026 (Total: 1,146)</p> <p>Annual monitoring of the delivery of housing will be undertaken. This will include a review of the sites and phasing within Appendix A and aim to ensure a rolling five year supply of deliverable sites is maintained within a 13 year time horizon. If sites allocated to particular phases do not deliver as predicted, sites may be brought forward from later phases and others put back.</p> |
| MM12 | 80 | Appendices A and B. | <i>Delete Appendices A and B from the plan.</i> |
| MM13 | 31 | HS5 | <p><i>Amend the policy heading of Policy HS5 to read:-</i></p> <p>Agricultural <u>Rural Workers’ Dwellings in the Open Countryside</u></p> <p><i>Amend the first part of policy HS5 as follows:-</i></p> <p>“In the open countryside, outside the defined settlements shown on the Policies Map, new dwellings or conversions of existing buildings will only be permitted where it can be demonstrated that there is an</p> |

| REF | PAGE | POLICY / PARA | MAIN MODIFICATION |
|------|------|---------------|--|
| | | | <p>essential need for worker(s) to live on, or in the immediate vicinity of, the site in the interests of agriculture, forestry or other rural employment”.</p> <p><i>Delete the third part of the policy and substitute the following:-</i></p> <p>Conditions restricting the occupancy of existing agricultural workers dwellings will only be removed where:</p> <p>a) an essential need no longer applies;</p> <p>b) the dwelling has been occupied for at least five years in accordance with the terms of the original planning permission, and;</p> <p>c) the dwelling has been offered for sale on the open market for at least 12 months, taking account of the occupancy restrictions, and no reasonable offers have been refused.</p> <p><u>“Conditions restricting the occupancy of existing rural workers’ dwellings will only be removed where the dwelling has been occupied for at least five years in accordance with the terms of the original planning permission, unless exceptional circumstances can otherwise be demonstrated, and either -</u></p> <p><u>a) the dwelling is to be disposed of by the applicant and has been actively marketed for at least 12 months taking account of the occupancy restrictions, and no reasonable offer from persons eligible to occupy the dwelling has been refused; or</u></p> <p><u>b) the applicant has provided realistic evidence to demonstrate that an essential need no longer applies.</u></p> <p><u>Where the applicant seeks to retain the dwelling for their own use, permission may be given to carry out the development without complying with the occupancy condition subject to which the previous permission was granted, provided that criterion b) above is met.”</u></p> |
| MM14 | 33 | HS6 | <p><i>Amend policy HS6 as follows:-</i></p> |

| REF | PAGE | POLICY / PARA | MAIN MODIFICATION |
|------|------|---------------|--|
| | | | <p>“Policy HS6 – University of Central Lancashire</p> <p>Within and adjoining the area defined as HS6 on the Policies Map, development will be permitted for educational uses (Use Classes D1, D2), or any other appropriate complementary uses, including student accommodation and knowledge based and creative industry, that relate to the operation of the University, or welfare of staff and students.</p> <p>Outside the area defined as HS6 on the Policies Map, proposals for student accommodation will need to be justified and will be considered taking the following matters into account:</p> <ul style="list-style-type: none"> a) the existing supply of and need for student accommodation (including vacancies), gaps in the market and provision for accommodation of students with special needs; b) the type of accommodation proposed and whether it will provide a beneficial alternative to the existing stock of student accommodation in the area; c) the surrounding land uses, whether they are residential dwellings, and the level of facilities available in the area; d) the accessibility of public transport provision in the area and the strength of links with the University campuses; e) <u>The density of development including the appropriateness of the development taking account of surrounding land uses / densities</u> <p>The Council will seek the views of the University for all new student accommodation proposals.”</p> |
| MM15 | 36 | 6.3 | <p><i>Amend Table 2 between paragraphs 6.3 and 6.4 in the plan supporting text as follows:-</i></p> |

| REF | PAGE | POLICY / PARA | MAIN MODIFICATION | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|---------------------------------------|---------------|---|--|--|-------------|----------|-----------|--|-------|--|---|---------------------|----|------------------------------------|---------------------|--------|-----------------------------|------|--|--------------------------------|--------------------------------------|--|------------------------------------|--------------------------------------|--------|------------------------------|---------------------------------------|--|
| | | | <table border="1"> <thead> <tr> <th>Land Supply</th> <th colspan="2">Hectares</th> </tr> </thead> <tbody> <tr> <td>Core Strategy Preston Employment Requirement 2010-2026</td> <td colspan="2">118.5</td> </tr> <tr> <td><u>Employment Completions 2010 -14</u></td> <td colspan="2"><u>22.40</u></td> </tr> <tr> <td><u>Residual requirement</u></td> <td colspan="2"><u>96.10</u></td> </tr> <tr> <td>Local Plan 2004 Allocations</td> <td colspan="2">4.15</td> </tr> <tr> <td>Commitments on Allocated Sites</td> <td colspan="2">66.89 <u>44.93</u></td> </tr> <tr> <td>Proposed New Allocations</td> <td colspan="2">50.44</td> </tr> <tr> <td>Total Employment Land Supply</td> <td colspan="2">121.48 <u>99.52</u></td> </tr> </tbody> </table> | | | Land Supply | Hectares | | Core Strategy Preston Employment Requirement 2010-2026 | 118.5 | | <u>Employment Completions 2010 -14</u> | <u>22.40</u> | | <u>Residual requirement</u> | <u>96.10</u> | | Local Plan 2004 Allocations | 4.15 | | Commitments on Allocated Sites | 66.89 <u>44.93</u> | | Proposed New Allocations | 50.44 | | Total Employment Land Supply | 121.48 <u>99.52</u> | |
| Land Supply | Hectares | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Core Strategy Preston Employment Requirement 2010-2026 | 118.5 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <u>Employment Completions 2010 -14</u> | <u>22.40</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <u>Residual requirement</u> | <u>96.10</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Local Plan 2004 Allocations | 4.15 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Commitments on Allocated Sites | 66.89 <u>44.93</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Proposed New Allocations | 50.44 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total Employment Land Supply | 121.48 <u>99.52</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| MM16 | 37 | EP1 | <p><i>Amend the table within policy EP1 as follows:</i></p> <table border="1"> <thead> <tr> <th>Location</th> <th>Hectares</th> <th>Use Class</th> </tr> </thead> <tbody> <tr> <td>Local Plan 2004 Allocations</td> <td></td> <td></td> </tr> <tr> <td>EP1.1 Former Whittingham Hospital #</td> <td>1.40</td> <td>B1</td> </tr> <tr> <td>EP1.2 Red Scar Site H</td> <td>2.75</td> <td>B2, B8</td> </tr> <tr> <td></td> <td>4.15</td> <td></td> </tr> <tr> <td>Commitments on Allocated Sites</td> <td></td> <td></td> </tr> <tr> <td>EP1.3 Preston East Employment Area</td> <td>34.89 <u>13.13</u></td> <td>B2, B8</td> </tr> </tbody> </table> | | | Location | Hectares | Use Class | Local Plan 2004 Allocations | | | EP1.1 Former Whittingham Hospital # | 1.40 | B1 | EP1.2 Red Scar Site H | 2.75 | B2, B8 | | 4.15 | | Commitments on Allocated Sites | | | EP1.3 Preston East Employment Area | 34.89 <u>13.13</u> | B2, B8 | | | |
| Location | Hectares | Use Class | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Local Plan 2004 Allocations | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| EP1.1 Former Whittingham Hospital # | 1.40 | B1 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| EP1.2 Red Scar Site H | 2.75 | B2, B8 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 4.15 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Commitments on Allocated Sites | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| EP1.3 Preston East Employment Area | 34.89 <u>13.13</u> | B2, B8 | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| REF | PAGE | POLICY / PARA | MAIN MODIFICATION | | | |
|------|------|---------------|---|--------------------------------|--|-----------------------|
| | | | EP1.4 Red Scar Industrial Estate | 21.31 | | B2, B8 |
| | | | EP1.5 Millennium City Park | 3.50 4.16 | | B1(b) , B2, B8 |
| | | | EP1.6 Site at Junction 31A M6 West Loop | 3.37 2.37 | | B1(b), B1(c), C1 |
| | | | EP1.7 Land North of Eastway (formerly Broughton Business Park) # | 1.96 2.1 | | B1, B2, B8 |
| | | | EP1.8 Deepdale Street/Fletcher Road | 0.49 | | B1, B2, B8 |
| | | | EP1.9 Riversway | 1.37 | | B1, B2, B8 |
| | | | | 66.89 44.93 | | |
| | | | Proposed New Allocations | | | |
| | | | EP1.10 Preston East Junction 31A M6* | 25.50 | | B2, B8 |
| | | | EP1.11 Roman Road Farm* | 24.94 | | B2, B8 |
| | | | New Employment Allocations Total | 50.44 | | |
| | | | Employment Allocations Total | 121.48 99.52 | | |
| MM17 | 39 | 6.22 | <p><i>Amend paragraph 6.22 of the plan text as follows:-</i></p> <p>The site, total area 3.37ha, is identified as Mixed Use in the ELR Employment Land Review and is shown as such on the Policies Map. Of that area, about 1 ha. is considered suitable for the erection of a hotel (Use Class C1) and, for that reason, the site is listed in Policy EP1 as 2.37ha for</p> | | | |

| REF | PAGE | POLICY / PARA | MAIN MODIFICATION |
|------|------|---------------|--|
| | | | <p><u>B1(b) or B1(c) uses. It is recognised, however, that a range of uses ancillary to the main employment use, including A3 and A4 retail and sui-generis uses, could be located appropriately within the site.</u></p> |
| MM18 | 40 | 6.31 | <p><i>Amend paragraph 6.31 of the plan text as follows:-</i></p> <p>“This area of undeveloped land, measuring 25.5 hectares, is located to the north of M6 Junction 31A adjacent to the well-established Preston East Employment Area. The site is owned by the HCA. Due to the size of the site, and the surrounding sensitive land uses a comprehensive development brief and Masterplan would be required, <u>the HCA have prepared a Development Statement for the site, which would need to be refined further as part of the planning application process.</u> In addition, it is likely that a buffer area / zone would be imposed <u>Substantial landscaped buffers, as proposed in the Development Statement, will be required as part of any development proposals</u> on the site to allow screening between the neighbouring dwellings <u>to the north of the site</u> and the employment site <u>and to provide additional screening between the employment site and the land to the south (occupied by a large storage and distribution depot).</u> The site has the potential to provide additional employment land specifically this site would be suitable to accommodate storage and distribution (Class B8) uses to benefit from the site’s close proximity to the M6 motorway network and existing Preston East Employment Area road infrastructure. <u>The site is suitable for B2 (general industry) uses. Its close proximity to the M6 motorway and existing Preston East Employment Area road infrastructure also makes it particularly suitable for B8 uses (storage and distribution).</u></p> |
| MM19 | 43 | 6.48; 6.49 | <p><i>Amend paragraph 6.48 of the plan text as follows:-</i></p> <p>“A District Centre is proposed in Cottam to support <u>both</u> the Cottam Strategic Site <u>and the whole of the N W Preston Strategic Location. Under the terms of Policy EP3 a range of appropriate uses will be encouraged, including a supermarket, food and drink, leisure uses, public and community uses and other uses complementary to local shops.</u>”</p> <p><i>Add a sentence at the end of paragraph 6.49, as follows:-</i></p> |

| REF | PAGE | POLICY / PARA | MAIN MODIFICATION |
|-----|------|---------------|---|
| | | | <p>“Local Centres are allocated at the following locations:</p> <ul style="list-style-type: none"> • Blackpool Road/Woodplumpton Road (Lane Ends) • Longsands Road • Miller Road • New Hall Lane • Plungington Road • Ribbleton Avenue • Ribbleton Lane • Sharoe Green <p><u>New local centres are proposed under policy MD2 within the area of the N W Preston Strategic Location.</u>”</p> <p><i>Amend policy EP3 as follows:-</i></p> <p>“Within the proposed Cottam District Centre, <u>situated on the former Cottam Brickworks site</u>, as defined on the Policies Map, a range of appropriate services <u>mixed use retail and commercial development</u> that supports the role and function of the District Centre including a supermarket, food and drink leisure uses, public and community uses that support the role and function of the District Centre uses including a supermarket, food and drink leisure uses, public and community uses and other uses complementary to local shops, will be encouraged <u>will be permitted</u>.</p> <p><i>Amend criterion 1 of policy EP4 as follows:-</i></p> <p>“The boundaries of the Local Centres are defined on the Policies Map. The following criteria apply for change of use and development within Local Centres:</p> <p>1. Planning permission will be granted providing that:</p> <ul style="list-style-type: none"> a) the proposal contributes in level, quality or range towards meeting local shopping needs; and b) the proposal does not adversely affect the character of the centre or the amenity of adjoining |

| REF | PAGE | POLICY / PARA | MAIN MODIFICATION |
|------|------|---------------|--|
| | | | <p>property; and</p> <p>e) — the proposal would not adversely affect the vitality and viability of other nearby existing centres or prejudice future investment in those centres.</p> <p><u>1. Planning permission will be granted for retail development (including change of use) provided the proposal is commensurate to the size of centre and of a design which does not detract from the character of the centre.</u></p> |
| MM20 | 46 | EP7 | <p><i>Delete policy EP7 and replace by a new policy as follows:-</i></p> <p>Telecommunications equipment will be permitted where:</p> <ul style="list-style-type: none"> a) it is essential to the operational needs of the company; b) it cannot reasonably be located in a less environmentally damaging location; c) every effort has been made to reduce the visual impact of the equipment through the use of colour, siting, height considerations and landscaping where appropriate; d) undertakings have been given to dismantle any equipment and make good the site once the use has ceased. <p>The sharing of telecommunications facilities by network operators will also be encouraged.</p> <p><u>“Proposals for telecommunications will be permitted provided that the following criteria are met:</u></p> <ul style="list-style-type: none"> <u>a) The siting and appearance of the proposed apparatus and associated structures should seek to minimise impact on the visual amenity, character or appearance of the surrounding area;</u> <u>b) If on a building, apparatus and associated structures should be sited and designed in order to seek to minimise impact to the external appearance of the host building;</u> <u>c) If proposing a new mast, it should be demonstrated that the applicant has explored the possibility of erecting apparatus on existing buildings, masts or other structures. Such evidence should accompany any application submitted;</u> |

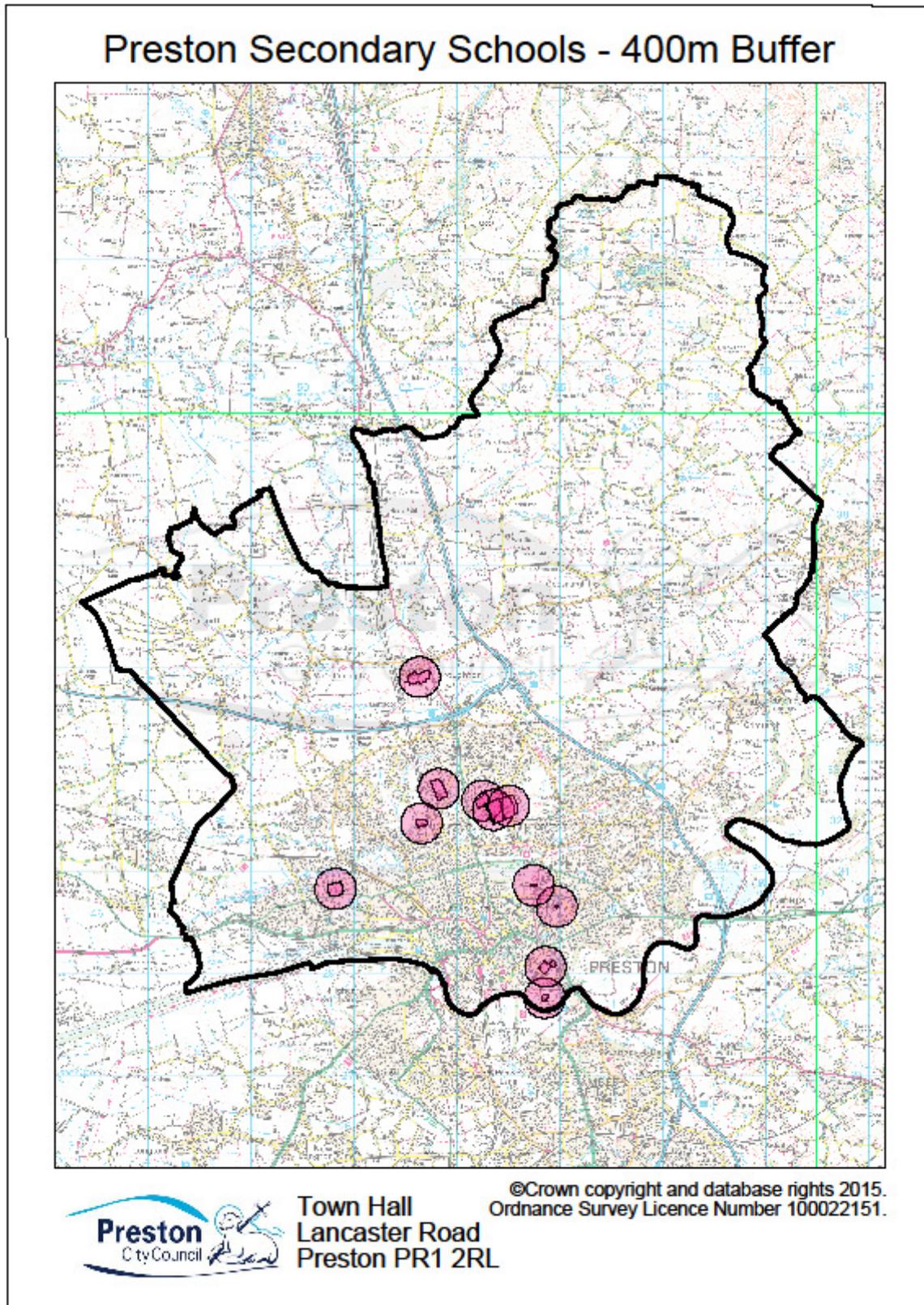
| REF | PAGE | POLICY / PARA | MAIN MODIFICATION |
|------|------|---------------|--|
| | | | <p><u>d) If proposing development in a sensitive area, the development should not have an unacceptable effect on areas of ecological interest, areas of landscape importance, archaeological sites, conservation areas or buildings of architectural or historic interest.</u></p> <p><u>When considering applications for telecommunications development, regard will be had to the operational requirements of telecommunications networks and the technical limitations of the technology.”</u></p> |
| MM21 | 52 | EN2 | <p><i>Amend the heading to policy EN2 to read ‘Protection <u>and enhancement</u> of Green Infrastructure’.</i></p> <p><i>Amend policy EN2 as follows:-</i></p> <p>“Development proposals should seek to protect and enhance existing green infrastructure as identified on the Policies Map. <u>Proposals which would involve the loss of green infrastructure will only be granted planning permission where:</u></p> <p>Development which would involve the loss of green infrastructure will not be permitted unless:</p> <ul style="list-style-type: none"> a) alternative provision of similar and/or better facilities for the community will be implemented on another site <u>it can be clearly shown that the site is surplus to requirements;</u> or b) it can be demonstrated that the retention of the site is not required to satisfy a recreational need in the local area; and <u>the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or</u> c) the development would not detrimentally affect the amenity value or the nature conservation value of the site <u>the development itself is for alternative green infrastructure provision, the needs for which clearly outweigh the loss; and</u> d) <u>policy EN10 is adhered to where the site is part of an ecological network.”</u> |

| REF | PAGE | POLICY / PARA | MAIN MODIFICATION |
|------|------|---------------|--|
| MM22 | 53 | EN3 | <p><i>Amend policy EN3 as follows:-</i></p> <p>“All developments, will where necessary:</p> <p>a) provide appropriate landscape enhancements;</p> <p>b) conserve and enhance important environmental assets, natural resources and biodiversity including the City’s ecological network;</p> <p>c) make provision for the long-term use and management of these areas; and</p> <p>d) provide access to well-designed cycleways, bridleways and footpaths (both off and on road), to help link local services and facilities”</p> |
| MM23 | 53 | EN4 | <p><i>Amend the last part of policy EN4 as follows:-</i></p> <p>“Development will be assessed in terms of its impact upon the Area of Separation. Development that leads to a risk of settlements merging will be resisted, <u>including any harm to the effectiveness of the gap between settlements and, in particular, the degree to which the development proposed would compromise the function of the Area of Separation in protecting the identity and distinctiveness of settlements.</u>”</p> |
| MM24 | 53 | 8.9 | <p><i>Amend paragraph 8.9 in the plan text as follows:-</i></p> <p>“8.9 The Core Strategy has identified three Areas of Separation within Preston to protect the character and identity of settlements that are only separated by a small area of Open Countryside from a neighbouring settlement. To help maintain the openness of these areas of countryside and the quality and distinctiveness of these settlements, the Core Strategy identifies where Areas of Separation are needed. <u>It should be noted that Policy EN1 (Development in the Open Countryside) also applies in the Areas of Separation, as shown on the policies map.</u>”</p> |
| MM25 | 55 | EN6 | <p><i>Amend the second line of policy EN6 as follows:-</i></p> |

| REF | PAGE | POLICY / PARA | MAIN MODIFICATION |
|------|------|---------------|--|
| | | | <p>“In addition to the criteria set out in Policy EN1, proposals within the Forest of Bowland AONB will conserve, enhance and make a positive contribution to the natural beauty of the area”.</p> |
| MM26 | 65 | EN10 | <p><i>Amend the first section of policy EN10, under priority i) as follows:</i></p> <p>“In Preston, Biodiversity and Ecological Network resources will be protected, conserved, restored and enhanced:</p> <p>Priority will be given to:</p> <ul style="list-style-type: none"> i. Protecting and safeguarding all designated sites of international, national, regional, county and local level importance including all Ramsar sites, Special Protection Areas, Special Areas of Conservation, national nature reserves, sites of special scientific interest and biological heritage sites, S41 Habitats of Principal Importance, geological heritage sites, local nature reserves and wildlife corridors together with any ecological network approved by the Council;” <p><i>Amend criterion e) in the second section of the policy as follows:-</i></p> <p>“e. In exceptional cases, where the need for development in social or economic terms is considered to significantly outweigh the impact on the natural environment, appropriate and proportionate mitigation measures and/or compensatory habitat creation and/or restoration of at least equal area, quality and diversity will be required through planning conditions and/or planning obligations.”</p> |
| MM27 | N/A | N/A | <p><i>Include an additional policy in the plan as follows:-</i></p> <p>“Policy GB1 – Green Belt.</p> <p><u>An area of Green Belt is shown on the policies map. Within that area national policies for development in the Green Belt will be applied.”</u></p> |

| REF | PAGE | POLICY / PARA | MAIN MODIFICATION |
|------|------|---------------|---|
| MM28 | 70 | 9.16; WB3 | <p><i>Delete text paragraph 9.16 and policy WB3. Replace the policy by a new policy as follows:-</i></p> <p>“9.16 Proposals for hot food takeaways will only be permitted in defined retail centres District and Local Centres outside of the 400 metre exclusion zone where it would not result in an overconcentration of hot food takeaways to the detriment of the retail function of the centre as a whole cause undue detriment to the centre’s range of facilities, thereby threatening the centre’s viability and vitality. Proposals for hot food takeaways in these locations will be assessed against Policies EP3: Cottam District Centre, EP4: Local Centres and Policies within the City Centre Plan.</p> <p>Policy WB3: Hot Food Takeaways</p> <p>Proposals for hot food takeaways (Class A5 uses) will only be permitted in District and Local Centres that are not located within the 400 metre exclusion zone around primary schools, secondary schools and sixth form colleges (current school and college locations identified in Appendix F) and if they are in accordance with Policy EP4</p> <p><u>“Proposals for hot food takeaways (Class A5 uses) will need to satisfy the sequential test in relation to defined retail centres and will only be permitted where the use would not cause undue detriment to the centre’s range of facilities, thereby threatening the centre’s viability and vitality.</u></p> <p><u>Where such proposals are located within 400 metres of a secondary school or sixth form college (current school and college locations identified in Appendix F) planning permission will be granted subject to a condition that the premises are not open to the public before 17:00 and there are no over-the-counter sales before that time.”</u></p> |
| MM29 | 107 | Appendix F | <p><i>Include an amended plan in Appendix F to show secondary school and college locations within 400 m. zones (see Annex 1).</i></p> |
| MM30 | 100 | Appendix E | <p><i>Amend the schedule in Appendix E to clearly state which of the saved policies in the adopted local plan are to be superseded by policies in this plan upon adoption (see Annex 2).</i></p> |

ANNEX 1: AMENDED PLAN IN APPENDIX F TO SHOW SECONDARY SCHOOL AND COLLEGE LOCATIONS WITHIN 400 M. ZONES



ANNEX 2

PRESTON LOCAL PLAN 2012-2026

Appendix E: Schedule of Superseded Preston Local Plan 2004 Policies (Regulation 8(5), Town and Country Planning (Local Planning) (England) Regulations 2012).

| Local Plan (2004) Policy No. | Local Plan (2004) Policy Title | Superseded by Central Lancashire Core Strategy (CS) 2012 Policy or Preston Local Plan (PLP) 2012-2026 Policy |
|------------------------------|---|---|
| DC1 | Green Belt | PLP Policy GB1 |
| DC4 | Agricultural Diversification | PLP EN1 – Development in the Open Countryside |
| DC7 | Nature Conservation: Locally Important Sites | PLP EN2 - Protection and Enhancement Green Infrastructure PLP EN10 – Biodiversity and Nature Conservation |
| DC8 | Wildlife Corridors | PLP EN2 – Protection and Enhancement of Green Infrastructure PLP EN10 - Biodiversity and Nature Conservation |
| DC10 | Rural Villages | PLP AD1(b) - -Small Scale Development within Existing Villages (including the development of brownfield sites) |
| DC14 | Existing Rural Worker's Dwellings | PLP HS5 - Agricultural Workers Dwellings |
| DC15 | Protection of Rural Shops and Businesses | PLP WB1 - Protection of Community Facilities |
| DP2 | Development on Landfill sites | PLP EN7 – Land Quality |
| G1 | Parks and Public Open Space | PLP EN2 - Protection and Enhancement of Green Infrastructure |
| G2 | Amenity Open Space | PLP EN2 - Protection and Enhancement of Green Infrastructure |
| G3 | Private, Educational and Institutional Greenspace | PLP EN2 - Protection and Enhancement of Green Infrastructure |
| G5 | Road Verges and other Incidental Greenspace | PLP EN2 - Protection and Enhancement of Green Infrastructure |
| G6 | Golf Courses | PLP EN5 – Areas of Major Open Space PLP EN1 – Development in the Open Countryside |
| G7 | Cemeteries and Crematoria | PLP EN2 - Protection and Enhancement of Green Infrastructure |
| G9 | Proposed Public Open Space | PLP EN3 - Future Provision of Green Infrastructure |
| C1 | Development and Conservation Areas | PLP EN8 – Development and Heritage Assets |
| C2 | Demolition of Listed Buildings or Buildings in Conservation Areas | PLP EN8 – Development and Heritage Assets |
| C3 | Conservation Areas- Changes of Use | PLP EN8 – Development and Heritage Assets |
| C4 | Setting of Listed Buildings | PLP EN8 – Development and Heritage Assets |
| C5 | Use of Listed Buildings | PLP EN8 – Development and Heritage Assets |

| Local Plan (2004) Policy No. | Local Plan (2004) Policy Title | Superseded by Central Lancashire Core Strategy (CS) 2012 Policy or Preston Local Plan (PLP) 2012-2026 Policy |
|-------------------------------------|---|---|
| C6 | Alteration of Listed Buildings | PLP EN8 – Development and Heritage Assets |
| C7 | Listed Buildings and S.106 Agreements | PLP EN8 – Development and Heritage Assets |
| C8 | Parks and Gardens of Special Historic interest | PLP EN8 – Development and Heritage Assets |
| C9 | Archaeological Features | PLP EN8 – Development and Heritage Assets |
| T1 | Park and Ride Bus Services | PLP IN3 - Park and Ride Sites (Broughton and Riversway) |
| T5 | Highway Improvements- Broughton Bypass | PLP IN2 - Broughton Bypass |
| T14 | Public Off-Street Car Parking | PLP ST1: Parking Standards |
| T19 | General Transport Considerations | PLP ST2: General Transport Considerations |
| H3 | Affordable Housing in Rural Areas | PLP HS4 - Rural Exception Affordable Housing |
| H5 | Development Proposals in Existing Residential Areas | PLP AD1(a) - Development within (or in close proximity to) the Existing Residential Area PLP AD1(b) – Small scale development within Existing Villages |
| H6 | Backland Development | PLP AD1(a) – Development within (or in close proximity to) the Existing Residential Area PLP AD1(b) – Small scale development within Existing Villages PLP Policy EN9 – Design of New Development |
| H10 | New Business and Employment Uses in Residential Areas | PLP AD1(a) – Development within (or in close proximity to) the Existing Residential Area |
| H12 | Community and Other Non-Residential Uses | PLP AD1(a) - Development within (or in close proximity to) the Existing Residential Area PLP AD1(b) – Small scale development within Existing Villages |
| H13 | Day Nurseries and Play Groups | PLP AD1(a) - Development within (or in close proximity to) the Existing Residential Area PLP AD1(b) – Small scale development within Existing Villages |
| W1 | Provision for New Business and Industrial Development | PLP EP1 - Employment Site Allocations |
| W5 | Telecommunications | PLP EP7 - Telecommunications |
| S8 | Local Centres- Non-Retail Uses | PLP EP4 - Local Centres |
| S11 | Hot Food Shops | PLP WB3 - Hot Food Takeaways |
| CLF2 | Small Scale Leisure Facilities | PLP EP4 – Local Centres PLP AD1 (a) and (b) PLP EN1 |
| CLF4 | Amusement Centres | PLP EP4 – Local Centres |

| Local Plan (2004) Policy No. | Local Plan (2004) Policy Title | Superseded by Central Lancashire Core Strategy (CS) 2012 Policy or Preston Local Plan (PLP) 2012-2026 Policy |
|------------------------------|--|--|
| | | PLP AD1 (a) and (b) |
| CLF6 | Public Rights of Way | PLP ST2 – General Transport Considerations PLP EN2 – Protection and Enhancement of Green Infrastructure PLP EN3 – Future Provision of Green Infrastructure |
| CLF7 | Tourism related Caravan and Chalet Development | PLP EN1 – Development in the Open Countryside |
| CLF8 | Horses | PLP EN1 – Development in the Open Countryside PLP AD1(a) – Development within (or in close proximity to) the Existing Residential Area PLP AD1(b) – Small scale development within Existing Villages |
| CLF9 | Community Facilities | PLP WB1 - Protection of Community Facilities PLP WB2 - Allocations for New Community Facilities |
| CLF10 | Allotments | PLP EN2 - Protection and Enhancement of Green Infrastructure PLP EN3 – Future Provision of Green Infrastructure |
| D1 | Design Criteria | PLP EN9 – Design of New Development |
| D2 | The Local Context | PLP EN9 – Design of New Development |
| D3 | Daylight and Sunlight | PLP EN9 – Design of New Development |
| D4 | Safety and Security | PLP EN9 – Design of New Development |
| D5 | Tall Buildings | PLP EN9 – Design of New Development |
| D6 | Vistas | PLP EN9 – Design of New Development |
| D7 | The Layout of Development | PLP EN9 – Design of New Development |
| D9 | Works of Public art | PLP EN9 – Design of New Development |
| D11 | Landscape Treatment | PLP EN9 – Design of New Development |
| D12 | Housing Development | PLP EN9 – Design of New Development |
| D14 | Shop Fronts | PLP EN9 – Design of New Development |
| D15 | Retail Warehousing and Industrial Development | PLP EN9 – Design of New Development |
| D16 | Advertisements | PLP EN9 – Design of New Development |
| D17 | Advertisement Hoardings | PLP EN9 – Design of New Development |
| D18 | Rural Development | PLP EN9 – Design of New Development |
| SS6 | University of Central Lancashire | PLP HS6 - University of Central Lancashire |
| SS20 | Leighton Street (Gypsy Site and adjacent land) | PLP EP2 – Protection of Existing Employment Areas |
| SS22 | Centenary Mill, New Hall Lane | PLP AD1(a) - Development within (or in close proximity to) the Existing Residential Area |
| SS23 | Deepdale Street/Fletcher Road Coal Yard | PLP EP1 – Employment Site Allocations |
| SS24 | Deepdale Mill, Deepdale Mill Street | PLP HS1 – Allocation of Housing Sites |
| SS25 | Brockholes View/Birley Bank | PLP AD1(a) - Development within (or in close proximity to) the Existing Residential Area |
| SS26 | Aqueduct Street | PLP EP2 – Protection of Existing Employment Areas |
| SS31 | Riversway Phase B | PLP EP5 – Riversway Phase B Site Specific Policy |
| SS33 | Sharoe Green Hospital | PLP EP2 – Protection of Existing Employment |

| Local Plan (2004) Policy No. | Local Plan (2004) Policy Title | Superseded by Central Lancashire Core Strategy (CS) 2012 Policy or Preston Local Plan (PLP) 2012-2026 Policy |
|------------------------------|--------------------------------|--|
| | | Areas |
| SS34 | Fulwood Barracks | PLP EP2 – Protection of Existing Employment Areas |

APPENDIX B - List of changes to the submission policies map which will need to be made consequentially upon the recommended main modifications to the plan.

These will, in due course, be shown on the adopted policies map. The plans attached at Annex A illustrate the changes as appropriate.

- PM1 - Safeguard a route for the Preston Western Distributor Road (MM4)
- PM2 - Delete the site for a new railway station at Cottam subject to policy IN4 (MM7)
- PM3 - Amend the area shown as subject to policy MD2 (MM8)
- PM4 - Show the site for employment allocation EP1.7
- PM5 - Show the expanded site for allocation HS1.14 Longridge and exclude from Area of Separation (MM10)
- PM6 - Show the former Whittingham hospital site as HS1.15 (mixed use) (MM10)
- PM7 - Show the new allocation HS1.16, Land off Forest Grove, Barton (MM10)
- PM8 - Show the new allocation HS1,17, Land to the south of Ribblesdale Drive, Grimargh and exclude from Area of Separation (MM10)
- PM9 - Show the enlarged area for allocation EP1.5, Millenium City Park (MM15)
- PM10 - Show allocation EP1.6 as mixed use (3.37 ha.) (MM16)
- PM11 - Show policy EN1 as applying in the Area of Separation (MM24)

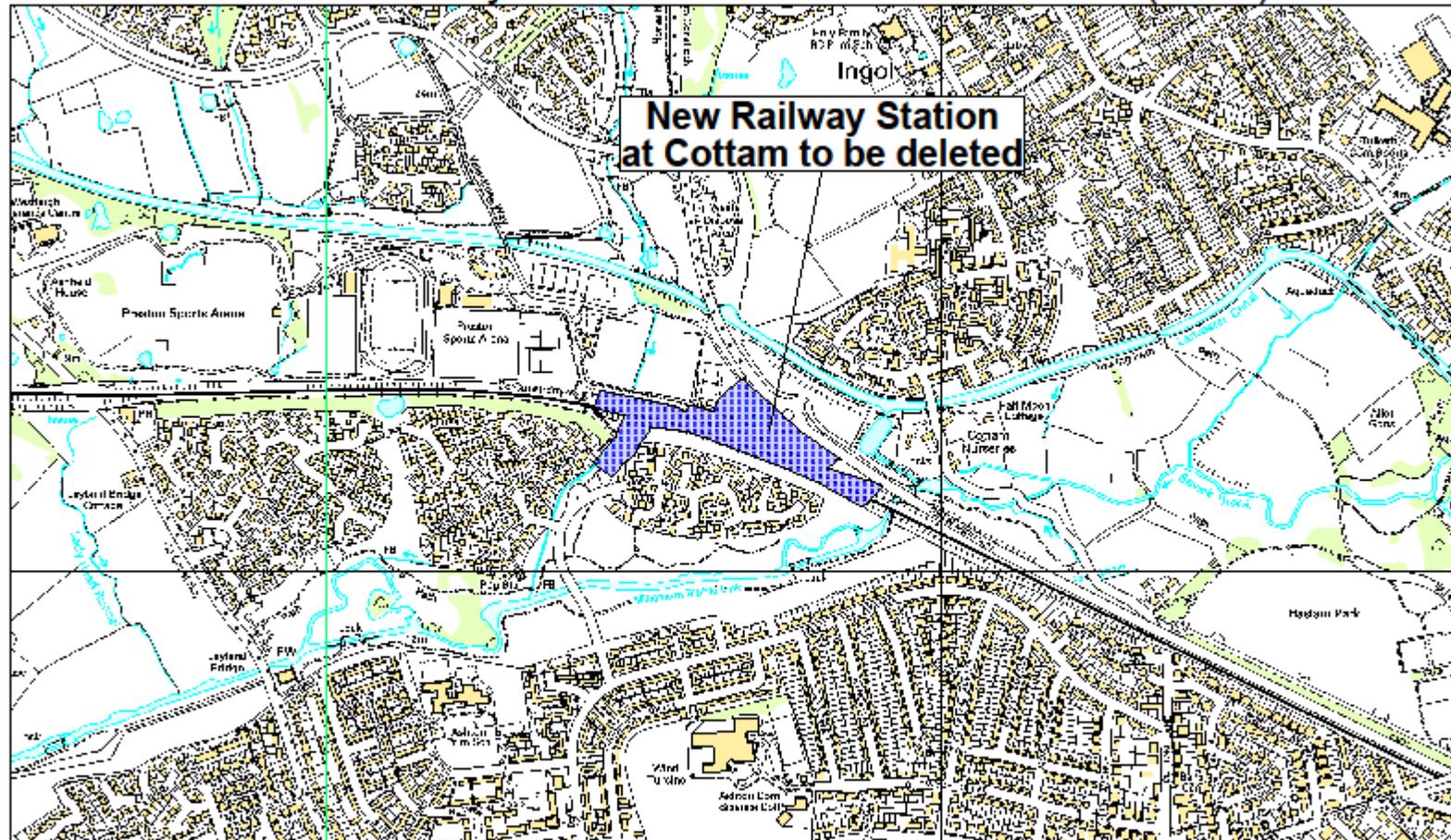
PM1 - Preston Western Distributor Road (MM4)



Town Hall
Lancaster Road
Preston PR1 2RL

©Crown copyright and database rights 2014.
Ordnance Survey Licence Number 100022151.

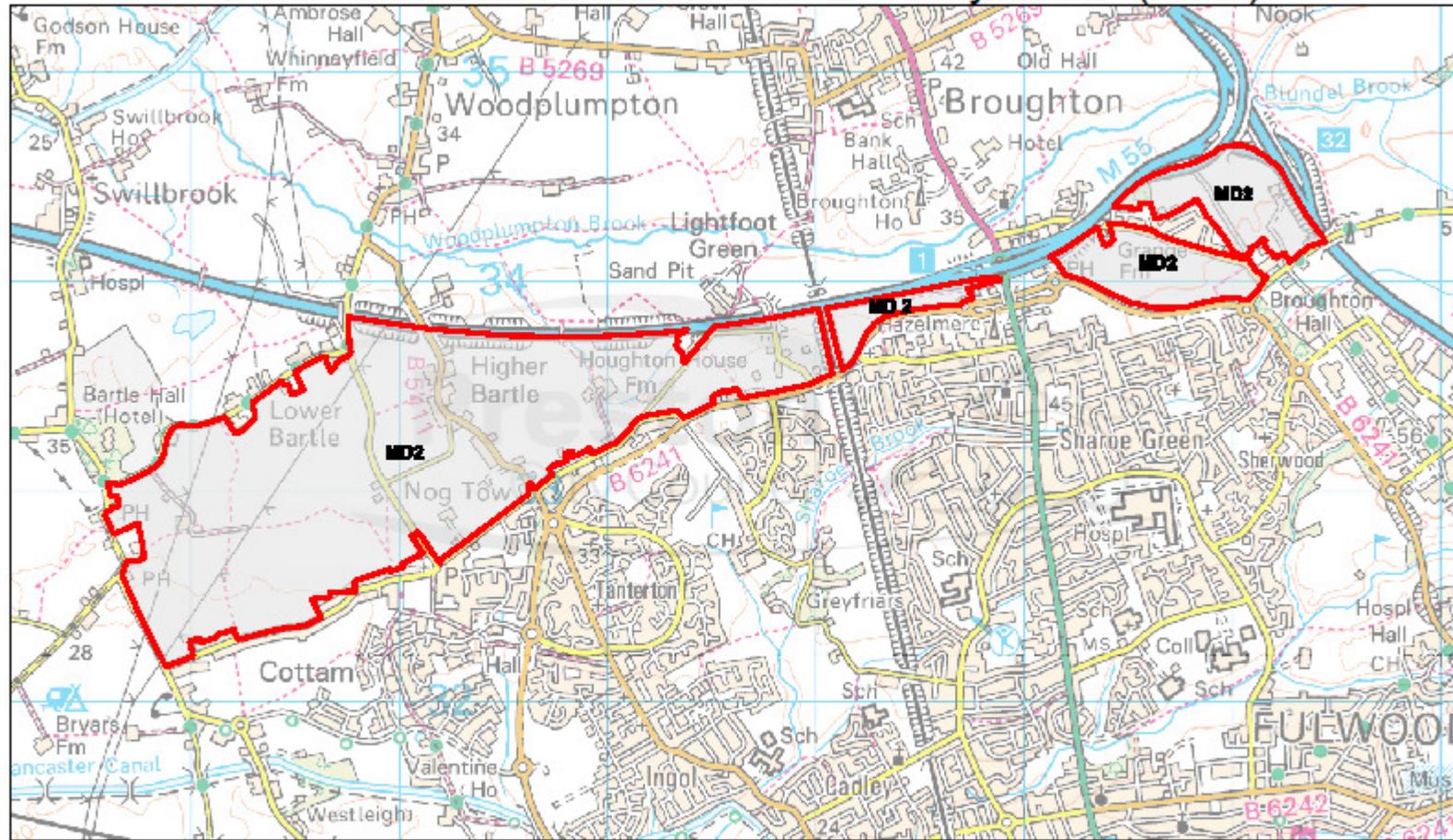
PM2 - Railway Station at Cottam to be deleted (MM7)



Town Hall
Lancaster Road
Preston PR1 2RL

©Crown copyright and database rights 2014.
Ordnance Survey Licence Number 100022151.

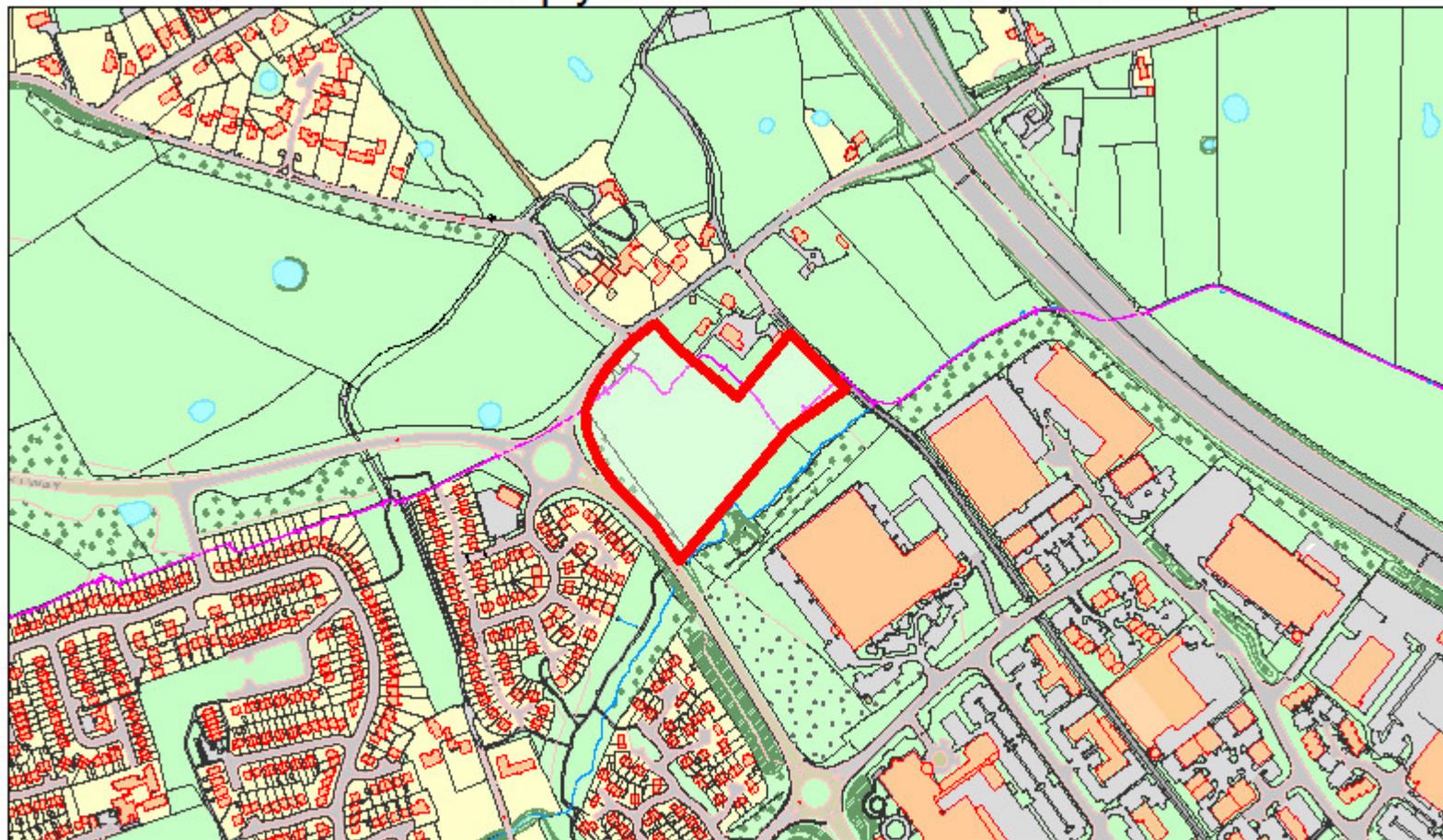
PM3 - Amended area of NWP to Policy MD2 - (MM8)



Town Hall
Lancaster Road
Preston PR1 2RL

©Crown copyright and database rights 2014.
Ordnance Survey Licence Number 100022151.

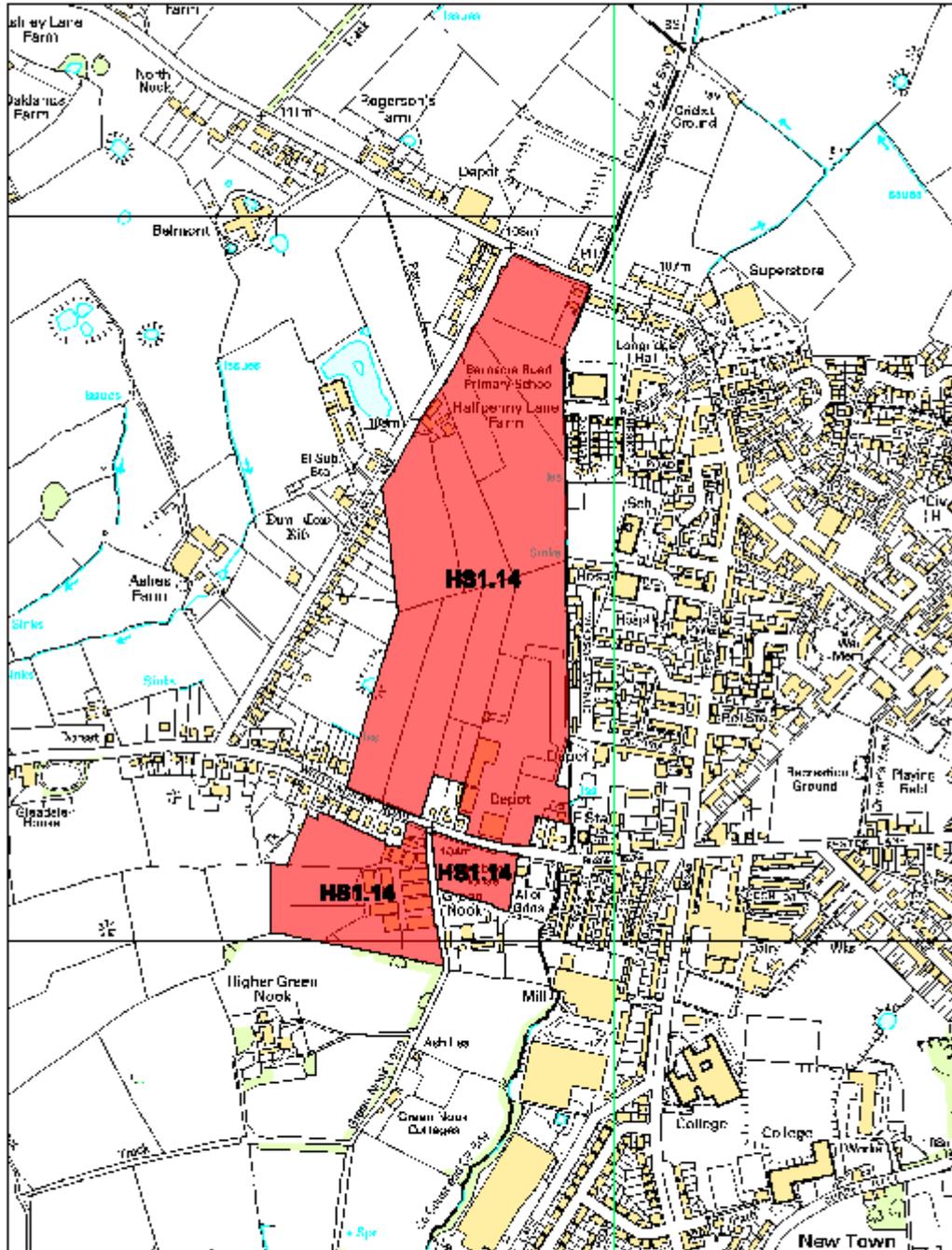
PM4 - Employment Site Allocation EP1.7



Town Hall
Lancaster Road
Preston PR1 2RL

©Crown copyright and database rights 2014.
Ordnance Survey Licence Number 100022151.

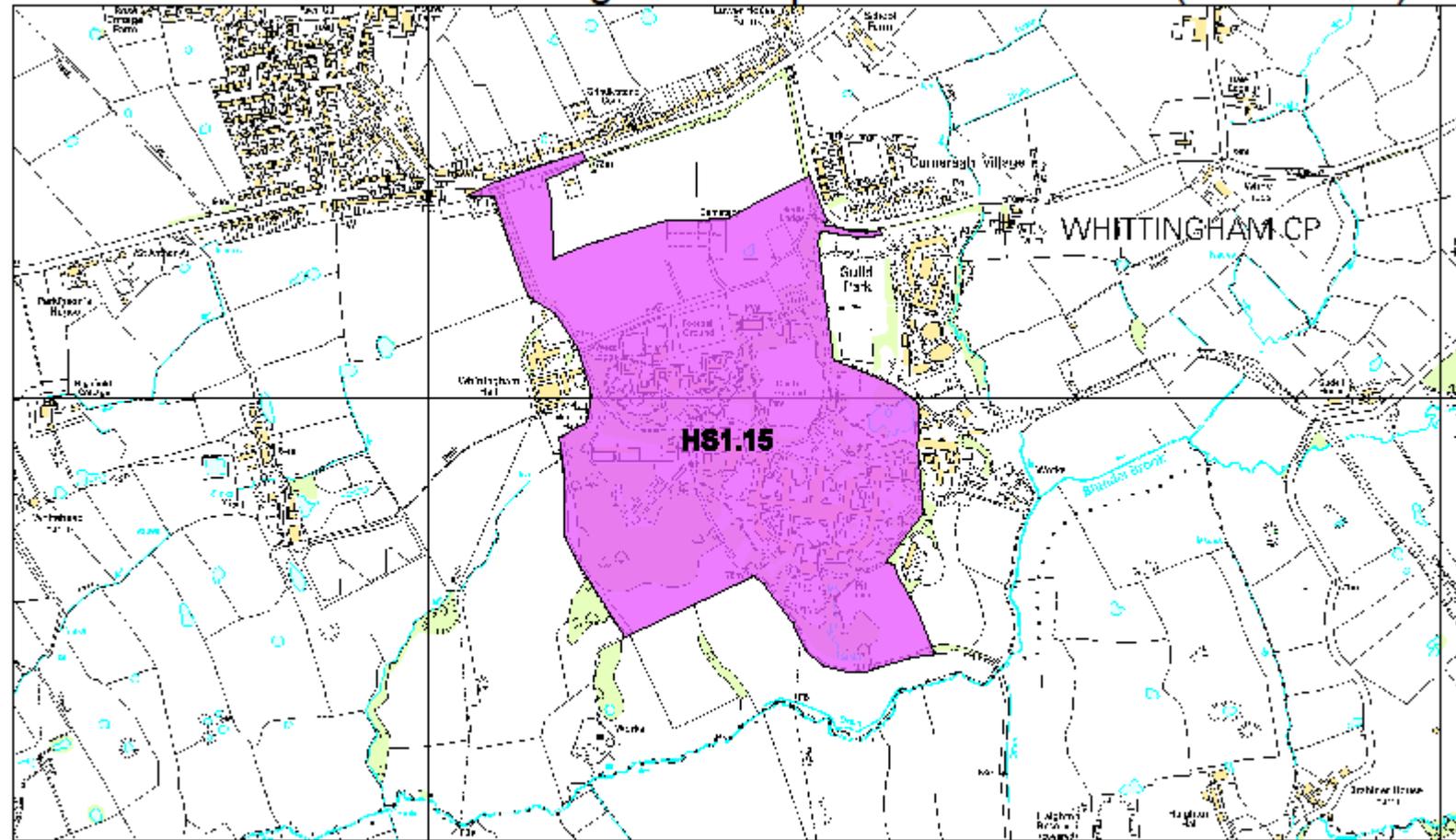
PM5 - Expanded site for allocation HS1.14 Longridge



Town Hall
Lancaster Road
Preston PR1 2RL

©Crown copyright and database rights 2014.
Ordnance Survey Licence Number 100022151.

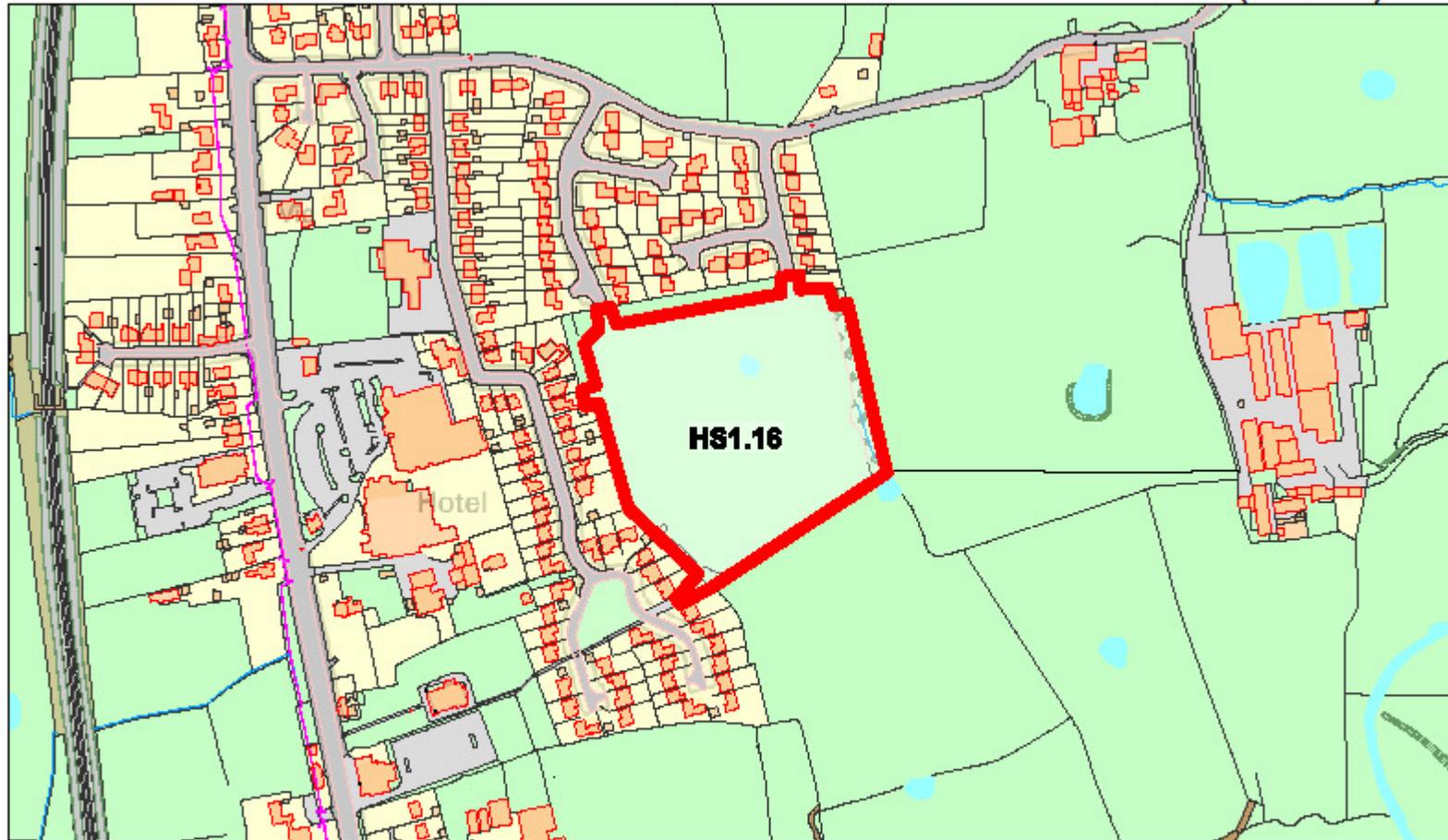
PM6: Show the former Whittingham Hospital site at HS1.15 (Mixed Use)



Town Hall
Lancaster Road
Preston PR1 2RL

©Crown copyright and database rights 2014.
Ordnance Survey Licence Number 100022151.

PM7- New Allocation HS1.16 land off Forest Grove Barton (MM10)



Town Hall
Lancaster Road
Preston PR1 2RL

©Crown copyright and database rights 2014.
Ordnance Survey Licence Number 100022151.

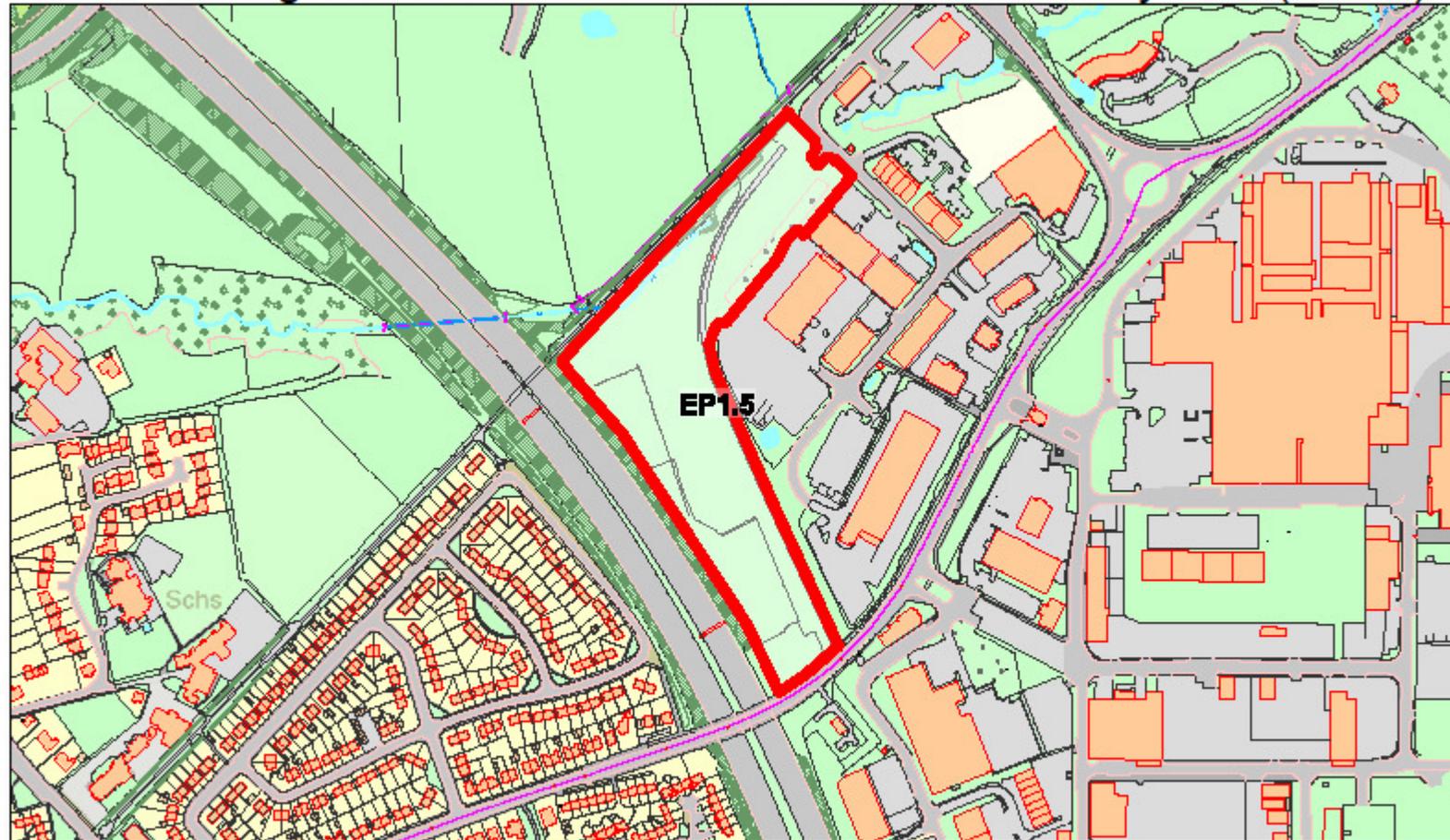
PM8 - New Allocation HS1.17 land to South of Ribblesdale Drive (MM10)



Town Hall
Lancaster Road
Preston PR1 2RL

©Crown copyright and database rights 2014.
Ordnance Survey Licence Number 100022151.

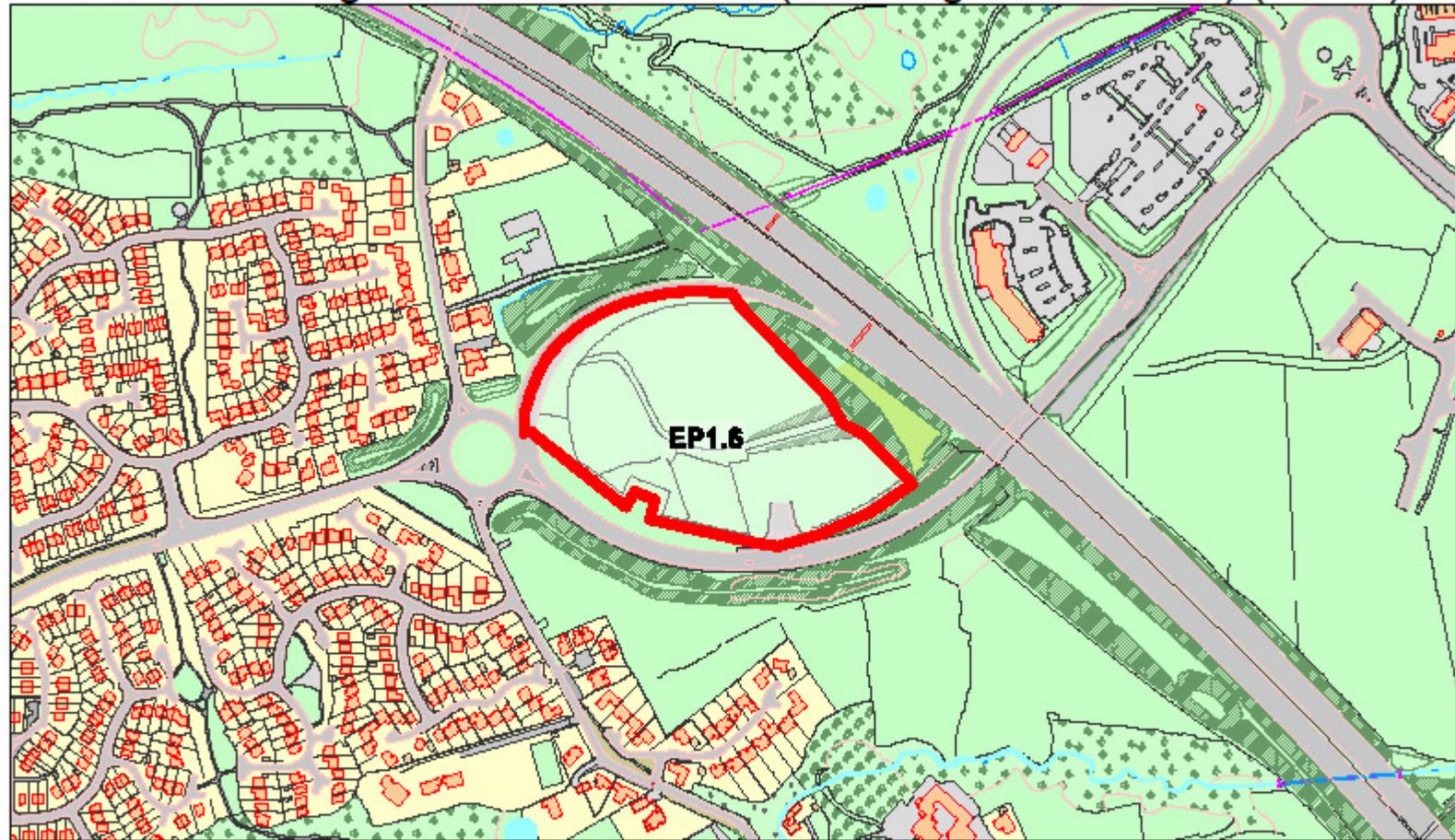
PM9 - Enlarged area for allocation EP1.5 Millennium City Park (MM15)



Town Hall
Lancaster Road
Preston PR1 2RL

©Crown copyright and database rights 2014.
Ordnance Survey Licence Number 100022151.

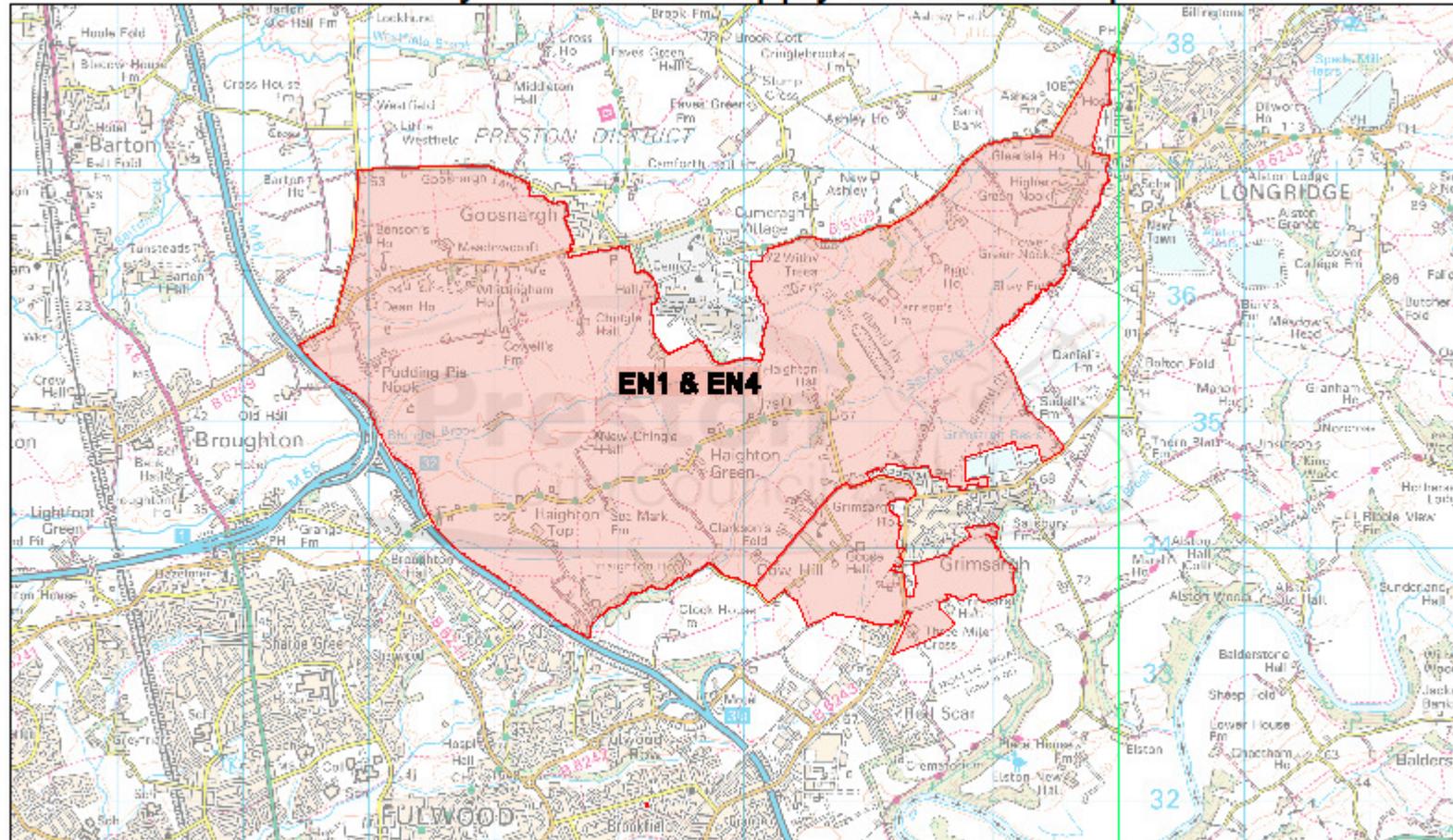
PM10 - Enlarged EP1.6 Mixed Use (including 1ha for hotel) (MM16)



Town Hall
Lancaster Road
Preston PR1 2RL

©Crown copyright and database rights 2014.
Ordnance Survey Licence Number 100022151.

PM11 - Policy EN1 & EN4 apply to Area of Separation



Town Hall
Lancaster Road
Preston PR1 2RL

©Crown copyright and database rights 2014.
Ordnance Survey Licence Number 100022151.

Appendix 4

Wrea Green Centre

Appendix 4 Wrea Green Centre

4a Wrea Green Centre - The Dub (Pond) on the Green looking south. Very open, low density and rural in character. Spaces between properties provide views to open countryside beyond.





4b Wrea Green Centre – Looking north east across the Dub towards the Village Shop, very open, low density and rural in character, variety of attractive residential properties face onto the Green.



4c Wrea Green Remedial/Sports Massage Premises



4d Wrea Green Café and Restaurant conversion of ground floor of residential properties



4e Wrea Green Dentist and Beauty Salon (conversion of residential properties)



4f Wrea Green Centre – Green area/setting in front of Public House, looking across to Village Shop



4g Wrea Green Centre – Public House which faces onto Village Green

Appendix 5

Wesham Town Centre

Appendix 5 Wesham Centre



5a Wesham Centre – hard landscaping with War Memorial, no greenspace, densely built up area, very different to centre of Wrea Green



5b Large Coop Store centrally located in Wesham, larger property on the end may be a purpose built shop which has been extended into adjacent residential properties



5c Parade of shops comprising Weight Loss Centre, Ladies Hairdressers, Unisex Hairdressers, Ironing Services, Gentlemen's Hairdressers, Sandwich Shop/ Hot Food (in yellow), beyond that are another hairdressers, a florist, vet, pharmacy and newsagent.



5d Kirkham and Wesham Railway Station



5e Fox's Biscuits on site of former Phoenix Mill (currently about 500 employees)



5f Salisbury's Gas and Electrical (Conversion and extension of former School)



5g Kirkham Tyre Centre (used by local farmers for repairs to large agricultural tyres)

Appendix 6

Freckleton Town Centre

Appendix 6 Freckleton Centre



6a Centre of Freckleton, mainly a built up area with hard landscaping, War Memorial Garden behind this building.



6b Looking north across the centre of Freckleton, mainly a built up area, War Memorial Garden in centre



6c Freckleton Parade of Shops which in total comprises Butchers, Sandwiches, Fish and Chips, Televisions, Newsagents, Chinese Takeaway and UPVC Windows



6d Freckleton Estate Agents in a parade of shops which comprises Hairdressers, Indian Takeaway, Vets, Barbers, Beauty Salon, Café, Green Grocers, and Financial Services



6f Freckleton Post Office and Spar



6g Freckleton Coop



6h Freckleton Purpose built parade of Shops comprising Hot Food Take Away, Estate Agent, Off Licence, Hair Dressers, Hot Food Takeaway, Carpets and Flooring