



Partial Review of the Fylde Local Plan to 2032

**Copies of Representations Made
Under Regulation 20
(Regulation 22(1)(d) Document)**

October 2020

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Introduction

The following document (Regulation 22 (1) (d)) contains copies of the representations received under Regulation 20 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Representations are presented in full and in order of receipt. Any personal information has been redacted in compliance with GDPR.

Stephanie Shone

From: Hilton, Warren <Warren.Hilton@highwaysengland.co.uk>
Sent: 24 July 2020 15:37
To: PlanningPolicy
Cc: Marsh, Kristian
Subject: RE: PUBLIC CONSULTATION - Partial Review of the Fylde Local Plan to 2032

FAO: Planning Policy Team, Fylde Borough Council

Thank you for consulting Highways England on the published Partial Review of the Fylde Local Plan to 2032 (PRFLP32).

There are no particular comments or observations that Highways England feels that it needs to make regarding the published Partial Review.

Please contact me if you would like to discuss anything about this email.

Kind regards,

Warren Hilton, Assistant Spatial Planner

Highways England | Piccadilly Gate | Store Street | Manchester | M1 2WD

Web: www.highwaysengland.co.uk.

From: Sally Thompson [mailto:sally.thompson@fylde.gov.uk]
Sent: 23 July 2020 13:49
To: Sally Thompson <sally.thompson@fylde.gov.uk>
Subject: FW: PUBLIC CONSULTATION - Partial Review of the Fylde Local Plan to 2032

Dear Sir/Madam,

This is to notify you that the Partial Review of the Fylde Local Plan to 2032 (PRFLP32) has been published for consultation, along with accompanying documents, for six weeks from 23 July 2020 until 5pm on 3 September 2020.

The Partial Review of the Fylde Local Plan to 2032 is not a complete review of the Local Plan. It makes proposed revisions to the Local Plan to deal with two issues:

- The need to ensure that the Local Plan remains in accordance with national planning policy, following the publication of the new National Planning Policy Framework in February 2019;
- The need to examine the issue of unmet housing need in Wyre, in line with the commitment in paragraph 1.27 of the Local Plan, and following the adoption in February 2019 of the Wyre Local Plan (2011-2031) with unmet housing need.

The Partial Review of the Fylde Local Plan to 2032 is published in the form of the Schedule of Revisions to the FLP32.

Representations are invited on the Partial Review of the Fylde Local Plan to 2032: Schedule of Revisions to the FLP32. This schedule sets out the revisions to the Local Plan which the Council wishes to adopt. Previously, the Council consulted on the scope of the Fylde Local Plan to 2032 Partial Revision, and representations received on that consultation have been taken into account in producing this schedule. Following this publication consultation, the Partial Review of the Fylde Local Plan to 2032: Schedule of Revisions to the FLP32 will be submitted, together with the representations received in this publication consultation, to the Secretary of State for Examination.

All consultation documents are available to view [here](#). All representations should be made in accordance with the **Statement of Representations Procedure**.

You are receiving this email because your details are stored on the Councils Register of consultees database should these details be incorrect or you wish to be removed from the database please email planningpolicy@fylde.gov.uk

Kind Regards

Planning Policy Team

Sally Thompson

Research and Information Officer- Planning
Policy

Stephanie Shone

From: TownPlanning LNW <TownPlanningLNW@networkrail.co.uk>
Sent: 31 July 2020 18:57
To: PlanningPolicy
Subject: Fylde - Local Plan to 2032 Partial Review Schedule of Revisions 31072020

OFFICIAL

Network Rail is a statutory consultee for any planning applications within 10 metres of relevant railway land (as the Rail Infrastructure Managers for the railway, set out in Article 16 of the Development Management Procedure Order) and for any development likely to result in a material increase in the volume or a material change in the character of traffic using a level crossing over a railway (as the Rail Network Operators, set out in Schedule 4 (J) of the Development Management Procedure Order).

Network Rail is also a statutory undertaker responsible for maintaining and operating the railway infrastructure and associated estate. It owns, operates and develops the main rail network. Network Rail aims to protect and enhance the railway infrastructure, therefore any proposed development which is in close proximity to the railway line or could potentially affect Network Rail’s specific land interests will need to be carefully considered.

Network Rail has no comments.

During the current situation all planning applications and planning policy consultation must be issued to: TownPlanningLNW@networkrail.co.uk only. Please do not send hard copies to the Manchester office as the Town Planning team are working from home.

From

**Diane Clarke
Town Planning Technician NW&C
AssocRTPI
Network Rail**

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Stephanie Shone

From: Tim Bettany-Simmons <Tim.Bettany-Simmons@canalrivertrust.org.uk>
Sent: 07 August 2020 09:57
To: PlanningPolicy
Subject: RE: PUBLIC CONSULTATION - Partial Review of the Fylde Local Plan to 2032

Dear Sir/Madam

Thank you for your consultation on the above partial review of the Flyde Local Plan to 2032

The Canal & River Trust (the Trust) only own and manage a small part of the Lancaster Canal which passes through the Borough, in generally rural locations not subject to significant development proposals. The Trust welcome the expanded policy GD7 criteria I) with the inclusion to 'promote health and wellbeing'. Although development is unlikely next to our waterway within authority area, our waterways would have a role to play in supporting communities health and wellbeing, by providing free access to our green/blue infrastructure network.

The Trust have no further comments to make on the proposed changes to the Plan.

Kind regards

Tim Bettany-Simmons BA (HONS), MSc, MRTPI
Area Planner & Special Projects / Cynlluniwr Ardal & Prosiectau Arbennig

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From: Sally Thompson <sally.thompson@fylde.gov.uk>
Sent: 23 July 2020 13:54
To: Sally Thompson <sally.thompson@fylde.gov.uk>
Subject: FW: PUBLIC CONSULTATION - Partial Review of the Fylde Local Plan to 2032

CAUTION: This email originated from an external source. DO NOT CLICK/OPEN links or attachments unless you are certain of their origin.

Dear Sir/Madam,

This is to notify you that the Partial Review of the Fylde Local Plan to 2032 (PRFLP32) has been published for consultation, along with accompanying documents, for six weeks from 23 July 2020 until 5pm on 3 September 2020.

The Partial Review of the Fylde Local Plan to 2032 is not a complete review of the Local Plan. It makes proposed revisions to the Local Plan to deal with two issues:

- The need to ensure that the Local Plan remains in accordance with national planning policy, following the publication of the new National Planning Policy Framework in February 2019;
- The need to examine the issue of unmet housing need in Wyre, in line with the commitment in paragraph 1.27 of the Local Plan, and following the adoption in February 2019 of the Wyre Local Plan (2011-2031) with unmet housing need.

Stephanie Shone

From: Gill, Charlie <Charlie.Gill@marinemanagement.org.uk>
Sent: 11 August 2020 08:33
To: Sally Thompson; PlanningPolicy
Cc: SM-MMO-Consultations (MMO)
Subject: RE: PUBLIC CONSULTATION - Partial Review of the Fylde Local Plan to 2032

Hi Sally,

Thanks for the opportunity to respond to the Partial Review of the Fylde Local Plan to 2032.

I note that you mention that this is not a complete review of the Local Plan. Is there any space to update the paragraph relating to the Marine Management Organisation and Marine Plans?

If yes, there are part of paragraph 12.11 which could be updated:

The Marine Management Organisation (MMO) was established following the Marine and Coastal Access Act 2009. As the marine planning authority for England the MMO is responsible for preparing marine plans for English inshore and offshore waters. The EU Directive on marine spatial planning (2014/89/EU) requires marine spatial plans to be in place before 31 March 2021. At its landward extent, a marine plan will apply up to the mean high water mark, which includes the tidal extent of any rivers. Marine plans are being developed on a rolling programme, with the first plan (East Inshore and East Offshore) adopted on 2 April 2014 and the South Inshore and South Offshore Plan adopted on 17 July 2018 - currently being developed. The Draft North West Inshore and North West Offshore Marine Plan, which includes Fylde, is now a material consideration. This plan will be delivered by 2021, with a 20 year view of activities. Each plan will be monitored with three yearly reviews. The Government designated the Fylde Marine Conservation Zone on 12 December 2013. The Conservation Zone was designated to conserve the marine habitat in the sub-tidal sand. The Explore Marine Plans Marine Information System <https://explore-marine-plans.marineservices.org.uk> is a dedicated interactive website that brings adopted and consultation draft marine plans, their policies, supporting data evidence base and information together in one place.

All public authorities taking authorisation or enforcement decisions that affect or might affect the UK marine area must do so in accordance with the Marine and Coastal Access Act 2009 and any relevant adopted Marine Plan, in this case the [UK Marine Policy Statement](#) (MPS), unless relevant considerations indicate otherwise. The [Draft North West Inshore and North West Offshore Marine Plan is now a material consideration](#). As with terrestrial local plans, weighting of draft marine plan policies is covered by paragraph 48 of the National Planning Policy Framework 2019 (NPPF).

I understand if not possible for this review, but this could be a good opportunity to include the draft North West Marine Plan, particularly as it is now a material consideration.

Many thanks,
Charlie

Charlie Gill LLB, MSc | Marine Planner (North West) | Marine Management Organisation

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📧 charlie.gill@marinemanagement.org.uk | 📞 0208 720 3624 | 📱 07557 549079

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Date: 17 August 2020
Our ref: 323235



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BY EMAIL ONLY

Dear Sir or Madam

Partial Review of the Fylde Local Plan to 2032: Schedule of Revisions to the FLP32.

Thank you for your consultation on the above dated and received by Natural England on 23 July 2020

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

We have reviewed the following documents;

- Schedule of Revisions to FLP32 (March 2020),
- Sustainability Appraisal and Strategic Environmental Assessment (Arcadis, March 2020, V2),
- Habitats Regulations Assessment Screening Report (Arcadis, March 2020, V02).

Natural England has no objection to the proposed schedule of revisions and we concur with the conclusions of the Sustainability Appraisal and Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report.

If you have any queries relating to the advice in this letter please contact me on 0208 225 7506.

Yours faithfully

Miss Elizabeth Knowles
Senior Adviser
Cheshire, Greater Manchester, Merseyside & Lancashire Area Team



By email: planningpolicy@fylde.gov.uk

Our ref: PL00577782 &
PL00670962

Your ref:

Date: 20 August 2020

Dear Sirs,

Consultation for the Partial Review of the Fylde Local Plan to 2032

Historic England is the Government's statutory adviser on all matters relating to the historic environment in England. We are a non-departmental public body established under the National Heritage Act 1983 and sponsored by the Department for Culture, Media and Sport (DCMS). We champion and protect England's historic places, providing expert advice to local planning authorities, developers, owners and communities to help ensure our historic environment is properly understood, enjoyed and cared for.

Thank you for consulting Historic England on the above documents dated 23 July 2020. At this stage we have no comments to make on their content.

If you have any queries or would like to discuss anything further, please do not hesitate to contact me.

Yours sincerely,

Emily Hrycan

Historic Environment Planning Adviser (North West)
Historic England
Telephone: 0161 242 1423
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Submitted by Email

21st August 2020

Dear Sir/Madam,

FYLDE COUNCIL PARTIAL REVIEW OD THE FYLDE LOCAL PLAN TO 2032 (MARCH 2020)

Thank you for providing Story Homes with an opportunity to provide comments on the Partial Review of the Fylde Local Plan (up to 2032) published in March 2020. Set out below are Story Homes' comments on the suggested revisions to the adopted Fylde Local Plan. The process of an early review of a Local Plan, both partial and full, is supported by Story Homes as it ensures there is an alignment between Local and National Planning Policy.

On the whole, Story Homes is supportive of the revisions made to the Fylde Local Plan as there is a confidence the Plan now aligns with the most up-to-date National Planning policy. Whilst Fylde Council acknowledge the adopted Local Plan was examined under the 2012 version of the NPPF, there is a degree of comfort in knowing the revisions take account of recent changes to national policy and align with the 2019 version of the Framework. Story Homes is, however, concerned about the assumptions made by Fylde Council with regard to Wyre Council meeting their own shortfall. It is considered that additional robust evidence is required to ensure this shortfall will be met within Wyre.

Policy DLF1

Fylde Council propose to amend Policy DLF1 to denote a housing requirement range as opposed the previously fixed figure. The Housing Requirement is to be amended from 8,715 new homes across the plan period to 6,895-8,715 new homes across the plan period. The Council have noted that this change reflects the updated methodology for calculating housing requirements, as per NPPF 19, however the use of a housing requirement range can be seen as ambiguous. There is a risk that the Council aim for the lower end of the range, as opposed to the higher figure as previously published.

It should also be noted that a housing requirement should be viewed as a minimum figure with which the Council should aim towards and improve upon. This is echoed in Central Governments intentions to bring forward a significant amount of new high-quality housing in the coming years. The use of a range implies not only a minimum target but also a ceiling to development. This is not reflected within NPPF 19, it is considered that the range figure should be removed, and the housing requirement should be clearly stated as a minimum figure.

In addition to this, recent publications from Central Government indicate that changes to planning policy may be on the horizon. Within the consultation paper 'Changes to the current planning system', a revised Standard Method is proposed in order to rebalance the housing requirement across the

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Country but also bring the national delivery rate closer to the 300,000 new homes target as stated by Central Government. Through the revised Standard Method Fylde's housing requirement increases from 415 dpa to 488 dpa, although this methodology will not be incorporated into the partial review it provides a clear indication of future projected growth for Fylde. Additionally, the LHN for Wyre increases from 296 dpa to 383 dpa under the revised Standard method. This may present a future scenario where Fylde is required to meet Wyre's unmet need.

Policy H1

Similarly, to the above comments on the amendments to Policy DLF1, Story Homes does not consider it appropriate to include a range with regards to the annual net housing requirement. Much like the overall housing requirement, the use of a range suggests both a minimum level of necessary development but also a ceiling limit. This is not conducive to a strong growth area, as suggested in the Vision of the Local Plan, nor does it align with the intentions of central Government to deliver 300,000 new homes a year.

The addition of the housing requirement range indicates that Wyre have committed to fully meeting their unmet housing need, however Wyre Council are yet to undertake an early review of their Local Plan where this shortfall would be addressed. Wyre Council have undertaken a scoping exercise for the early review of their Local Plan, however no more definitive actions have been taken to ensure delivery of the unmet need. It is therefore concerning to see Fylde Council assume this shortfall is accounted for either through the imminent Wyre Local Plan review or through a recalculation of the Housing Requirement using emerging methodology. Story Homes invite Fylde Council to reconsider their approach and look at alternative routes to delivering this unmet housing need.

Policy ENV2

Story Homes supports the inclusion of biodiversity net gains in Policy ENV2 given its prominence in the emerging Environment Bill. Whilst its inclusion is supported it is considered that details on the qualitative aspect of net gain should be included within the revisions. This will give greater clarity to developers and landowners alike and ensure policy compliance with emerging planning applications. Story Homes welcomes greater clarity on this.

Story Homes is grateful for the opportunity to provide comments to the Partial Review of the Fylde Local Plan (March 2020) and is hopeful that the above comments are found to be constructive and beneficial. We would appreciate being kept informed of the next stage of the consultation and any subsequent planning documents.

Yours sincerely,

Hannah Richins
Strategic Planner

Email: Hannah.richins@storyhomes.co.uk

By Email Only:

Julie.glaister@fylde.gov.uk and
eddie.graves@fylde.gov.uk

Ask for: Steve Smith
Email: Steve.smith@wyre.gov.uk
Tel No: 01253 887243
Our Ref: DtC

Date: 25 August 2020

Dear Ms Glaister,

Partial Review of the Fylde Local Plan to 2032 – Regulation 19

Thank you for consulting Wyre Council on the Partial Review of the Fylde Local Plan to 2032. The following consultation response should also be read alongside our earlier response submitted to the pre-consultation version, dated 6 March 2020.

Wyre Council have been able to respond on a number of matters through Duty to Cooperate (DtC), in addition to emails exchanges and phone conversations between members of your team and my own. This cooperation has been positive, ongoing and constructive and has resulted in some changes to the documents concerned; particularly the Statement of Common Ground (SoCG).

The Wyre Local Plan 2011 – 2031 (WLP31) contains Policy LPR1, the contents of which are incontestable common ground and the confirmation of un-met housing need within Wyre, is again incontestable common ground. This un-met need provides (in part) the justification for the review of the Fylde Local Plan to 2032 and a strong link between our two plans and their subsequent review.

Policy LRP1 sets out the steps that need to be undertaken as part of Wyre's Local Plan review in order to ascertain what proportion (if any) of the unmet need can be accommodated in Wyre. As set out above, Fylde's Local Plan review is justified in part by a commitment by Fylde to assisting Wyre meet its residual unmet need.

For the avoidance of doubt the full OAN for housing in Wyre is 479 dpa, with the WLP31 providing only 460 dpa; thus establishing the un-met housing need as a matter of recently adopted policy. The housing requirement for Wyre can only be changed through the adoption of a reviewed local plan or through an entirely new local plan. Although the Government has introduced a Standard Method (SM) for the calculation of housing need, this is a starting point and it cannot be assumed that this will represent the final position for Wyre.

I also wish to draw your attention to the fact that it cannot be assumed that Wyre Council, through the partial review process, will be able to meet its housing needs in full within the Borough. The Inspector's Report into Wyre's Local Plan made it clear that further consideration needed to be given as to the extent to which any unmet need could be met in Wyre through a review of transport and highway issues. This is reflected in LRP1 (2). Until detailed consideration has been given to this issue through the review process, it has not been established that Wyre can meet any unmet needs within the Borough.

Finally, I note from the governments recently published 'Planning for the Future' white paper that a number of fundamental planning reforms are proposed which may have consequences for the local plan process. This may have implications for how both authorities proceed with their respective local plan partial reviews.

As always should you wish to discuss the content of this letter further, please do not hesitate to contact myself or indeed any other member of my team. I look forward to continuing the meaningful and ongoing engagement we have.

Regards

A handwritten signature in black ink, appearing to be 'S. Smith', with a long horizontal stroke extending to the right.

Steve Smith
Planning Policy and Economic Development Manager

26 August 2020
Delivered by email

Planning Policy
Planning Department
Fylde Council
Town Hall
St Annes Road West
Lytham St Annes
FY8 1LW

Ref: THEM3010

Dear Sir / Madam

PARTIAL REVIEW OF THE FYLDE LOCAL PLAN TO 2032: REPRESENTATIONS BY THE STRATEGIC LAND GROUP

We are pleased to write on behalf of our client The Strategic Land Group (SLG), to provide representations to Fylde Council ("the Council") in respect of the Partial Review of the Fylde Local Plan to 2032 (FLP32), which is currently the subject of public consultation.

CONTEXT

The FLP32 was adopted in October 2018 following independent examination. The Inspector's Report (IR) concluded that the FLP32 was sound subject to modifications, including a commitment to undertake an early full or partial review to consider and address any unmet need within the housing market area, i.e. within the adjoining boroughs of Blackpool and Wyre (paragraph 1.27). The Partial Review also sets out that the review is being undertaken to ensure that the FLP32 accords with the requirements of the current National Planning Policy Framework (NPPF), which was published in 2019 after the adoption of the FLP32.

The FLP32 sets out that a key change introduced by the revised NPPF is that local housing needs should be based on starting point calculated according to a "standard method" (SM). The SM calculates a minimum housing need figure of:

- 272 dwellings per annum (dpa) for Fylde. This is 143 dpa less than the requirement for 415 dpa established by Policy H1 (Housing Delivery and the Allocation of Housing Land) of the FLP32, which was established according to an 'objective assessment of need' (OAN) and found sound following independent examination.
- 308 dpa for Wyre. This is 152 dpa less than the adopted housing requirement in the Wyre Local Plan (2011-2031) of 460 dpa.

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The Partial Review notes that the SM housing need figure for Wyre means that, in effect, there is no unmet need arising in Wyre. As such, the Partial Review does not propose any increase in the housing requirement to accommodate any shortfall from Wyre. Rather, it proposes that Policy H1 is modified such that the housing requirement for Fylde is expressed as a range of 275-415 dwellings per annum, the bottom end of the range being consistent with the SM figure and the top end of the range remaining as the identified OAN figure. The *Housing Needs and Requirement Background Paper* (March 2020) published alongside the Partial Review confirms that the Council intends to use the bottom end of the range, i.e. the SM figure, for the purpose of assessing the Borough’s 5-year housing land supply (5-YHLS) position.

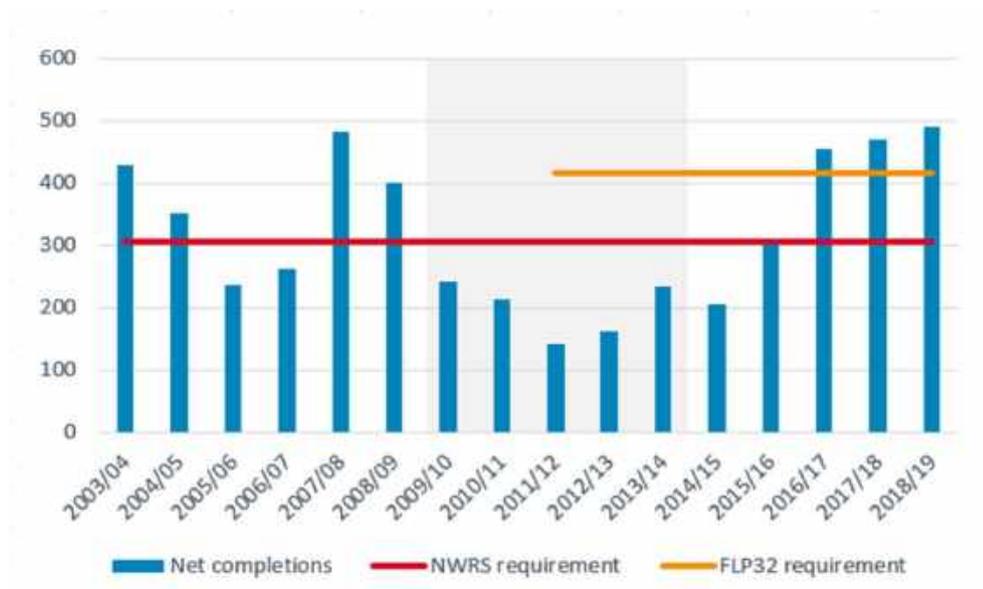
SLG’s comments in this respect are as follows:

The use of the standard method figure as the housing requirement is unjustified

The national Planning Practice Guidance (PPG) is explicit that the SM identifies only baseline housing needs, i.e. it provides only a “...minimum starting point in determining the number of homes needed in an area...”. The PPG therefore notes that the number of new homes needed in an area may be higher than the SM indicates (Paragraph: 010, Reference ID: 2a-010-20190220), and makes clear that this will “...need to be assessed...” before the identified need is translated into a housing requirement figure in a Local Plan. Despite this, the Council is seeking to transpose the minimum SM figure into the FLP32 as the bottom end of the housing requirement range. SLG considers that this is unsound.

The household projections which underpin the SM simply extrapolate past trends experienced between 2009 and 2014 during the recession. This period was dominated by significant reductions in employment and housing delivery. It resulted in constrained household formation, worsening affordability and the outmigration of younger age groups. It resulted in a significant under-supply of new homes against the North West RSS and FLP32 housing requirement figures during the relevant period, as illustrated in Figure 1.

Figure 1: Housing trajectory for Fylde, 2003/04 to 2018/19



The adoption of the minimum “...starting point...” SM figure as a housing requirement will ‘lock in’ these historic and recessionary trends. This does not recognise Fylde’s particular housing needs and is not consistent with the requirement of the NPPF to plan positively (NPPF, paragraph 11 and 35a)).

The Council has failed to assess whether circumstances in Fylde mean that the minimum starting point SM figure should be adjusted upwards, despite the clear requirement to do so in the PPG. The PPG makes clear that housing

need may exceed the past recessionary trends, for example where, *inter alia*, growth strategies or infrastructure improvements might stimulate higher housing demand. There is no consideration or assessment in the *Housing Needs and Requirement Background Paper* (March 2020) or elsewhere within the evidence base of the effect of such drivers of growth in Fylde on the baseline housing need figure as calculated by the SM. The adoption of the SM figure as the housing requirement for the Borough, even as the bottom end of a range, is therefore unjustified and inconsistent with the requirements of national policy, and is therefore unsound.

The standard method figure will be ineffective at meeting the Borough's full housing needs

The objective assessment of housing needs (OAN) undertaken to inform the FLP32 identified that the delivery of c.410-430 dpa is required to meet the Borough's full housing needs over the period to 2032. This resulted in the establishment of a housing requirement figure of 415 dpa. The examining Inspector noted that this represented an uplift on a demographic baseline of 274 dpa – which is notably similar to the SM baseline (272 dpa) – and concluded that such an uplift was justified and necessary to ensure that the requirement is effective at meeting the full needs of the Borough.

The Council has presented no evidence alongside the Partial Review to justify the adoption of a housing requirement figure which is in line with the demographic baseline, thereby removing the uplift that was established by the 415 dpa requirement just two years ago. Whilst it is noted that the Partial Review does not propose to de-allocate any residential development land, the use of the SM figure as the bottom end of the requirement range – for the purposes of assessing the Borough's 5-YHLS position – could frustrate the delivery of allocations and other suitable housing sites, such that the 415 dpa requirement is not achieved.

The housing needs evidence base for the FLP32¹ made clear that the adopted requirement figure was identified with regard to employment-led modelling scenarios, i.e. that an uplift from the 274 dpa demographic baseline to the 415 dpa requirement was required in order to, *inter alia*, support anticipated and planned job growth in the Borough. It is therefore clear that the SM figure will be similarly ineffective at supporting the Borough's growth. This is particularly evident given:

- The similarity between the demographic baseline of 274 dpa – which was disregarded as being insufficient – and the minimum starting point SM figure of 272 dpa.
- The draft revised SM published by the Government as part of its proposed changes to the planning system² identifies a much higher minimum housing need figure for Fylde of 488 dpa (see below), higher even than the adopted requirement in the FLP32. This provides further evidence that the scale of the need for new homes in Fylde is much higher than that being planned for by the FLP32 and the Partial Review.

The NPPF makes clear that achieving sustainable development is the overarching objective of the planning system in England (paragraph 7). It sets out that sustainable development is comprised of social, economic and environmental objectives, and that these are interdependent and must be “...pursued in mutually supportive ways...” (paragraph 8). The identified objectives cannot therefore be delivered in isolation from each other; they must be pursued collectively. Mindful that the baseline SM figure of 272 dpa would not support the Borough's economic growth, its adoption as (part of) the housing requirement figure would result in an ineffective housing policy which is not aligned with from the economic policies of the FLP32 and would not support their delivery. Rather, it would create a disconnect between the social and economic delivery objectives of the Plan, and would not therefore be consistent with the objective in NPPF to achieve sustainable development via mutually supportive policies. It cannot therefore be considered sustainable or be found sound.

¹ Such as the *Fylde Housing Requirement Paper* (July 2016).

² *Changes to the current planning system*, Ministry of Housing, Communities & Local Government (August 2020)

This is particularly the case given the emerging growth at the Enterprise Zones.

Growth at the Enterprise Zones requires increased housing provision, not less

The Inspector's Report of the examination of the FLP32 noted that the 415 dpa requirement was insufficient to support any job growth within the Borough's Enterprise Zones (EZ), and that the implications of any such growth for the housing requirement would need to form part of the review:

"It has also been suggested that the OAN should be significantly higher to take account of the designated Enterprise Zones (EZs) at Blackpool airport and Warton aerodrome (which forms part of the Lancashire Enterprise Zone). However, I have not seen definitive evidence of firm plans, timescales and likely jobs numbers to be created at these EZs and therefore an increase in the OAN in respect of the EZs is not justified. Indeed some representors suggest that because of the lack of firm proposals on delivering economic growth and jobs at the EZs, the need for housing in Fylde should be significantly reduced. However the OAN and economic forecasting carried out for the Council do not take account of jobs growth at the enterprise zones and the Plan's economic strategy is not dependent on them coming forward. As such no reduction in the OAN is justified in this regard either. A reasonable approach is to review this matter when more concrete evidence becomes available or at the 5 year review of the Plan, whichever is soonest." (paragraph 56)

The requirement to review the housing requirement for Fylde in the event of jobs growth within the EZ's is identified as an explicit requirement within the FLP32, as indicators 6 and 7 within the performance monitoring framework set out at Appendix 8.

There is clear evidence that the number of jobs within the EZs is growing. In particular, the most recent progress report on the Blackpool Airport EZ to the Blackpool, Fylde and Wyre Economic Prosperity Board in January 2020³ confirmed that to date:

- *"A total of 202 live enquiries are currently logged for Blackpool EZ.*
- *Some 73 businesses have located to the Enterprise Zone since April 2016.*
- *A total of 1520 jobs have located to the Enterprise Zone, this figure includes jobs new to the area, safeguarded jobs within Blackpool and construction full time equivalent jobs."*

Further developments within the EZ's are emerging and will contribute further job growth. For example, in July 2020 Blackpool Council granted planning permission for a new 40,000sqft commercial unit within the EZ which is estimated to bring 85 new jobs to the EZ, rising to 100 within the next five years.

The Council has failed to consider the implications of the emerging and planned job growth within the EZ's for the scale of housing provision required within the Borough. However, it would likely result in an increased level of housing need, justifying an increase in the 415 dpa requirement, instead of the decrease proposed by the Partial Review.

Unmet housing need in the HMA

The evidence published alongside the Partial Review sets out that there is no unmet housing need in Wyre on the basis that the SM figure for the Borough is lower than the adopted requirement in the Wyre Local Plan. However, as with the situation in Fylde, the adoption of the SM figure as a housing requirement for Wyre would be incompatible with that Borough's growth plans, such that the adopted requirement figure for Wyre remains sound.

³ <https://democracy.blackpool.gov.uk/documents/g5551/Public%20reports%20pack%2007th-Jan-2020%2014.00%20Blackpool%20Fylde%20and%20Wyre%20Economic%20Prosperity%20Board.pdf?T=10>

It is therefore misleading and inaccurate to now state that there is no unmet need within Wyre. SLG considers that the unmet need previously identified remains relevant and should be accommodated in Fylde, unless Wyre's own review can accommodate it first.

This is particularly the case in the context of the Government's proposed revision to the SM⁴. This revision would increase the cumulative baseline SM figure for the housing market area (Blackpool, Fylde and Wyre) from 689 dpa to 1,173 dpa, including a figure of 488 dpa in Fylde itself (higher than the 415 dpa requirement in the FLP32). It is acknowledged that limited weight can be placed on the proposed revision to the SM given that it remains in draft form and is subject to consultation. However, it nevertheless provides further indication that the various authorities within the HMA are underestimating their future housing needs.

Conclusion

The Council has a responsibility to plan positively for the current and future housing needs of its communities. It is, however, clear that the proposal of the Partial Review to transpose the baseline minimum starting point SM figure into the housing requirement, including for 5-YHLS purposes, is an attempt to reduce the level of housing provision in the Borough. This will result in a housing strategy which does not meet the Borough's housing needs and does not support its planned economic growth. It will not result in sustainable development. It is considered to be unjustified, ineffective, not positively prepared and inconsistent with national planning policy.

SLG urges Council to reconsider its approach to the Partial Review, and to properly assess and provide for the full scale of housing needs arising in the Borough and elsewhere in the HMA, including in response to existing and future economic growth.

We trust that the comments provided in this letter are of assistance to the Council as it looks to progress the Partial Review of the FLP32, but please do not hesitate to contact either myself or my colleague David Diggle should you have any queries.

Yours faithfully



Nick Graham
Associate Director

nick.graham@turley.co.uk

⁴ *Changes to the current planning system*, Ministry of Housing, Communities & Local Government (August 2020)

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27 August 2020

avisonyoung.co.uk

Fylde Council
planningpolicy@fylde.gov.uk
via email only

Dear Sir / Madam

**Consultation on Partial Review of the Fylde Local Plan to 2032
July – September 2020
Representations on behalf of National Grid**

National Grid has appointed Avison Young to review and respond to local planning authority Development Plan Document consultations on its behalf. We are instructed by our client to submit the following representation with regard to the current consultation on the above document.

About National Grid

National Grid Electricity Transmission plc (NGET) owns and maintains the electricity transmission system in England and Wales. The energy is then distributed to the electricity distribution network operators, so it can reach homes and businesses.

National Grid Gas plc (NGG) owns and operates the high-pressure gas transmission system across the UK. In the UK, gas leaves the transmission system and enters the UK's four gas distribution networks where pressure is reduced for public use.

National Grid Ventures (NGV) is separate from National Grid's core regulated businesses. NGV develop, operate and invest in energy projects, technologies, and partnerships to help accelerate the development of a clean energy future for consumers across the UK, Europe and the United States.

Response

We have reviewed the above document and can confirm that National Grid has no comments to make in response to this consultation.

Further Advice

National Grid is happy to provide advice and guidance to the Council concerning their networks.

Please see attached information outlining further guidance on development close to National Grid assets.

If we can be of any assistance to you in providing informal comments in confidence during your policy development, please do not hesitate to contact us.

To help ensure the continued safe operation of existing sites and equipment and to facilitate future infrastructure investment, National Grid wishes to be involved in the preparation, alteration and review of plans and strategies which may affect their assets. Please remember to consult National Grid on any Development Plan Document (DPD) or site-specific proposals that could affect National Grid's assets.

We would be grateful if you could add our details shown below to your consultation database, if they are not already included:

Matt Verlander, Director

nationalgrid.uk@avisonyoung.com

Avison Young
Central Square South
Orchard Street
Newcastle upon Tyne
NE1 3AZ

Spencer Jefferies, Town Planner

box.landandacquisitions@nationalgrid.com

National Grid
National Grid House
Warwick Technology Park
Gallows Hill
Warwick, CV34 6DA

If you require any further information in respect of this letter, then please contact us.

Yours faithfully,



Matt Verlander MRTPI
Director
0191 269 0094
nationalgrid.uk@avisonyoung.com
For and on behalf of Avison Young

Guidance on development near National Grid assets

National Grid is able to provide advice and guidance to the Council concerning their networks and encourages high quality and well-planned development in the vicinity of its assets.

Electricity assets

Developers of sites crossed or in close proximity to National Grid assets should be aware that it is National Grid policy to retain existing overhead lines in-situ, though it recognises that there may be exceptional circumstances that would justify the request where, for example, the proposal is of regional or national importance.

National Grid's 'Guidelines for Development near pylons and high voltage overhead power lines' promote the successful development of sites crossed by existing overhead lines and the creation of well-designed places. The guidelines demonstrate that a creative design approach can minimise the impact of overhead lines whilst promoting a quality environment. The guidelines can be downloaded here: <https://www.nationalgridet.com/document/130626/download>

The statutory safety clearances between overhead lines, the ground, and built structures must not be infringed. Where changes are proposed to ground levels beneath an existing line then it is important that changes in ground levels do not result in safety clearances being infringed. National Grid can, on request, provide to developers detailed line profile drawings that detail the height of conductors, above ordnance datum, at a specific site.

National Grid's statutory safety clearances are detailed in their 'Guidelines when working near National Grid Electricity Transmission assets', which can be downloaded here: www.nationalgridet.com/network-and-assets/working-near-our-assets

Gas assets

High-Pressure Gas Pipelines form an essential part of the national gas transmission system and National Grid's approach is always to seek to leave their existing transmission pipelines in situ. Contact should be made with the Health and Safety Executive (HSE) in respect of sites affected by High-Pressure Gas Pipelines.

National Grid have land rights for each asset which prevents the erection of permanent/ temporary buildings, or structures, changes to existing ground levels, storage of materials etc. Additionally, written permission will be required before any works commence within the National Grid's 12.2m building proximity distance, and a deed of consent is required for any crossing of the easement.

National Grid's 'Guidelines when working near National Grid Gas assets' can be downloaded here: www.nationalgridgas.com/land-and-assets/working-near-our-assets

How to contact National Grid

If you require any further information in relation to the above and/or if you would like to check if National Grid's transmission networks may be affected by a proposed development, please contact:

- National Grid's Plant Protection team: plantprotection@nationalgrid.com

Cadent Plant Protection Team
Block 1
Brick Kiln Street
Hinckley
LE10 0NA
0800 688 588

or visit the website: <https://www.beforeyoudig.cadentgas.com/login.aspx>

Planning Policy
Planning Department
Fylde Council
Town Hall
St Annes Road West
Lytham St Annes
FY8 1LW

Date: 27 August 2020

Our ref: 41917/04/CM/BOC/18680692v3

Dear Sir / Madam

Partial Review of the Fylde Local Plan to 2032

On behalf of Taylor Wimpey UK Limited [Taylor Wimpey], we have prepared the following representations in relation to the Partial Review of the Fylde Local Plan to 2032. Taylor Wimpey welcomes the consultation exercise on the Partial Review and the opportunity to provide comments to Fylde Council [the Council]. Taylor Wimpey has previously made representations in June 2019 on an earlier stage of the Partial Review. These representations focus on the key housing issues which Taylor Wimpey considers that the Council will need to address in order to help ensure that a sound Partial Review will be delivered.

These representations are made in relation to Taylor Wimpey's land interests at Weeton Road, Wesham. The Weeton Road site was promoted for residential development through the now adopted Fylde Local Plan but was not identified as an allocation. Despite this, Taylor Wimpey consider that the site is deliverable and sustainable if required to meet future housing needs.

National Planning Policy

With regard to housing requirements, the Framework states that to determine the minimum number of homes needed in an area, strategic policies should be informed by a Local Housing Need [LHN] assessment. The Framework is clear that the standard methodology is the default approach for calculating local housing need unless there are "exceptional circumstances" which could justify an alternative approach which also reflects current and future demographic trends and market signals [§60]. The Planning Practice Guidance [PPG] confirms that 2014-based household projections should be used to set the baseline to provide stability for planning authorities and communities, ensure that historic under-delivery and declining affordability are reflected, and to be consistent with the Government's objective of significantly boosting the supply of homes.

The Government is clear that the figure derived by the LHN target is intended to be a minimum figure, with justifications to go below this relating to environmental or policy constraints rather than issues over the reliability of the household projections:

“The government is committed to ensuring that more homes are built and supports ambitious authorities who want to plan for growth. The standard method for assessing local housing need provides a minimum starting point in determining the number of homes needed in an area. It does not attempt to predict the impact that future government policies, changing economic circumstances or other factors might have on demographic behaviour. Therefore, there will be circumstances where it is appropriate to consider whether actual housing need is higher than the standard method indicates.¹”

The PPG makes it clear that there will be circumstances when a higher figure than that generated by the standard method might be considered appropriate.

Circumstances which might justify an uplift include:

- growth strategies for the area that are likely to be deliverable, for example where funding is in place to promote and facilitate additional growth (e.g. Housing Deals);
- strategic infrastructure improvements that are likely to drive an increase in the homes needed locally; or,
- an authority agreeing to take on unmet need from neighbouring authorities, as set out in a statement of common ground.

In addition, the PPG also notes:

“There may, occasionally, also be situations where previous levels of housing delivery in an area, or previous assessments of need (such as a recently-produced Strategic Housing Market Assessment) are significantly greater than the outcome from the standard method. Authorities will need to take this into account when considering whether it is appropriate to plan for a higher level of need than the standard model suggests²”.

The PPG also requires a calculation to be made of the total annual need for affordable housing, as follows:

“The total need for affordable housing will need to be converted into annual flows by calculating the total net need (subtract total available stock from total gross need) and converting total net need into an annual flow based on the plan period.

The total affordable housing need can then be considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments, taking into account the probable percentage of affordable housing to be delivered by eligible market housing led developments. An increase in the total housing figures included in the plan may need to be considered where it could help deliver the required number of affordable homes³”.

The reference to uplifting the housing figures to help deliver affordable housing need suggests that this is a component part of the calculation of the housing requirement, rather than LHN itself. Any new calculation of the housing requirement in the Partial Revision will need to ensure that the above factors are fully considered.

Emerging Planning Reforms

On 6th August, the Government released a consultation paper on proposed changes to the current Planning System and a White Paper on ‘Planning for the Future’. The central focus of both is on speeding up the

¹ Practice Guidance: §10 Reference ID: 2a-010-20190220

² Ibid

³ Practice Guidance: §24 Reference ID: 2a-024-20190220

planning system and increasing the supply of homes being delivered annually. For example, §6 of the changes to the current planning system document reiterates the Government’s aspiration ‘to create a housing market that is capable of delivering 300,000 homes annually and one million homes over this Parliament’. It also states that cumulatively where adopted local plans are already in place, they only provide for 187,000 homes per annum across England, well shy of the Government’s aspiration.

Throughout both Papers there is consistent focus on boosting the supply of homes and ensuring that sufficient land is identified for housing, so that the market is not prevented from delivering the homes that are needed and to prevent the under-delivery of the past from continuing to happen.

In the consultation paper, there is a realisation that the current standard method is overly reliant on the household projections which are volatile and can result in artificially low projections in some places which results in overcrowding and concealed households suppressing the numbers. It also realises that household projections ‘cannot in isolation forecast housing need – they project trends forward. Despite this, we have seen many progress arguments that recent reductions in projected growth should lead to less homes being built. This should not be the logical conclusion, as the Office for National Statistics (ONS) has clarified’.

With this in mind, we have calculated the housing requirement for Fylde using the proposed new standard method. As set out in Table 1, the housing requirement derived from the new standard method is 488 dwellings per year which is closely aligned to Council’s 3-year average delivery of 472 dwellings per annum. Of the four figures presented in Table 1, the outlier is the requirement derived from the current standard method which the Government is seeking to move away from as it does not achieve the Government’s ambition to boost the supply of housing.

Table 1 Fylde Housing Requirement

	Current Plan Requirement	Average 3 Year Delivery	Current Standard Method	Proposed New Method
Fylde	415	472	272	488

Although this new standard method is in draft and subject to change following the current consultation period, it indicates a direction of travel which suggests that Fylde’s housing need has been artificially suppressed by the existing standard method. Furthermore, it indicates that utilising this method will not assist in addressing the national housing crisis and meet the Government’s long stated ambition of delivering 300,000 units per annum by mid-2020s.

Partial Review of the Fylde Local Plan to 2032

Background

The Framework [§59] is clear that to support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed. The preparation of a Local Plan Review in accordance with the commitment at §1.27 of the adopted Local Plan should not be seen as a mechanism to reduce the overall housing requirement for the Council over the plan period and contradict the Government’s commitment to boost the supply of housing nationally.

⁴ §13 Changes to the current planning system, MHCLG, August 2020

At the outset of the Schedule of Revision to the FLP 2032 document, it sets out that the Fylde Local Plan was prepared and examined following the guidance set out in the Framework, published in March 2012 and the relevant PPG. The Partial Review of the Local Plan has been undertaken to address two matters:

- §212 of the Framework states that Plans may need to be revised to reflect policy changes which the replacement Framework has made. This should be progressed as quickly as possible, either through a partial revision of by preparing a new Plan. This Partial Review of the Fylde Local Plan to 2032 incorporates revisions to ensure the Local Plan has regard to the revised Framework of February 2019.
- §1.27 of the Local Plan commits the Council to undertake an early review of the Plan (whether partial or full) to examine the issue of unmet need in Wyre, if Wyre's Local Plan is adopted with unmet need. The Wyre Local Plan (2011-2031) was adopted on 28th February 2019 with a shortfall of housing provision against the housing need figure identified in the plan. This Partial Review of the Fylde Local Plan to 2032 incorporates revisions to provide explanation of the updated position in order to address the issue, and is accompanied by a supporting statement of common ground.

Housing Requirement

The Council is seeking to update its Plan through a Partial Review to reflect policy changes within the replacement Framework (2019). However, the Partial Review must be considered in the context of the national ambition to boost the supply of housing and help to address the housing crisis. Furthermore, the recently release consultation on the changes to the planning system indicate a direction of travel away from the current standard method. As such, this Partial Review should seek to be ambitious in terms of the housing requirement it is advocating and pre-emptive of the imminent changes to the planning system which are afoot. As the Council is currently delivering on it's housing requirement and has an adequate supply of land, it seems perverse to be advocating for a reduction in the overall supply at a time when the Government wants to boost the supply of housing and 'level up' the economy of England, driving growth north. Furthermore, as highlighted earlier in the policy review section, the standard method provides a '*minimum starting point*' and the Council would not be penalised for exceeding the minimum figure.

Notwithstanding the aforementioned, when considering the housing requirement for Fylde as part of this Review, it is important to take a look at the evidence base and methodology which informed the Objectively Assessed Need [OAN] and housing requirement in the Fylde Local Plan originally. The OAN for Fylde and the subsequent housing requirement set out in the adopted Local Plan were informed by the Fylde Coast Strategic Housing Market Assessment [SHMA] and its Addenda. The Fylde Addendum 3 was the most up to date information presented at the Examination of the Plan.

Addendum 3 concluded that the OAN for housing was a range of between 410 and 430 dwellings per annum. The Council's housing requirement set out in Policy DLF1 of 415 dpa is within this range. The OAN range was not based solely on demographic projections, it also took into account future levels of employment growth. Therefore, the economic projections which inform the employment land requirement and the housing requirement in the Plan align.

The proposed changes set out in the Schedule of Revisions to the Fylde Local Plan only proposed to amend the housing requirement in Policy DLF1 but does not seek to consider the impact on employment land requirement of the impacts this may inadvertently have. Retaining the employment land requirement as adopted but reducing the housing requirement which was previously aligned could result in a promotion of unsustainable commuting patterns in Fylde which would be in conflict with the central tenant of the Framework (2019) to promote sustainable development.

As set out earlier, this Partial Review of the Fylde Local Plan was necessitated by a commitment made through the Examination of the Plan to meet any outstanding needs of Wyre following the adoption of their Local Plan. Because Fylde and Wyre progressed plans at different times, despite relying on shared evidence and a Memorandum of Understanding, the result was a need for the early review commitment to be embedded in the Fylde Local Plan.

Wyre's Local Plan was adopted in February 2019 with an adopted housing requirement of 479 dwellings per annum. It was determined through the Examination of the Wyre Local Plan that the Plan would deliver a minimum of 9,200 dwellings, which equates to 460 dpa, resulting in a shortfall of 380 dwellings or 4% of the OAN. Wyre Council has commenced its consultation on the scope of the Partial Review of the Wyre Local Plan in February 2020 but it remains at a very early stage of preparation.

Although the existing standard method for Wyre derived a minimum housing requirement figure below that adopted in the Wyre Local Plan, it is not yet clear what housing requirement figure they will pursue in their Partial Review going forward. It is also not clear if the Council will continue with the Partial Review in light of the potential changes to the planning system which are currently being consulted upon. As such, it seems contradictory for the Council to continue with its Partial Review, to meet Wyre's unmet housing requirement given the uncertainty surrounding what Wyre's unmet housing need will be.

One of the issues grappled with during the Examination into the Fylde Plan last time was due to Fylde not aligning its timetable with Wyre particularly given their relationships, sharing of evidence and reliance on each other to meet the housing need in their Housing Market Area [HMA]. A similar mistake should not be pursued at this moment in time as it could result in other consequences later in the process.

Approach to Backlog

During the Examination of the Fylde Local Plan, there was much debate on whether the Liverpool method or the Sedgfield method for calculation the 5-year supply of housing land should be applied. The Inspector in her Report sided with the Council that utilising the Liverpool method was appropriate in this instance (in 2018) due to the '*Plan's spatial strategy and the delivery of the larger strategic sites*' [§88]. However, national planning policy is very clear that past under delivery since the base date of the plan should be *added to the plan requirements for the next 5 year period (the Sedgfield Approach)*⁵.

The original reason for the Inspector diverging from the accepted norm and allowing the use of the Liverpool method for dealing with past under delivery was to allow time for the strategic sites in Fylde to come forward. Sufficient time has now passed to allow these sites to progress and as such, in this Partial Review of the Plan, the Council must also reconsider its continued use of the 'Liverpool' method for dealing with backlog particularly given that it is at odds with national planning policy. Taylor Wimpey see no reason why the approach to backlog cannot be reconsidered in this Partial Review and also sees no reason why the Sedgfield approach is not applied.

Review of Evidence

Taylor Wimpey consider that a key element of evidence is missing from that released to underpin the Partial Review of the Fylde Local Plan. The Partial Review of the Plan primarily seeks to reduce the overall housing requirement of Fylde despite the Council's continued ability to deliver higher numbers of housing, maintain a deliverable supply drive economic growth and meet the Government's ambition to boost the supply of housing.

⁵ Practice Guidance: §31 Reference ID: 68-031-20190722

No evidence has been presented by the Council which assessing the impact that this reduction in the housing requirement would have in particular on the delivery of affordable housing but also on homes suitable for first time buyers, key workers and family homes. The most recent evidence compiled by the Council on affordable housing need is contained within the Fylde Coast SHMA Addendum 1 (November 2014) which concluded that the annual affordable housing requirement was 249 dwellings per annum. Therefore, the annual affordable housing requirement in Fylde is considerable and meeting this need will be adversely affected by the Council's decision to reduce its annual housing requirement. Conversely, reducing the annual housing requirement could directly affect the affordable housing requirement in the long term due to increased house prices as a result of a shortage of supply. There is also a requirement in national policy to prepare a LHN assessment to inform the new housing requirement and this has not been undertaken.

Taylor Wimpey considers that additional evidence is required which explores the impact that reducing the housing requirement in Fylde will have on the delivery of affordable housing as well as family housing and homes suitable for first time buyers and key workers.

In terms of the Housing Delivery Test [HDT], the Council has performed very strongly over the past 3 years and achieved 183% in the latest set of results. Over the three monitoring years 2016-2019, the Council delivered 455, 512 and 471 dwellings annually. The delivery in all three of the most recent monitoring years has been in excess of the annual requirement set out in the current Fylde Local Plan.

The Council published an Annual Position Statement [APS] in May 2020 which sets out the housing land supply position at the base date of 1st April 2019. This concluded that the Council has a 5.1-year supply of deliverable housing land and the position is confirmed until 31st October 2020 in accordance with §74 of the Framework.

In terms of annual supply over the next 7 years (2019-26), the APS anticipates that the Council's annual housing delivery will be: 888, 576, 409, 430, 369, 711 and 605 respectively. In total, it is anticipated that the Council can deliver 3,988 units over the next 7 years, an annual average of 569 dwellings which is in excess of the Council's adopted housing requirement and assisting in meeting undersupply since the start of the plan period (2011).

This evidence demonstrates that Fylde has the capacity to deliver its existing housing requirement and utilising the early review mechanism, and to suppress its housing requirement is fundamentally at variance with Government ambition.

Considerations

Taylor Wimpey considers that the Council is seeking to utilise a short window of opportunity to reduce its overall housing requirement without considering the consequences and paying no consideration to the Government's stated ambition of boosting the supply of housing. It appears that the Council is taking a short-termism approach and not considering the true implications of their decision.

Reducing the housing requirement will lead to a number of consequences in the Borough, for example:

- It will exacerbate the affordability issues in Fylde;
- It will lead to unsustainable levels of commuting as the Council continue to pursue an aspirational employment land requirement;
- It will exacerbate the already high affordable housing needs of the Borough; and,
- It will depress economic growth and cut job creation through construction in the Borough.

Everyone understands that we are in the midst of some very uncertain economic times caused by the Covid-19 pandemic and every local authority should be seeking to drive economic growth over the coming years to reduce the levels of unemployment which may transpire over the coming month. Unnecessarily reducing the housing requirement of an area will directly affect employment levels and inward investment in Fylde. It will also affect potential sources of revenue to the local authority through the New Homes Bonus payment and additional Council Tax revenues will represent a missed opportunity for the Council to assist in securing funds for its already stretched services.

Finally, the Council has successfully delivered high numbers of homes over the past number of years and this has demonstrated that there is a market in Fylde to absorb this rate of delivery. Therefore, it seems perverse for the Local Authority to seek to reduce their housing requirement at this time particularly when the Council has demonstrated through the adoption of their APS that they have a sufficient supply of housing land to meet their existing housing requirement over the next 5 years.

Conclusions

As set out in our representations in June 2019, Taylor Wimpey is of the opinion that the Council should not use the early review mechanism simply as a means of reducing the overall need for housing in the authority. It is widely accepted that we are in the midst of a national housing crisis and every local authority must play its part in ensuring the Government's objective of delivering at least 300,000 homes per year by mid-2020s is achieved. Furthermore, the Framework is clear [§59] that the Government's objective is to significantly boost the supply of housing across the Country.

Taylor Wimpey is of the firm belief that Fylde Council should abandon its intention to undertake this Partial Review of the plan for a number of reasons:

- There is a clear direction of travel from Government recently to seek to boost the supply of houses;
- The proposed standard method would derive a much higher housing requirement figure in Fylde; and
- Given the content of the recently released White Paper and the intention to review all Plans again by 2024, the completion of this Partial Review now would represent abortive work and a waste of tax payers money

The Council is claiming to be undertaking this Partial Review to meet Wyre's unmet need, but this is not the case. It is not clear at this stage what Wyre Council is going to do and the timings of its potential Partial Review. As such, the Council needs to align its Partial Review timetable with Wyre or risk a similar situation as last time.

The Government has released a consultation document on changes to the planning system which includes a review of the standard method for calculating housing need. When the new methodology is applied to Fylde it derives an annual housing requirement figure of 488 dwellings. This is in excess of the Council's existing adopted housing requirement figure and Taylor Wimpey sees no logical and positive reason why the Council would seek to bring forward a much-reduced housing requirement figure now when the direction of travel indicates a new standard method. To progress with a housing requirement figure of 275 dwelling per annum would be the antithesis of positive planning and seeking to boost the supply of housing to address the UK's housing crisis.

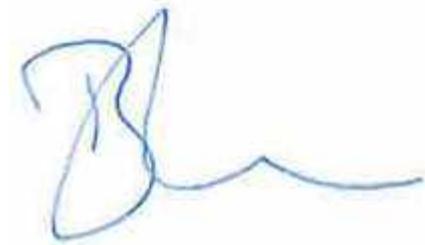
The economy across the UK is facing an uncertain time as the impacts of the global pandemic and possible issues associated with Brexit come to the fore. It is imperative that the Council seeks to drive economic development in its area by pursuing a realistic housing requirement in line with Government ambitions rather than seeking to suppress growth, exacerbate the housing and affordability crisis and impact the number of local jobs which could be generated through the development of homes.

The above comments are made on a without prejudice basis and Taylor Wimpey reserves the right to make further comments on the Partial Revision at further stages of consultation.

We trust that the above representations will be given due consideration in the preparation of the Partial Revision going forward.

Please can you confirm receipt of these representations by return.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'B O'Connor', with a long horizontal flourish extending to the right.

Brian O'Connor
Planning Director

Copy: Brigid Dodds and Freya Macdonald – Taylor Wimpey Strategic Land

3rd September 2020



Partial Review of the FLP32 Consultation
Planning Policy
Fylde Council
Town Hall
Lytham St Anne's FY8 1LW

Our ref: APPL/GEN/06/GL

By email only

Dear Sir or Madam,

**TOWN AND COUNTRY PLANNING (LOCAL PLANNING) (ENGLAND) REGULATIONS 2012
PARTIAL REVIEW OF THE FYLDE LOCAL PLAN TO 2032 (REGULATION 19)
REPRESENTATION SUBMITTED ON BEHALF OF APPLETHWAITE LTD**

This representation is submitted on behalf of our client Applethwaite Ltd in response to the Partial Review of the Fylde Local Plan to 2032 which was published for consultation between July and September 2020.

**Omission from the Schedule of Revisions:
Policy H2 - Density and mix of new residential development**

Applethwaite is specialist developer of exclusively age-restricted general market bungalow schemes of between 20 no. and 50 no. units for retired and older people over the age of 55. The purpose of the Partial Review is to ensure that the Local Plan conforms to and is consistent with national planning policy set out in the 2019 NPPF. Applethwaite therefore considers that Part Three of Policy H2 which concerns specialist accommodation for the elderly must be included in the schedule of proposed revisions and objects to its present omission.

The section of Part Three of Policy H2 which must be reviewed, is that which sets out the Council's definition of the type/s of development which it considers will qualify as 'purpose built 100% specialist accommodation for the elderly'. The present policy text is;

Developments will be considered by the Council to be purpose-built 100% specialist accommodation for the elderly if:

- *All areas used by residents will comply with optional technical standard M4(3(2a)) (wheelchair-adaptable dwellings);*
- *A communal lounge or similar social facility for the exclusive use of all residents is included within the development;*
- *A shared laundry service is provided for the use of all residents;*
- *The development will be marketed with a restriction on age for residents of over 55;*
- *A daily hot meals service is provided either through a central facility on-site or through an outside provider to residents who require it; and*
- *An emergency alarm call service is provided for all residents.*

Smith & Love Planning Consultants, Rational House, 32 Winckley Square, Preston PR1 3JJ
tel. 01772 965376 | www.smithlove.co.uk

Registered in England | Company No: 8449131 | Unit 16 Eastway Business Village, Fulwood, Preston PR2 9WT



Other than the requirement for a proposed development 'to be marketed with a restriction on age for residents of over 55', none of the defining criteria set by the Council in Policy H2 are consistent with up to date national policy concerning the provision and types of specialist housing for older people set out in the 2019 NPPF and planning practice guidance.

The 2019 NPPF glossary defines 'older people' as;

Older people: People over or approaching retirement age, including the active, newly retired through to the very frail elderly; and whose housing needs can encompass accessible, adaptable general needs housing through to the full range of retirement and specialised housing for those with support or care needs.

The planning practice guidance¹ explains that many different types of specialist housing are needed to meet the diverse needs of older people. It lists four of the main different types of specialist housing, as follows, as an indication of what is available but it is not definitive:

- Age-restricted general market housing [and bungalows]: This type of housing is generally for people aged 55 and over and the active elderly. It may include some shared amenities such as communal gardens, but does not include support or care services.
- Retirement living or sheltered housing: This usually consists of purpose-built flats or bungalows with limited communal facilities such as a lounge, laundry room and guest room. It does not generally provide care services, but provides some support to enable residents to live independently. This can include 24 hour on-site assistance (alarm) and a warden or house manager.
- Extra care housing or housing-with-care: This usually consists of purpose-built or adapted flats or bungalows with a medium to high level of care available if required, through an onsite care agency registered through the Care Quality Commission (CQC). Residents are able to live independently with 24 hour access to support services and staff, and meals are also available. There are often extensive communal areas, such as space to socialise or a wellbeing centre. In some cases, these developments are known as retirement communities or villages - the intention is for residents to benefit from varying
- Residential care homes and nursing homes: These have individual rooms within a residential building and provide a high level of care meeting all activities of daily living. They do not usually include support services for independent living. This type of housing can also include dementia care homes.

Consequently, there is no longer any justification and scope for the Council to set its own alternative definition of the types of development which it considers qualify as purpose-built 100% specialist accommodation for the elderly. The present policy text is different to, and significantly much narrower than, the 2019 NPPF glossary definition of older people and the planning practice guidance definition of the different types of specialist housing for older people, and we consider it must therefore be deleted in full as part of the Partial Review of the Local Plan.

¹ ID: 63-010-20190626 (26th June 2019) - "What are the different types of specialist housing for older people?"

If the Council considers it is necessary to replace the deleted text with alternative wording we consider it should be revised as follows;

Developments will be considered by the Council to be purpose-built 100% specialist accommodation for the elderly if: they are consistent with the types of accommodation indicated in the planning practice guidance (paragraph: 010 reference ID: 63-010-20190626), although these are not definitive as there is a significant amount of variability in the types of specialist housing for older people.

- ~~All areas used by residents will comply with optional technical standard M4(3(2a)) (wheelchair-adaptable dwellings);~~
- ~~A communal lounge or similar social facility for the exclusive use of all residents is included within the development;~~
- ~~A shared laundry service is provided for the use of all residents;~~
- ~~The development will be marketed with a restriction on age for residents of over 55;~~
- ~~A daily hot meals service is provided either through a central facility on-site or through an outside provider to residents who require it; and~~
- ~~An emergency alarm call service is provided for all residents.~~

The justification supporting text to Policy H2 relating to specialist accommodation for the elderly adds;

9.45 *People will choose accommodation based on their own individual preferences, subject to their own budgets, and this applies equally to those who have retired as to any others. The accommodation currently inhabited by the elderly in Fylde will reflect these preferences, but will also reflect supply constraints. The provision of a greater supply of accommodation that better reflects the needs and aspirations of retired people is desirable on the grounds of general health and wellbeing for the population, and may release accommodation more suitable for other age groups back into the market.*

9.46 *In order that new developments provide for the housing needs of Fylde, it is important that accommodation purportedly designed for the elderly genuinely provides for their needs. Accordingly, the Council will classify developments as purpose-built for the elderly providing it meets a series of requirements set out in the policy.*

To reflect the revisions which are necessary to the wording of Policy H2 by reference to the types and range of specialist housing for older people as defined in the 2019 NPPF glossary and planning practice guidance, we suggest that the supporting text is revised as follows;

9.45 *People will choose accommodation based on their own individual preferences, subject to their own budgets, and this applies equally to those who have retired as to any others. The accommodation currently inhabited by retired and older people ~~the elderly~~ in Fylde will reflect these preferences, but will also reflect supply constraints. The provision of a greater supply and wider choice and range of accommodation that better reflects the needs and aspirations of retired and older people is desirable on the grounds of general health and wellbeing for the population, and may will help to release accommodation more suitable for other age groups back into the market. This includes age-restricted general market housing and bungalows; retirement living or sheltered housing; extra-care housing or housing-with-care, and residential care homes and nursing homes.*

9.46 *In order that new developments provide for the housing needs of Fylde, it is important that accommodation purportedly designed for the elderly genuinely provides for their needs. Accordingly, the Council will classify developments as purpose-built for the elderly providing # ~~meets a series of requirements set out in the policy~~ they are consistent with the types of accommodation indicated in the planning practice guidance (paragraph: 010 reference ID: 63-010-20190626), although these are not definitive as there is a significant amount of variability in the types of specialist housing for older people.*

We trust that these representations will be taken into account and please contact us if you have any queries or we can provide further assistance.

Please note that Applethwaite may wish to participate at the examination hearing sessions and we would like to be notified when the Partial Review is submitted to the Secretary of State and kept informed of the subsequent programme.

Yours sincerely

Graham Love MRTPI

graham@smithlove.co.uk

Cc: Mr R Calderbank, Applethwaite Ltd.



Homes
England

Fylde Council
Town Hall
Lytham St Anne's
Lancashire
FY8 1LW

By email: planningpolicy@fylde.gov.uk

02 September 2020

Dear Sir / Madam,

Partial Review of the Fylde Local Plan

Homes England Response

I would firstly like to thank you for the opportunity to comment on the partial review of the Fylde Local Plan.

Homes England is the government's housing accelerator. We have the appetite, influence, expertise and resources to drive positive market change. By releasing more land to developers who want to make a difference, we're making possible the new homes England needs, helping to improve neighbourhoods and grow communities.

Homes England does not wish to make any representations on the proposed partial review of the Fylde Local Plan. We will however continue to engage with you as appropriate.

Yours faithfully,

P.P Nicola Elsworth
Head of Planning and Enabling

Homes England
1st Floor Churchgate House
56 Oxford Street
Manchester
M1 6EU

Please send all Local Plan and related consultations to
nwlocalplanconsultat@homesengland.gov.uk

0300 1234 500
www.gov.uk/homes-england

Fylde Council,
Planning Policy Team,

SENT BY EMAIL
planningpolicy@fylde.gov.uk
07/09/2020

Dear Sir / Madam,

FYLDE LOCAL PLAN: PARTIAL REVIEW

1. Thank you for consulting with the Home Builders Federation on the Partial Review of the Fylde Local Plan to 2032.
2. The HBF is the principal representative body of the house-building industry in England and Wales. Our representations reflect the views of our membership, which includes multi-national PLC's, regional developers and small, local builders. In any one year, our members account for over 80% of all new "for sale" market housing built in England and Wales as well as a large proportion of newly built affordable housing.
3. The Council are proposing to amend the Local Plan to set out the consideration they have given to the unmet housing need in Wyre. They highlight that the adopted Wyre Local Plan will result in a shortfall of 380 dwellings, which therefore triggers the early review mechanism contained in paragraph 1.27 of the Fylde Local Plan. However, they also identify that the Wyre Local Plan will be subject to a partial review, which includes the objective of meeting the full OAN for Wyre. This has led to the Council proposing to amend paragraph 1.27 to state that a '*Partial Review of the Fylde Local Plan therefore has not needed to incorporate alterations to its strategic policies or housing needs or requirement figure, other than those changes made for other reasons, following consideration of the issue of housing needs in Wyre*'. The HBF is concerned by this particularly as there no evidence available at present to demonstrate that Wyre can meet the housing need within their own area.

Policy DLF1

Proposed policy DLF1 is not considered to be sound as it is not positively prepared, justified, effective or consistent with national policy for the following reasons:

4. The Council proposes to amend this policy to state that the '*Local Plan will provide sites for a minimum of 6,895-8,715 new homes . . . over the plan period to 31 March 2032*'.
5. The HBF is concerned that the policy does not provide a clearly written and unambiguous policy and is therefore not consistent with national policy¹. Providing the housing requirement as a range does not provide clarity and it may not always be clear how this should be

¹ Paragraph 16 of NPPF 2019

considered as part of the decision-making process. The HBF is also concerned that it is not clear whether the figure is a net figure or not.

6. The HBF is concerned by the use of a housing range, which although the text still states ‘a *minimum of*’, still seems to suggest that the top end of the range is a cap and this could limit the development of homes. The HBF does not consider that this is line with national policy which looks to support the Government’s objective of significantly boosting the supply of homes.
7. The Housing Needs and Requirement Background Paper (March 2020) sets out the calculation of the Local Housing Need (LHN) for Fylde using the standard methodology, it identifies a LHN of 275 dwellings per annum (dpa). It also highlights that the evidence for the adopted plan identified an Objectively Assessed Need (OAN) of between 410 and 430dpa, and that the Inspector concluded that the housing requirement figure of 415dpa was sound. The Paper goes on to explain that the LHN will only be applied from 2019/20, and that the adopted figure of 415dpa will be applied to the period 2011/12 to 2018/19, giving a requirement of 6,895 of the plan period.
8. It should be noted that the Standard Method identifies a minimum annual housing need figure, it does not produce a housing requirement figure. It is also noted that the Government is committed to ensuring that more homes are built and supports ambitious authorities who want to plan for growth. National policy identifies that the Standard Method provides a minimum starting point, and that there may be circumstances where it is appropriate to consider whether the actual housing need is higher than the Standard Method indicates. PPG² states that these circumstances can include growth strategies for the area; strategic infrastructure improvements; taking unmet need from neighbouring authorities; previous levels of delivery; or where previous assessments of need are significantly greater than the outcome from the Standard Method.
9. There have been significant infrastructure improvements in Fylde and the surrounding area, for example the Preston Western Distributor and the A585 Windy Harbour to Skippool improvement scheme. The Preston Western Distributor is scheduled to open early in 2023 and is intended to promote new housing and business development in the area, while increasing capacity on the existing local road network. The A585 Windy Harbour to Skippool improvements are expected to remove the current bottleneck at Five Lane Ends and give the opportunity to improve the A585 Mains Lane/A588 Shard Road junction. The A585 DCO on the 9th April 2020 was granted consent by the Secretary of State.
10. The Fylde Coast SHMA (2014) identified that Fylde, Wyre and Blackpool form a single housing market area (HMA). The Wyre Local Plan was adopted with a housing figure below the OAN and therefore created a shortfall of homes with the HMA of 380 dwellings. Blackpool has not identified any shortfall in their adopted Plan. The Draft Statement of Common Ground (March 2020) highlights that it will be for Wyre to determine whether it reviews its housing requirement figure through the Partial Review. It also identifies disagreement in relation to Fylde’s statement that *‘the revised housing requirement in the Partial Review of the Fylde Local Plan to 2032 allows account to be taken of any need from neighbouring authorities that cannot be met, up to the amount of unmet need from the adopted Wyre Local Plan (2011-2031), should any need that cannot be met exist following Wyre’s Partial Review’*.

² PPG ID: 2a-010-20190220

11. MHCLG statistics shown in Table 1 below, highlight that 1,926 dwellings have been built over the last five years, at an average of 385dpa, with the numbers increasing year on year, this suggests that the housing need is above the LHN identified by the standard method. The Fylde Local Plan was only adopted in October 2018, so it is likely that the higher figures seen at the end of the period would continue as allocations are brought forward.

	2014/15	2015/16	2016/17	2017/18	2018/19	Total	Average
Fylde	207	304	455	470	490	1,926	385

12. As has been previously set out, the Fylde SHMA Addendum 3: Analysis of the OAN using the 2014-based SNPP and SNHP (Turley, May 2017) identifies an OAN of between 410-430dpa. This was assessed as part of the Examination of the Fylde Local Plan (December 2017) and the Inspector considered that a housing requirement of 415dpa was sound (Inspector’s Report, September 2018). This evidence and the assessment through the examination process suggest the housing need is higher than the LHN identified by the standard method.
13. It is noted that the 2018-based household projections are now available, and as a comparison, between 2020 and 2030 the 2014-based projections show an increase of 2,499³ whilst the 2018-based projections show an increase of 4,280⁴.
14. Planning for the Future (March 2020) states that the Government will review the formula for calculating Local Housing Need and is looking to introduce a new approach which encourages greater building and makes sure the country is planning for the delivery of 300,000 new homes a year. The ‘Changes to the current planning system’ (August 2020) document sets out these proposed changes to the standard method for assessing local housing need. These changes include consideration of the existing housing stock and an affordability adjustment that takes into account changes over time. This new method identifies an indicative housing figure of 488dpa⁵ for Fylde, again the consultation identifies that the standard method provides the starting point and not the final housing requirement. This suggests that the housing need for Fylde could be much higher than currently proposed. In addition, the LHN for Wyre calculated using this method will also increase to 383dpa, which could increase the necessity for Fylde to meet their unmet need.
15. The Plan period runs from 2011 until 2032, the HBF are concerned that this does not provide a 15-year period from adoption and will at best only look forward 11 years. This would be contrary to the NPPF⁶ which states that ‘*strategic policies should look ahead over a minimum 15-year period from adoption, to anticipate and respond to long-term requirements and opportunities*’. Therefore, the HBF consider that the Council should look to extend the Plan period, and consider review of any other policies that may be impacted by this need to ensure a 15-year period from adoption.

³ 2014-based household projections 2020 – 37,454, 2030 – 39,953

⁴ 2018-based household projections 2020 – 38736, 2030 - 43016

⁵ Existing Stock 2019 = 39,820, 0.5% of existing stock = 199.1, 2018-based household projections: 2020 = 38,736, 2030 = 43,016, average 428dpa, ratio of median house price: 2009 = 5.23, 2019 = 5.43, adjustment factor $((5.43-4)/4) \times 0.25 + ((5.43-5.23) \times 0.25) + 1 = 1.139375$, LHN: $428 \times 1.139375 = 487.6525$ dpa

⁶ Paragraph 22 of the NPPF

Policy GD4

Proposed policy GD4 is not considered to be sound as it is not positively prepared or consistent with national policy for the following reasons:

16. The Council are proposing to make amendments to the policy for development in the Countryside. The HBF does not consider that this policy is in line with NPPF 2019⁷, which looks for planning policies to be responsive to local circumstances, to support housing developments that reflect local needs and to locate housing where it will enhance or maintain the vitality of rural communities. It then goes on to set more restrictive policies for 'isolated homes in the countryside', these are similar to those currently included in Policy GD4. The HBF consider that this policy should be amended to better reflect the policy set out in NPPF.

Policy H1

Proposed policy H1 is not considered to be sound as it is not positively prepared, justified, effective or consistent with national policy for the following reasons:

17. The Council proposed to amend this policy to state *'the Council will provide for and manage the delivery of new housing by setting and applying a housing requirement of 415 net homes per annum for the period 2011 – 2019 and a housing requirement of 275-415 net homes per annum for the period 2019-2032'*.

18. As has been set out in the response above to Policy DLF1, the HBF do not consider that this amendment is sound. In summary the HBF consider that:

- the policy is not clearly written and it is not clear how the range would be used in the decision making process;
- that the range, and the removal of the word minimum from this version of the policy, would be contrary to the Government's objective to significantly boost the supply of homes;
- that the housing need is higher than that provided by the LHN calculated using the standard method, and therefore the policy is not positively prepared or justified;
- that there remain issues with the unmet need from Wyre, and therefore the policy is not effective; and
- that the plan period is no longer consistent with the NPPF requirements.

Future Engagement

I trust that the Council will find these comments useful as it continues to progress its Local Plan. Please keep the HBF informed of the next stage of consultation upon this document and any other planning documents. I am happy to discuss further any of the comments made within this representation with the Council prior to the next stage of consultation. Please use the contact details provided below for future correspondence.

Yours sincerely,



Joanne Harding

Local Plans Manager – North

Email: joanne.harding@hbf.co.uk

Phone: 07972 774 229

⁷ Paragraphs 77-79 of the NPPF

02 September 2020

Partial Review of FLP32 Consultation
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Lambert Smith Hampton
3 Hardman Street
Spinningfields
Manchester
M3 3HF

Our Ref: PDR/RM/RM/01

Dear Sir / Madam

Re: Partial Review of the Fylde Local Plan to 2032

Lambert Smith Hampton act on behalf of AXA one of the largest insurance companies in the world. AXA have a number of landholdings with in Fylde district.

Our client wishes to work with the Council in terms of its partial review of the Fylde Local Plan. AXA believe that the partial review of the Fylde Local Plan, to assure that it reflects up to date guidance, is to be welcomed. We are of the view that some of our client's landholdings could make a valuable contribution to meeting housing need both within Fylde and the need within the neighbouring borough of Wyre that cannot be met within Wyre itself.

AXA is willing to bring its surplus land forward for development. The land in question does not lie within the Green Belt is capable of being accessed, is within easy walking distance of shops and services and benefits for existing flood defences. The land does not have any identified ecological or landscape value. The landholdings in AXA's control are available now, further they are in a suitable location for development, and subject to the grant of planning consent have a realistic prospect that housing will be delivered on the site within the next 5 years.

Paragraph 33 of the National Planning Policy Framework states: -

Policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary¹⁸. Reviews should be completed no later than five years from the adoption date of a plan and should take into account changing circumstances affecting the area, or any relevant changes in national policy. Relevant strategic policies will need updating at least once every five years if their applicable local housing need figure has changed significantly; and they are likely to require earlier review if local housing need is expected to change significantly in the near future

In setting out the comments below we have had regard to the advice set out in paragraph 33 and the general direction of travel for planning policies in emerging Government guidance

Paragraph 9.22 We disagree with the suggestion that the partial review in that it has not taken the opportunity to explore further allocations of land we believe that this review offers an opportunity to consider further potential allocations of land. We are mindful of a number of key objectives set out in the Governments "Planning for the Future" White Paper of August 2020 namely to:-

- *support home ownership, helping people and families own their own beautiful, affordable, green and safe homes, with ready access to better infrastructure and green spaces;*
- *increase the supply of land available for new homes where it is needed to address affordability pressures, support economic growth and the renewal of our towns and cities, and foster a more competitive housing market*

We believe that there is an affordability issue within the Fylde and that more housing should be provided to allow for an increase in housing land supply as envisaged in the Government's white paper. We note that the partial review is intended to address the publication of the 2019 version of the NPPF, with this in mind we would highlight paragraph 59 of the NPPF which states: -

To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay

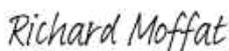
Paragraph 9.58 We note that within the partial review it is not intended to revise the protection of existing employment sites. If this approach is to be adopted, then land which is not identified for employment uses should be considered for allocation for housing development. AXA is willing to bring its sites forward for development.

As we have highlighted above AXA would welcome the opportunity of engaging with the Local Planning Authority and local interest groups to discuss issue through which the better strategic planning of the area could be achieved. AXA is willing and able to bring surplus land forward for development. We look forward to the Council's response and happy to enter discussions. Should you have any questions or require any further information please do not hesitate to contact our Mr Richard Moffat.

We would ask that you provide us with notification of the following stages during the review process: -

- The submission of the Partial Review of the Fylde Local Plan to 2032: Schedule of Revisions to the FLP32 to the Secretary of State for Communities and Local Government for examination;
- Publication of the Planning Inspector's Report on the Partial Review of the Fylde Local Plan to 2032; and/or
- Adoption of the Partial Review of the Fylde Local Plan to 2032

Yours sincerely,



Richard Moffat
Director
Planning, Development and Regeneration

Direct Line: 0161 242 8055
Email: rmoffat@lsh.co.uk

Fylde Borough Council
Planning Policy
Town Hall
Lytham St. Annes
Lancashire
FY8 1LW

Our ref: NO/2012/103893/PO-04/SB1-L01
Your ref: PRFLP32
Date: 02 September 2020

Dear Sir/Madam

PUBLIC CONSULTATION – PARTIAL REVIEW OF THE FYLDE LOCAL PLAN TO 2032

Thank you for consulting us on the above.

We have reviewed the details available and, insofar as it relates to our remit, we are satisfied with the proposed revisions. We have no further comments to make.

Yours faithfully

Mr Alex Hazel
Planning Advisor - Sustainable Places Team

Tel: 020 302 51215
E-mail: clplanning@environment-agency.gov.uk



Bryning-with-Warton Parish Council

Mr Anthony Wood
10 Lea Road, Lea, Preston, Lancashire. PR2 1TN
Tel: 07710392767
Email: council@warton.idps.co.uk

Partial Review of the FLP32 Consultation Planning Policy,
Fylde Council,
Town Hall,
Lytham St Annes,
Lancashire
FY8 1LW

2nd September, 2020

Partial Review of the Fylde Local Plan to 2032

The Parish Council make the following observations.

It is of course appreciated that the revision to the 'FLP to 32' comes from the need to conform to newer wordings expressed in 'NPPF19' while much will be clarification of intent rather than material change. It cannot go unrecorded however that there is extreme concerns to the local Community that the introduction leads with the following given the impact and extent of more recent housing developments and application within the Parish.

'Additionally, Paragraph 1.27 of the Local Plan states that "Fylde Council recognises that Wyre Council have identified difficulties in planning to meet its objectively- assessed need for housing. Any need that remains unmet following the adoption of Wyre's Local Plan will need to be addressed. Fylde Council will undertake an early review of the Plan (whether partial or full) to examine this issue, working with other authorities adjoining Wyre under the Duty to Co-Operate. The objective of this process would be to ensure that any unmet need is met within the Housing Market Area and/or in other appropriate locations, where consistent with the achievement of sustainable development". Accordingly, the Partial Review of the Local Plan is defined by the changes between NPPF12 and NPPF19, as well as the Duty to Cooperate.

Obviously included in Chapter 1.24 SDPR01 : **Schedule of Revisions to the FLP32;** Councillors would naturally conclude that each and every City, Town and Parish will be struggling to meet the assessed need of housing in their communities and to place this burden on neighbouring council's is incredulous to say the least. Fylde Council should not be placed in this unenviable position and Wyre Council should be addressing their shortfall with the Government.

SDPR01 : **Schedule of Revisions to the FLP32;**

Chapter 1(Page 20/21) Cross Cutting Themes. Viability.

Removal of out of date text from NPPF12 replacement with text from NPPF19 and PPG -

'Plans should set out the contributions expected from development. This should include setting out the levels and types of affordable housing provision required, along with other infrastructure (such as that needed for education, health, transport, flood and water management, green and digital infrastructure). Such policies should not undermine the deliverability of the plan. So it's okay to have policies but it's just they must not stop deliverability of the plan? 'Defeats the purpose of having a policy then doesn't it?

'Viability assessment should not compromise sustainable development but should be used to ensure that policies are realistic, and that the total cumulative cost of all relevant policies will not undermine deliverability of the plan.' Surely if the cumulative cost of a sustainable development is not viable it undermines deliverability of the plan?

Chapter8 (Page 28) The Fylde Economy

Deletion and been replaced with a more general reference to the Framework. -

'should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose and land allocations should be regularly reviewed. Performance Monitoring Indicator 5, in Appendix 8, sets out a target / policy outcome recording the cumulative take-up of land for employment development from 1 April 2011 in relation to the plan period requirement of 60.6 Ha.

Again concerns regarding the impact this may have on the long argued potential of Warton 'Enterprise Zone' and now several years down the line nothing has materialised thus the future in favour of housing as part of this 'Strategic Location'. Will the Parish Council be included in carrying out the 'Regular Review'?

Chapter 9 - 9.17 (Page 36)

Policy H1 c) Adoption of 'Liverpool Method'

The Parish Council has supported this method of calculation from the outset and had it been adopted sooner Warton may not have suffered such 'over development' in recent years!

Chapter 11(Page 43)

These parking standards now need strict adherence in all future developments and it is a welcome revision although disappointing that as a planning Authority Fylde has been slow to advance such important issues in recent years.

Policy ENV1.Coastal Change Management Area

Positive support for revision from "'does not adversely affect..." to "Promotes".

In conclusion it has to be expressed that we can only hope that the colossal task and efforts of all those involved in the collation and composition of this review and revision is not made obsolete by the forthcoming 'Planning for the future' policy paper issued by the Government earlier this year.

Mr A J Wood

Clerk to the Council.

Stephanie Shone

From: Melanie Hughes <Melanie.Hughes@sportengland.org>
Sent: 03 September 2020 06:32
To: PlanningPolicy
Subject: Partial Review of the Fylde Local Plan to 2032 (FLP32) Sport England Reference: SP/20/00003707

Dear Sir/ Madam,

Thank you for consulting Sport England on the partial review of the Fylde Local Plan to 2032.

Sport England's comments reflect the changes proposed as part of the schedule of revisions to FLP32. It is noted that as a general comment, the scope of the Partial Review is narrow in remit and therefore the changes proposed reflect those changes necessary to ensure that the Local Plan remains in accordance with the National Planning Policy Framework 2019.

Sport England have no comments in relation to the reference changes to the NPPF (2019) as suggested throughout the document and agree with the references made to paragraph 96 and 97.

In addition, Sport England also welcome the amendments proposed to GD7 regarding the promotion of health and wellbeing as part of creating safe and accessible environments. This approach is consistent with Sport England's guidance regarding Active Design and therefore we welcome inclusion of general support for promoting active design to enable communities to be more active in their day-to-day lives and achieve health and well-being through design. Further information relating to active design can be found in our previous response and in our [Active Design Guidance](#).

Evidence Base

Several comments are made throughout the schedule of revisions to the evidence base underpinning the Local Plan, particularly with reference to the importance of taking a strategic approach to sport and recreation. The Playing Pitch Strategy and the Built Facility Strategy are therefore key documents to inform policy decisions relating to Policies HW3 and ENV3.

The schedule of evidence/ updates suggest that the PPS does not need updating as it doesn't relate to the policy changes being suggested and therefore does not fall within the remit of this partial review. Whilst this is the case, it is noted that the date of the most recent Playing Pitch Strategy is April 2016. Consultation was undertaken with the council, Sport England and the NGB's to inform the assessment, strategy and action plan and therefore the data that informed the PPS dates back to 2015. As a guide, if no review and subsequent update has been carried out within 3 years of the PPS being signed off by the steering group, then Sport England and the NGBs would consider the PPS and the information on which it is based to be out of date. The nature of the supply and demand for pitches is likely to have changed over the three years therefore, without any form of review and update within this time period it would be difficult to make the case that the **supply and demand information and assessment work is sufficiently robust**. Furthermore, if the policy is used for determining planning applications, developers are likely to challenge the evidence base especially in the context of the need to protect existing facilities or provide for sport in new development through planning obligations or CIL.

To address these concerns, it is advised that the Council undertakes a review of its existing sports evidence base in order to ensure that there is a robust evidence to support the existing local plan policies that have community sports facility implications. In Sport England's view, this approach would be justified to ensure the local plan is consistent with paragraph 96 of the NPPF.

As well as meeting the needs of the local plan, the preparation of such strategies may also assist with delivering wider Council objectives e.g. assisting with the health and well-being agenda, reviewing the future of Council owned

assets, sports development, influencing investment on school sites, external funding bids etc. A robust evidence base for sport will also be needed to support the identification of strategic priority projects in the Council's Infrastructure Delivery Plan.

Sport England would be happy and welcome the opportunity to discuss these points should you wish to do so, and I would welcome any conversation with you regarding your sports evidence base.

Kind Regards,

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Eddie Graves

Subject: FW: OC/FARM/11/01269

-----Original Message-----

From: Elizabeth Redmayne <elizabeth.redmayne@fylde.gov.uk>
Sent: 03 September 2020 10:50
To: PlanningPolicy <PlanningPolicy@fylde.gov.uk>
Subject: FW: OC/FARM/11/01269

FYI

-----Original Message-----

From: [REDACTED]
Sent: 02 September 2020 18:01
To: Planning <planning@fylde.gov.uk>
Subject: OC/FARM/11/01269

David Eaves

[REDACTED]
Blackpool
[REDACTED]

The Partial review of the Fylde Local Plan TP 2032 is just what it says it should be. Not to be changed as and when a developer needs too. The Council seem to put developers before the community, ie building on a zone 3 flood plain site, example Bambers Lane /School Rd.

Is it not time The Secretary of State stopped building on flood plains. It is only the people who buy these properties that suffer NOT the developer. Maybe the council and Secretary of State should listen to the Environment Agency and other experts.

Is it not time that money should be spent on the existing infrastructure by developers and Council alike.

I have lived in Fylde Borough over 60 years and have no confidence in the Council and especially the Planning department. We have aired our grievances but as usual nothing will happen.

D Eaves

Very unhappy council tax payer.

Sent from my iPad

[Logo] Elizabeth Redmayne

Planning Technician

t: 01253 658427

e: elizabeth.redmayne@fylde.gov.uk

Fylde Borough Council

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Representations to the Partial Review of the Fylde Local Plan

for Wainhomes North West Ltd



Project : 19-318
Site address : Fylde Local Plan
Client : Wainhomes North West
Ltd

Date : September 2020
Authors : Stephen Harris

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1. Introduction

- 1.1 These representations are submitted to the Partial Review of the Fylde Local Plan on behalf of Wainhomes North West.
- 1.2 Fylde Council is undertaking a Partial Review of the Fylde Local Plan (adopted 22 October 2018), which is subject to consultation until 3rd September 2020. The Schedule of Revisions consultation document, published 23 July 2020, states that this Partial Review is being undertaken on the basis that:
1. The Local Plan was examined in accordance with the National Planning Policy Framework 2012, which was subsequently revised in July 2018 and February 2019, and revisions are required to ensure conformity with the updated Framework.
 2. The Local Plan was adopted with the commitment that an early review would be undertaken due to Wyre Council's difficulties in meeting its objectively assessed need for housing.
- 1.3 For the reasons we set out in this statement, neither of these two reasons justify the Partial Review as drafted and it should therefore be withdrawn.
- 1.4 We address each in turn.

2. Reason 1 – Conformity with the 2019 Framework

Proposed revision to Fylde’s housing requirement

2.1 Policy DLF1 of the adopted Fylde Local Plan sets out the housing requirement for Fylde of 8,715 over the plan period. This equates to a requirement of 415 dwellings per annum. The Schedule of Revisions proposes to amend this requirement to a range of between 6,895 – 8,715 dwellings over the plan period, which equates to a range of between 275 – 415 dwellings per annum. The justification for this is cited as being due to a revised housing requirement figure resulting from the change to housing needs methodology in the Framework (2019).

2.2 We object to the changes and justification provided for the revised housing requirement on three grounds, as follows.

1. National policy does not support a plan review based on a lower Local Housing Need identified by the standard method to that in the adopted Local Plan.
2. The Partial Review does not comply with the Duty to Cooperate.
3. The revised housing requirement conflicts with up-to-date evidence of housing need based on the emerging methodology for calculating local housing need.
4. The application of the revised requirement for 5 year supply.

2.3 We address each point in turn.

1. National Planning Policy Framework (The Framework) and National Planning Practice Guidance (PPG)

2.4 Reason 1 states that the revisions are required to ensure conformity with the updated Framework.

2.5 The Government does advise when there are significant changes in circumstances which may mean it is necessary to review the relevant strategic policies of a development plan earlier than the statutory minimum of 5 years. Paragraph 33 of the Framework states that:

“Relevant strategic policies will need updating at least once every five years if their applicable local housing need figure has changed significantly.”

2.6 The PPG provides clarification on when local housing need will be considered to have changed significantly. It states:

“How often should a plan or policies be reviewed?”

To be effective plans need to be kept up-to-date. The National Planning Policy Framework states policies in local plans and spatial development strategies, should be reviewed to assess whether they need updating at least once every 5 years, and should then be updated as necessary.

Under regulation 10A of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) local planning authorities must review local plans, and Statements of Community Involvement at least once every 5 years from their adoption date to ensure that policies remain relevant and effectively address the needs of the local community. Most plans are likely to require updating in whole or in part at least every 5 years. Reviews should be proportionate to the issues in hand. Plans may be found sound conditional upon a plan update in whole or in part within 5 years of the date of adoption. Where a review was undertaken prior to publication of the Framework (27 July 2018) but within the last 5 years, then that plan will continue to constitute the up-to-date plan policies unless there have been significant changes as outlined below.

*There will be occasions where there are significant changes in circumstances which may mean it is necessary to review the relevant strategic policies earlier than the statutory minimum of 5 years, for example, where new cross-boundary matters arise. **Local housing need will be considered to have changed significantly where a plan has been adopted prior to the standard method being implemented, on the basis of a number that is significantly below the number generated using the standard method, or has been subject to a cap where the plan has been adopted using the standard method. This is to ensure that all housing need is planned for as quickly as reasonably possible.**¹" (our emphasis)*

- 2.7 There is no justification in the Framework or the PPG for an early plan review based on the adopted housing requirement being higher than the requirement generated by the standard method. In that context a revision through this Partial Review to reduce the housing requirement of 415 dwellings per annum to 275 dwellings per annum has no support in the Framework or PPG. Therefore, on this reason alone the Partial Review is not entitled to review the requirement in Policy H1. It also runs contrary to the key objective of the Framework which is to boost housing delivery.
- 2.8 Paragraph: 039 Reference ID: 61-039-20190315 of the PPG sets out what the steps are for preparing evidence. It states:

What are the steps in gathering evidence to plan for housing?

Strategic policy-making authorities will need a clear understanding of housing needs in their area. The steps in building up this evidence include:

¹ Paragraph ID: 61-062-20190315

- *establishing the overall housing need (conducted using the standard methodology unless exceptional circumstances justify an alternative - see local housing need guidance);*
- *identifying the housing need of specific groups;*
- *working with neighbouring authorities and key stakeholders to establish the housing market area, or geography which is the most appropriate to prepare policies for meeting housing need across local authority boundaries;*

Authorities can use this evidence to:

- *prepare or update their Strategic Housing Land Availability Assessment jointly with the authorities within the defined area or individually to establish realistic assumptions about the suitability, availability, and achievability (including economic viability) of land to meet the identified need for housing over the plan period, including robust evidence of deliverability for those sites identified for the first 5 years of the Plan*
- *prepare a viability assessment in accordance with guidance to ensure that policies are realistic and the total cost of all relevant policies is not of a scale that will make the plan undeliverable.*

2.9 With regard to the first and second bullet points, to establish the overall housing need it is necessary to apply the standard method unless exceptional circumstances justify an alternative. A hyperlink then takes the reader to the section titled "*Housing and economic needs assessment - Guides councils in how to assess their housing needs*". The LPA has undertaken the standard method as set out in the PPG.

2.10 However paragraph: 010 Reference ID: 2a-010-20190220 states:

"Circumstances where this may be appropriate include, but are not limited to situations where increases in housing need are likely to exceed past trends because of:

- *growth strategies for the area that are likely to be deliverable, for example where funding is in place to promote and facilitate additional growth (e.g. Housing Deals);*
- *strategic infrastructure improvements that are likely to drive an increase in the homes needed locally; or*
- *an authority agreeing to take on unmet need from neighbouring authorities, as set out in a statement of common ground;*

There may, occasionally, also be situations where previous levels of housing delivery in an area, or previous assessments of need (such as a recently-produced Strategic Housing Market Assessment) are significantly greater than the outcome from the standard method. Authorities will need to take this into account when considering whether it is appropriate to plan for a higher level of need than the standard model suggests. (our emphasis)

2.11 In the case of Wyre the SHMA identified an annual net need of 207 affordable homes per annum. Using the standard method after applying the affordability ratio the housing figure increased from 253 to 275 dwellings, an increase of 22 dwellings. This is some 10% of the actual affordable need identified in the SHMA. Therefore, in the context of the PPG, the LPA cannot simply dismiss the findings of the SHMA as they do in EDPR04.

2.12 The Local Plan Inspectors Report states:

“Affordable housing needs

59. The 2013 SHMA identified a need for 207 affordable homes per annum. This was updated to 249 dpa in the Addendum 1 report.

60. Whilst it has been suggested that the needs identified are too high, this has not been convincingly evidenced in detail. Indeed as the definitions and method for assessing affordable housing needs as used within the SHMA and its addendum follow those set out within the PPG, the resultant need identified is robust.

61. It has also been suggested that an uplift should be applied to the OAN to reflect the need for affordable housing. It is unlikely that the full identified need will be delivered through provisions set out within the Plan. Based on the Council's proposed affordable housing target of 30% for relevant new residential developments, this would require more than 800 dwellings per annum to be delivered to achieve the affordable housing figure in full. I agree with the Council that this is completely unrealistic, bearing in mind that the OAN is based on a robust assessment of the number of people likely to want or need to live in the Borough and that between 1991 and 2017 the highest number of dwellings constructed was 502 in 1992/93.

62. Moreover, provision against the revised OAN would in itself represent a significant uplift on historic rates of affordable housing completions, noting that in 2015/16 fewer than 40 affordable dwellings were delivered. Providing 410-430 dpa would contribute towards meeting a significant proportion of the affordable housing need identified, providing around 120-130 dwellings per annum.”

2.13 Therefore, whilst there was not a specific uplift above the proposed OAN for affordable, the Inspector was clear that the affordable housing that would be delivered using the OAN would

represent a significant uplift on historic rates of affordable homes which was necessary. By using the standard method, the Council is ignoring the Inspector's conclusion on this issue and will have a significantly detrimental impact on the provision of affordable homes.

- 2.14 The draft standard method would reflect and assist in delivering the affordable housing in the SHMA. As a minimum the LPA should have undertaken an affordable housing update to understand the local circumstances as to whether the affordability ratio is appropriate. It must be remembered that providing homes for those in affordable housing need is a crucial part of the planning process and a simple application of the standard method will not meet their needs. Therefore, the Plan Review should not progress on this basis.
- 2.15 We examine bullet 3 in the next section titled Duty to Co-operate.

2. Duty to Cooperate

- 2.16 Paragraph 26 of the Framework states that:

"Effective and ongoing joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere."

- 2.17 As noted in the 'Reason 1' section above, the Schedule of Revisions states that the Partial Review of the Fylde Local Plan has not needed to incorporate alterations to its housing needs or requirement figures following consideration of the issue of housing need in Wyre.
- 2.18 However, Wyre Council sent a letter to Fylde Council regarding the Partial Review and the Duty to Cooperate, dated 6 March 2020 (**Appendix EP1**), which does not support Fylde's assessment of its housing need as a standalone issue. This letter states that matters of housing need would most comprehensively be dealt with jointly between the respective authorities, and it is the view of Wyre Council that the authorities should work together to identify where unmet housing need should be accommodated. Wyre Council's letter states that the plan processes of the two councils need to be properly aligned in order to accommodate this. The letter states:

"I would therefore like to propose that we agree to jointly review the above matters to further inform the partial review of both our plans, providing the opportunity to achieve a consistency of approach between our two authorities and their plans. In my view this is the best way to review our respective plans for

our shared housing market area, and to ensure that housing needs are properly planned for and met across the HMA."

- 2.19 In order for the Plan Review to produce an effective and long-term housing strategy, and ensure that housing needs of the HMA are met in full, Fylde Council should undertake a joint plan review with Wyre Council. It is not sufficient for Fylde Council to undertake a standalone review of its housing requirement without a comprehensive study of the housing needs of the wider HMA. This should also include Blackpool Council who form the other LPA in the Housing Market Area.
- 2.20 In addition, the consequences of Fylde going along by applying LHN when the other authorities are applying their adopted figure for the housing market area has not been explained or justified.
- 2.21 In proceeding with the Partial Review despite the written request of Wyre Council to align their respective plan-making timescales and undertake a cross-boundary assessment of housing need, Fylde Council has not complied with the Duty to Cooperate.

3. Local Housing Need

- 2.22 The revised housing requirement proposed by the Fylde Local Plan Review is based on the change to housing needs methodology in the 2019 Framework. The current standard method results in the following local housing need for Fylde.

2019-2019 household projections per annum	Affordability ratio	Adjustment factor	Minimum annual local housing need
253.30	5.36	1.09	274.83

- 2.23 It is on this basis that Fylde's housing requirement is proposed to be revised to a minimum of 275 dwellings per annum.
- 2.24 However, the Government published a revised standard method for calculating local housing need in their 'Changes to the current planning system' consultation document, dated August 2020. The new method results in the following local housing need for Fylde.

0.5% of existing housing stock	2018 household projections	Affordability ratio	Adjustment factor	Minimum annual local housing need
199.10	428	5.43	1.14	487.65

2.25 The revised standard method results in a housing requirement for Fylde of 488 dwellings per annum. Whilst still in draft, this is significantly higher than both the minimum requirement proposed (275 dwellings per annum) and the adopted housing requirement (415 dwellings per annum).

2.26 With regard to local planning, paragraph 31 of the Framework states that:

“the preparation and review of all policies should be underpinned by relevant and up-to-date evidence.”

2.27 Adoption of the revised housing requirement as proposed would be to dismiss the draft methodology which is undoubtedly a crucial piece of relevant and up-to-date evidence. We note that the Inspectors wrote to the LPA on 8th July 2020. It is enclosed as **Appendix EP2a**. For ease of reference they state:

“2. Where assessing housing and economic development needs, the PPG advises that “Wherever possible, local needs assessments should be informed by the latest available information. The National Planning Policy Framework is clear that Local Plans should be kept up-to-date. A meaningful change in the housing situation should be considered in this context, but this does not automatically mean that housing assessments are rendered outdated every time new projections are issued.”(Paragraph:016, Reference ID: 2a-016-20150227)

3. On Monday 29 June 2020 the ONS published the 2018-based household projections. They represent the latest available information. In response to the data released by the ONS, please can you provide the following information.

4. Firstly, please can you individually, provide an assessment of the objectively assessed need for housing for both Central Bedfordshire and North Hertfordshire based on the most up-to-date household projections. This should include details of how you have arrived at each figure. Secondly, please can you advise whether or not you consider this represents a meaningful change for the purposes of the PPG and provide reasons for your conclusions. If the latest household projections do represent a meaningful change, what are the implications for the housing requirement figures in each Plan?”

2.28 The LPA's response (**Appendix EP2b**) states:

“(i)The Council's response is set out in the enclosed note(Note 1)which has been prepared for the Council by Opinion Research Services(ORS),including how the figure has been arrived at. In summary, based on the latest up to date 2018 household projections, the change to the Council's OAN is less than 1% and therefore not material and does not represent a “meaningful change”.

- 2.29 In the case of Fylde, the 2014 based projections estimated an increase of 2,499 new households between 2020 and 2030, whereas the 2018 based projections estimate an increase of 4,280 households. This is a meaningful and significant change and one which requires the Partial Review to address. If it does not, then the proposed housing requirement in the Partial Review is in contravention of the Framework and PPG.
- 2.30 Further, paragraph 33 of the Framework states that development plans are likely to require earlier review than the statutory minimum where “local housing need is expected to change significantly in the near future.” To progress the Partial Review with a housing requirement based on the current standard method would be to act prematurely given the proposed revisions to the standard method and the resulting implications for Fylde’s housing need. To adopt the Schedule of Revisions now would be to do so on the basis that the Plan would likely require an immediate review. This would be contrary to the aims of the Framework to plan positively and anticipate long-term strategic requirements (paragraphs 16b and 22).
- 2.31 As stated in the ‘Background’ section above, the Schedule of Revisions states that the objective of the Plan Review is to ensure that any unmet need is met within the Fylde Coast Housing Market Area (HMA).
- 2.32 It is unclear how this objective could be achieved on the basis of a housing requirement that would be almost immediately out of date upon adoption.
- 2.33 The table below shows the local housing need for the HMA based on the current and draft revised standard method.

Fylde Coast Housing Market Area Authorities	Annual Local Housing Need based on current standard method	Annual Local Housing Need based on draft revised methodology
Fylde	275	488
Wyre	308	383
Blackpool	114	303
HMA total annual housing need	697	1,174

- 2.34 As demonstrated above, the draft revised methodology results in a significantly higher housing requirement for the HMA. The Council cannot expect to ensure that the needs of the HMA are

met through a plan review which disregards the most up-to-date evidence of housing need in favour of a lower housing requirement.

- 2.35 Given the ongoing consultation on the standard method, we consider that it is premature for Fylde Council to seek to revise its housing requirement at this stage. An effective and justified strategy would be to await the outcome of the Government's draft revised methodology for calculating local housing need, to ensure that the plan is effective in its delivery of housing for Fylde and the wider HMA. The LPA would then be entitled under Paragraph ID: 61-062-20190315 of the PPG as the Fylde Local Plan was adopted prior to the standard method being implemented, on the basis of a number that is significantly below (415 dwellings) the number generated using the standard method (488 dwellings) on the basis the draft method is adopted. However, that must also be done in co-operation with both Wyre and Blackpool.

4. The application of the revised requirement for 5-year supply.

- 2.36 In light of the adopted requirement in Policy H1 and the draft Local Housing Need figure of 488, it is clear that a figure of 275 dwellings is a suppression of actual housing need in the Borough. The application of a requirement of 275 dwellings per annum for calculating 5-year land supply would be a direct conflict with the Framework's policy to boost housing supply. Paragraph 73 of the Framework states:

"Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies³⁶, or against their local housing need where the strategic policies are more than five years old³⁷."

- 2.37 The application of a reduced housing requirement within 5 years of adoption through this Partial Review which has no support in the Framework or the PPG is wholly unjustified. The figure of 415 dwellings per annum must be used for the calculation of the 5 year supply, as that is what the Local Plan allocated land to meet, and if there is a shortfall in achieving that requirement, then unallocated sites must be considered. With the 2018 household projections stating an annual increase of 428 households per annum and the draft Local Housing Need of 488 per annum, then as a minimum the 5-year supply must be calculated on 415 dwellings.

- 2.38 In response to EDPR05 we append (**Appendix EP3**) our representations to the draft APS which includes our assessment of the sites in the supply. If the Partial Review progresses, then we would update this as part of the Examination.
- 2.39 For these reasons, there is no support in the Framework or PPG for Reason 1 for the Partial Review as being consulted upon.

3. Reason 2 – Meeting Wyre’s Unmet Needs

- 3.1 The adopted Fylde Local Plan sets out that Wyre Council wrote to Fylde Council in May 2016, under the Duty to Cooperate, to request that Fylde Council assist Wyre Council in meeting its objectively assessed housing need. The Objectively Assessed Need (OAN) figures for the three Fylde Coast Authorities originate from the ranges set out in the original SHMA 2014 and its updates which considered revised population and household formation data.
- 3.2 The adopted Fylde Local Plan states that Fylde Council recognises that Wyre Council have identified difficulties in planning to meet its objectively assessed need for housing. The Plan states that any need that remains unmet following the adoption of Wyre’s Local Plan will need to be addressed. As such, Fylde Council committed to undertake an early review of its Local Plan to examine this issue, working with other authorities adjoining Wyre under the Duty to Cooperate. The Fylde Local Plan states that:

“The objective of this process would be to ensure that any unmet need is met within the Housing Market Area and/or in other appropriate locations, where consistent with the achievement of sustainable development.”

- 3.3 The Wyre Local Plan was adopted on 28 February 2019 and identifies the OAN for Wyre to be 479 dwellings per annum, equating to 9,580 over the plan period to 2031. Policy SP1 of the Plan states that it will deliver a minimum of 9,200 dwellings, which equates to 460 dwellings per annum. This results in a shortfall of 380 dwellings. The adoption of the Wyre Local Plan with this shortfall triggers the early review mechanism contained within paragraph 1.27 of the adopted Fylde Local Plan.
- 3.4 Wyre Local Plan Policy LP21 commits Wyre Council to a partial review of its Local Plan with the objective of meeting the full OAN. Paragraph 1.26 of the Fylde Local Plan Partial Review Schedule of Revisions states that whether the unmet need of 380 dwellings from the Wyre Local Plan cannot be met in Wyre is a matter for the Partial Review of the Wyre Local Plan and its reassessment of housing need. The local housing need for Wyre calculated using the standard method in the PPG gives a figure of 308 dwellings per annum, which is significantly below the 460 dwellings per annum that the Wyre Local Plan provides for. The Schedule of Revisions therefore states that the housing needs in Wyre, under an assessment using the standard method, will be met in full by the Wyre Local Plan. Any housing need that cannot be met in Wyre, established through Wyre’s Partial Review, is provided for through the new housing requirement range of 275-415 in the Partial Review of the Fylde Local Plan.

3.5 Paragraph 1.27 of the Schedule of Revisions therefore states that the Partial Review of the Fylde Local Plan has not needed to incorporate alterations to its housing needs or requirement figures following consideration of the issue of housing need in Wyre. Therefore, at present, there is no need for Reason 2 (above) of the plan review.

4. Proposed Development Sites

4.1 Whilst the Partial Review is not considering existing or proposed allocations, the draft revised standard method results in a significantly higher local housing need for both Fylde and the wider HMA. As result, the plan review will need to identify additional sites in order to meet the new minimum local housing need, once adopted. We therefore propose the following sites through this process or a full review if that is decided to now be the appropriate procedure:

- Land west of Bryning Lane, Wrea Green; and,
- Land at Clifton.

Land west of Bryning Lane, Wrea Green

4.2 The site is located to the edge of Wrea Green and is presently in use for agricultural purposes. It comprises a logical infill and rounding-off opportunity for the settlement as the site is enclosed by the existing settlement boundaries and existing residential development to the immediate northern, eastern and southern boundaries. A site location plan is provided at **Appendix EP4** of this Statement.

4.3 There are no trees within or adjacent to the site of any significance and the site lies outside of the designated Wrea Green Conservation Area.

Planning History

4.4 The site was identified as a housing allocation for approximately 20 dwellings through Policy HL1 of the Fylde Local Plan, adopted in 1994. The supporting text to the adopted local plan at paragraph 3.19 stated that the purpose of this allocation was to meet unmet housing needs and that vehicular access should be taken via Bryning Avenue.

4.5 An outline planning application was subsequently submitted by Redrow Homes in 1999 and officers recommended that planning approval be granted on the basis that the site could accommodate approximately 60 dwellings (LPA ref: 5/99/0784). However, Committee Members resolved to refuse planning permission against the advice of planning and highways officers on the basis of highways safety and Redrow Homes submitted an appeal to the Planning Inspectorate with a Public Inquiry scheduled to commence in July 2001 thereafter. On the basis of the reluctance of the landowner to sell the land at the time, Redrow Homes withdrew their appeal and the case was not heard by the Planning Inspectorate.

- 4.6 As a result the site was not carried forward as a retained housing allocation through the Fylde Borough Local Plan (October 2005), which comprises the current development plan, and is an amalgamation of the Fylde Borough Local Plan 1996-2006 and the Fylde Borough Local Plan Alterations Review 2004-2016.

Application 16/1028 and Appeal 3179809

- 4.7 This application for 41 houses was submitted in December 2016. During the course of the application revisions were made to the layout following a meetings and discussions with officers. This resulted in Rev C of the layout submitted in April 2016. However during the application process Lancashire County Council objected on highway grounds and whilst the applicant evidenced that the impact would be acceptable, it was apparent that the highway objection would not be lifted and therefore the applicant was left with no other option but to appeal against non-determination.
- 4.8 The appeal was considered at an Inquiry in April 2018. Between the appeal being heard and determined in February 2019 there were material changes in policy which included the adoption of the Local Plan. Therefore, the appeal was dismissed. However, paragraph 61 states that there was no site-specific issue of any more than limited adverse harm with the development of the site. It states:

"61. Wrea Green would not be a sustainable location for the residential development proposed, which would conflict with Policies DLF1, S1, GD1 & GD4 in the Local Plan, and this is a matter to which I give significant weight. There would be limited harm to the character and appearance of the area, but in consequence conflict would arise with Policies GD7 & ENV1. Although there would be compliance with other aspects of Policy GD7 concerning highway safety, the relationship with nearby uses and biodiversity, and the level of affordable housing sought by Policy H4 would be provided, I conclude that the proposal would be contrary to the Development Plan considered as a whole."

- 4.9 On the basis of no site-specific issue, the significant uplift in the housing requirement means that the site should now be considered for allocation.

Timing and delivery

- 4.10 Our client is an active developer in the North West and they have an option agreement with the landowner and our clear instructions are that the site will be brought forward for housing as soon as possible. We consider that the timetable for the site would be that site preparation would commence some 6 months after consent with development complete within 2 years.

Layout

- 4.11 The site is enclosed on three sides by the built-up settlement boundaries (north, east and south) and existing residential built development. The site represents a logical residential rounding-off opportunity for the settlement and residential development would sit comfortably within the character and appearance of the existing built form. Furthermore, the NPPF is clear that 'protection' is a term to be applied to landscape designations and local planning authorities should not seek to protect the open countryside 'for its own sake'. The site is not the subject of any landscape designations.
- 4.12 Public views into the site would be localised and largely screened or influenced by the existing built development that encloses the site. The site is relatively flat with no public rights of way extending through it.
- 4.13 The layout in **Appendix EP5** demonstrates that this quantum of development could deliver an attractive, high quality design for the site with a coherent and legible response to the character and appearance of the surrounding area. The number of dwellings proposed would be fewer than that previously found to be acceptable by planning officers in visual amenity terms through planning application 5/99/0784. Appeal 3179809 confirmed the acceptability of the layout with the appropriate conditions.

Access

- 4.14 The site is highly locationally sustainable as it is within easy and convenient walking distance of the range of services available within Wrea Green that include Ribby with Wrea Endowed Church of England Primary School, local shops, places of worship, sporting venues and public houses. There is also good public transport. Vehicular access would be via an established access point off Bryning Lane. The number of dwellings being provided would be fewer than that previously found to be acceptable by highway officers and the Inspector in highway safety terms through the appeal. Paragraph 45 of the appeal decision states:

"I conclude that the proposed development would not adversely affect traffic movement and highway safety on this part of Bryning Lane or on the wider highway network. In this respect there would be no conflict with Policy GD7(q) of the Local Plan or paragraph 109 of the NPPF".

Flood risk and drainage

- 4.15 The site is identified through the Environment Agency mapping system as being at low risk of flooding and within a Flood Zone 1. Paragraph 56 of the appeal decision states:

“The main parties have suggested a condition which would require the implementation of a drainage scheme including an approved rate of discharge and attenuation measures. I am satisfied that such an approach would ensure that the appeal proposal would not exacerbate flood risk in Wrea Green.”

Ecology

- 4.16 The site is not subject to or within influencing distance of any statutory ecological sites and there are few ecological features within the surrounding area.

Conclusion

- 4.17 The proposed development represents an opportunity for the Council to address unmet and future housing needs through the release of a highly sustainable site with very limited environmental harm that would be far outweighed by the associated social and economic benefits.
- 4.18 The suitability of the site as a housing site has already been recognised by the Council through its allocation for housing for the Fylde Local Plan (1994). The only reason why the site did not remain as a retained housing allocation within subsequent iterations of the local plan was that the landowner at the time was unwilling to sell. The landowner is now actively promoting the sale of the land and our client has an option agreement to bring it forward for residential development. The appeal decision in February 2019 confirmed there was no site-specific issue that would prevent the development of the site should the principle of development be accepted. With the significant uplift in the housing requirement should the draft methodology be adopted, the site should now be considered for allocation

Land west of Clifton Lane, Clifton

- 4.19 A Location Plan is enclosed as **Appendix EP6**.
- 4.20 The site is located off Preston Old Road. The site amounts to approximately 4.5 hectares. It is roughly rectangular in shape and currently agricultural pasture used predominantly for the grazing of sheep. There is an overhead electricity cable running east to west across the site.
- 4.21 The site is on the northern edge of the village of Clifton. The village is located within the Fylde Borough Council administrative area. Preston City Centre is approximately 7.5 kilometres to the east.
- 4.22 The northern and western boundaries of the application site are demarked by well-defined fencing and dense treeline. The western boundary also comprises an existing watercourse. The site is bound to the south by a residential development and to the east by Clifton Lane.
- 4.23 Within walking distance of the application site, there is a village green and a range of amenities and services which serve Clifton including a post office, off-licence, café and a garage. Dobbies Garden Centre and its on-site restaurant are also located within walking distance of the site and village.
- 4.24 There are good transport links to Clifton and the site. The No.61 bus route, which serves bus stops within 400 metres of the application site (an acceptable walking distance as per the CIHT document 'Planning for Public Transport in Developments'), passes through the village and provides a route between Blackpool and Preston. On weekdays, the service is half hourly from approximately 0530 through to 2030, after which a service is approximately hourly through to a westbound service at 2348, and eastbound service at 2310. Salwick Train Station is located approximately 1.4 kilometres to the north of the site, where passengers can connect between Colne and Blackpool. The local service passes through Preston, a service which takes less than ten minutes, which allows access onto the wider national rail network including local, regional and nationwide locations.
- 4.25 Vehicular access and pedestrian access to the site will be taken via the new estate road implemented via planning permission for the residential development to the south (outline planning permission reference 15/0763). That estate road is accessed via Preston Old Road to the south.

4.26 The site was the subject of a planning application (19/0687) it was refused on 30th April 2020. The reasons for refusal were not site specific but related to housing supply and distribution policies not requiring a greenfield site at Clifton to come forward. That decision was taken on the policies at the time and for this submission, it is being put forward as being suitable to meet housing needs through this Partial Review on the application of the draft Standard Method or a full plan review.

5. Summary

- 5.1 The Fylde Local Plan Partial Review is being undertaken on the basis that revisions are required to ensure conformity with the Framework (2019) and to examine Wyre Council's issues in meeting its housing need to ensure that the needs of the wider HMA are met.
- 5.2 However, neither of these justifications would be satisfied by the Partial Review. As demonstrated above, the revision of the housing requirement is in conflict with the Framework and would negatively impact the aim to ensure that the needs of the HMA are met.
- 5.3 There is no justification in the Framework or the PPG for an early plan review based on the adopted housing requirement (415 dwellings) being higher than the requirement generated by the standard method (275 dwellings), which is the case in Fylde. As such, the revised housing requirement proposed by the Partial Review is not in accordance with national planning policy or guidance.
- 5.4 Further, it is considered that in proceeding with the Partial Review despite the written request of Wyre Council to align their respective plan-making timescales and undertake a cross-boundary assessment of housing need, Fylde Council has not complied with the Duty to Cooperate.
- 5.5 Finally, we consider that it is premature for Fylde Council to seek to revise its housing requirement at this stage given the proposed revisions to the standard method and the resulting implications for Fylde's housing need. It is also necessary to engage the plan making process with Blackpool Council.
- 5.6 Based on the above considerations, the Partial Review of the Fylde Local Plan should not progress. The only justification for the Partial Review is if in accordance with Paragraph ID: 61-062-20190315 of the PPG where if the number generated using the standard method (488 dwellings) on the basis the draft method is adopted, it would be higher than the adopted requirement in Policy H1 (415 dwellings). Until then Policy H1 should remain as the requirement in the adopted development plan.

6. Appendices

- EP1. Letter from Wyre Borough Council
- EP2. Central Bedfordshire Documents
- EP3. Emery Planning representations to APS
- EP4. Bryning Lane - Location Plan
- EP5. Bryning Lane - Site Layout
- EP6. Clifton - Location Plan

EP1

By Email Only:

Julie.glaister@fylde.gov.uk; and
Eddie.graves@fylde.gov.uk

Ask for: Steve Smith
Email: Steve.smith@wyre.gov.uk
Tel No: 01253 887243
Our Ref: DtC

Date: 6 March 2020

Dear Ms Glaister,

Duty to Cooperate and the Partial Review of the Fylde Local Plan to 2032

Thank you for providing Wyre Council, alongside other statutory consultees, with a pre-consultation version of a number of documents relating to the partial review of the Fylde Local Plan to 2032. I have been able to respond on a number of matters through a recent Duty to Cooperate (DtC) meeting, in addition to email exchanges and phone conversations between members of your team and my own. This cooperation has been positive, ongoing and constructive and has resulted in some changes to the documents concerned; particularly the Statement of Common Ground (SoCG).

Despite best endeavours there still remain matters where agreement has not been reached by Friday 28 February 2020. I have sought to respond as quickly as possible given your intention to present your proposed partial review to your Planning Committee on 11 March 2020 for a decision on further progress. It may be of benefit if the contents of this letter are put before your Planning Committee on 11 March 2020.

The Wyre Local Plan 2011 – 2031 (WLP31) contains Policy LPR1, the contents of which are incontestable common ground and the confirmation of un-met housing need within Wyre, again incontestable common ground. This un-met need provides (in part) the justification for the review of the Fylde Local Plan to 2032 and a strong link between our two plans and their subsequent review.

Policy LRP1 sets out the steps that need to be undertaken as part of Wyre's Local Plan review in order to ascertain what proportion (if any) of the unmet need can be accommodated in Wyre. As set out above, Fylde's Local Plan review is justified in part by a commitment by Fylde to assisting Wyre meet residual unmet need.

It is therefore my view that the matters to be addressed by Policy LPR1 would most comprehensively be dealt with jointly between our respective authorities. That is, it is my view that our authorities should to work together to identify where the unmet need should be accommodated, and our plan processes need to be properly aligned to accommodate this.

As you will be aware, policy LPR 1 indicates that Wyre's Local Plan Review will include an update of Objectively Assessed Housing Needs.

Since the adoption of Wyre's Local Plan, NPPF 2019 has introduced the Standard Methodology for the purpose of determining the minimum number of homes required in the

area for the purpose of strategic policy making. The adopted policy figure in Wyre's plan is higher than the standard methodology figure. Wyre is required, pursuant to policy LRP1, to update its housing needs assessment for the purpose of the review, and it is this process that will determine Wyre's housing need through the Local Plan Review.

Because the evidence base relating to the Objectively Assessed Need (OAN) that informed both our plans was/is shared and was jointly commissioned; namely the Strategic Housing Market Assessment (SHMA), and because Fylde is considering its own housing needs through its own review, I consider that housing need is an issue that should be jointly considered by our authorities.

Policy LPR1 also requires a review of transport and highway issues, taking into account the matters specified in the policy. Similarly any review of the transport and highways infrastructure matters affecting Wyre could be dealt with jointly given the cross-boundary nature of the road network (both local and strategic), and also given that the outcome of the assessment will assist in informing the authorities of the degree to which Fylde may need to assist Wyre in meeting any unmet needs that cannot be accommodated in Wyre.

I would therefore like to propose that we agree to jointly review the above matters to further inform the partial review of both our plans, providing the opportunity to achieve a consistency of approach between our two authorities and their plans. In my view this is the best way to review our respective plans for our shared housing market area, and to ensure that housing needs are properly planned for and met across the HMA.

I also consider that an alignment of plan making timescales with the potential to more effectively deal with the matter of un-met housing need should be considered.

In the coming weeks I will be seeking quotations from Turley and Lichfields who both provided evidence for the WLP31, and in the case of Turley the SHMA that we both share. I would very much like to include cross boundary assessments of need as part of this/these commission(s) and I await your response to my proposal so that this evidence gathering can begin expediently. I will also be happy to discuss a common plan making timetable with you.

For the avoidance of doubt the full OAN for housing in Wyre is 479 dpa, with the WLP31 providing only 460 dpa; thus establishing the un-met housing need as a matter of recently adopted policy. The housing requirement for Wyre can only be changed through the adoption of a reviewed local plan or through an entirely new local plan. Although the Government has introduced a Standard Method (SM) for the calculation of housing need, this is a starting point and it cannot be assumed that this will represent the final position for Wyre. Therefore we do not consider that reference to potential OANs or housing need figures for Wyre in any of the documents produced as part of your partial review can be accorded any weight at this stage. As set out above, we would however welcome the opportunity to work with you to undertake joint needs assessments for the purpose of our respective Local Plan reviews.

One final matter that I wish to draw your attention to is the fact that it cannot be assumed that Wyre Council, through the partial review process, will be able to meet housing needs in full within the Borough. The Inspector's Report into Wyre's Local Plan made it clear that further consideration needed to be given as to the extent to which any unmet need could be met in Wyre through a review of transport and highway issues. This is reflected in LRP1 (2). Until detailed consideration has been given to this issue through the review process, it has not been established that Wyre can meet any unmet needs within the Borough. Again, we would welcome the opportunity to work with you to undertake a joint review of transport and highway issues to ensure that housing needs are accounted for and met across the HMA.

Finally, I note that Wyre Council are currently consulting on the scope of a partial review. We will continue to seek to discuss any matters arising from that consultation with you in a positive and constructive way.

As always should you wish to discuss the content of this letter further, please do not hesitate to contact myself or indeed any other member of my team. I look forward to continuing the meaningful and ongoing engagement we have.

Regards

A handwritten signature in black ink, consisting of a stylized 'S' followed by a horizontal line.

Steve Smith
Planning Policy and Economic Development Manager

EP2

**EXAM 118:
Letter from Inspectors Berkeley,
Birkinshaw and Hockenhall
concerning the 2018 Household
Projections and Luton Borough
Council's unmet need**

8 July 2020

Central Bedfordshire Local Plan 2015-2035

A great place to live and work.

Examination of the Central Bedfordshire Local Plan

Inspectors: Matthew Birkinshaw BA(Hons) Msc MRTPI and

Helen Hockenhull BA(Hons) B.PI MRTPI

and

Examination of the North Hertfordshire Local Plan

Inspector: Simon Berkeley BA MA MRTPI

Programme Officer: Louise St John Howe

louise@poservices.co.uk

Andrew Davie
Assistant Director – Development and Infrastructure
Central Bedfordshire Council

Nigel Smith
Strategic Planning Manager
North Hertfordshire District Council

By email only

8 July 2020

Dear Mr Davie and Mr Smith,

Office for National Statistics ('ONS') 2018-Based Household Projections

1. We write further to the examinations of the Central Bedfordshire and North Hertfordshire Local Plans. As you will be aware, both Plans are subject to the transitional arrangements set out in paragraph 214 of the National Planning Policy Framework (2019) ('the Framework'). Under the transitional arrangements the policies in the 2012 Framework, and in previous versions of the national Planning Practice Guidance (the 'PPG'), continue to apply.
2. Where assessing housing and economic development needs, the PPG advises that *"Wherever possible, local needs assessments should be informed by the latest available information. The National Planning Policy Framework is clear that Local Plans should be kept up-to-date. A meaningful change in the housing situation should be considered in this context, but this does not automatically mean that housing assessments are rendered outdated every time new projections are issued."* (Paragraph:016, Reference ID: 2a-016-20150227)
3. On Monday 29 June 2020 the ONS published the 2018-based household projections. They represent the latest available information. In response to the data released by the ONS, please can you provide the following information.

4. Firstly, please can you individually, provide an assessment of the objectively assessed need for housing for both Central Bedfordshire and North Hertfordshire based on the most up-to-date household projections. This should include details of how you have arrived at each figure. Secondly, please can you advise whether or not you consider this represents a meaningful change for the purposes of the PPG and provide reasons for your conclusions. If the latest household projections do represent a meaningful change, what are the implications for the housing requirement figures in each Plan?
5. A fundamental part of the strategy in the Central Bedfordshire and North Hertfordshire Local Plans is to remove land from the Green Belt in order to contribute towards meeting the unmet housing needs from Luton. It is for this reason that we have written to you both in this joint letter.
6. In response, please can you also advise what implications the latest household projections have on housing needs in Luton? Specifically, are there any implications from the 2018-based projections on the need to release land from the Green Belt around Luton? Do the exceptional circumstances, as required by paragraphs 79-86 of the 2012 Framework, exist to justify the proposed revisions to Green Belt boundaries?
7. In answering the questions above it would greatly assist both examinations if the Councils could prepare a Statement of Common Ground with Luton Borough Council. This should set out the need for housing which cannot be accommodated in Luton based on the adopted *Luton Local Plan (2011-2031)*, provide comparative figures based on the most up-to-date information set out in the 2018-based projections and set out conclusions on what this means for both examinations going forward.
8. Finally, as part of the Councils response(s), we would also be grateful for any comments that you wish to make on *Aireborough Neighbourhood Development Forum v Leeds City Council [2020] EWHC 45 (Admin)*. In particular, if there has been a meaningful change in the housing situation, what implications, if any, the judgement has for both examinations.
9. So that the examinations are not unduly delayed, please can you provide a response to the above questions by **Friday 31 July 2020**. Should you require more time please let us know as soon as possible. In the meantime, if you have any questions please do not hesitate to contact us through the Programme Officer. Both Councils should upload this letter to the relevant examination websites. However, we are not seeking representations from any participants at this stage and any unsolicited correspondence will be returned.

Yours Sincerely,

Matthew Birkinshaw, Helen Hockenhill and Simon Berkeley

Inspectors

**EXAM 119:
CBC Response to Inspectors on
Household Projections**

05 August 2020

Central Bedfordshire Local Plan 2015-2035

A great place to live and work.



Via Email

Your ref: -
Our ref: EXAM 119
Date: 5 August 2020

Dear Inspectors Birkinshaw and Hockenull

Further to your letter dated 8 July 2020, I write to provide the Council's response to the matters you asked about following the publication by the ONS of the 2018-based household projections.

Objectively assessed need for housing for Central Bedfordshire Council based on the most up-to-date household projections

- (i) The Council's response is set out in the enclosed note (Note 1) which has been prepared for the Council by Opinion Research Services (ORS), including how the figure has been arrived at. In summary, based on the latest up to date 2018 household projections, the change to the Council's OAN is less than 1% and therefore not material and does not represent a "meaningful change".

Implications of the latest household projections on housing needs in Luton

- (ii) As a matter of principle, the latest household projections do not have any implications on the housing needs in Luton as its figures are part of its recently adopted plan. The OAN for Luton has been independently examined. Its OAN is not subject to the transitional arrangements in paragraph 214 of the 2019 National Planning Policy Framework. In contrast to the position in Central Bedfordshire therefore, the policies in the 2012 Framework and previous versions of the PPG do not continue to apply.
- (iii) It is not appropriate for the examination into CBC's plan to seek to update or compare the adopted OAN for Luton based on the "most up to date information set out in the 2018 based projections". Any update or revision to Luton's OAN would be undertaken in accordance with the present Government policy in respect of the Standard Methodology and the 2014 based projections. There is no basis in Government policy for the use of any other methodology or projections save where the transitional provisions apply.

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- (iv) Furthermore, it is the Council's view that it is in any event outside the remit of the examination into CBC's plan to seek to update Luton's objectively assessed need. This position is clearly supported by relevant case law (see for example CPRE Surrey v Waverley Borough Council [2019] EWCA Civ 1826).
- (v) However, in order to respond to the question asked in your letter, all three Councils CBC, NHDC and LBC have asked ORS to model the scenario were Luton's OAN to be updated under the provisions of the 2012 Framework. The details and outcome of this exercise are set out in the enclosed note (Note 2). Based on the methodology accepted and adopted by the inspector who examined the Luton Local Plan, the revised figure would be approximately 16,700 homes. This represents a 6% difference from the adopted OAN. This would not represent a "meaningful change."
- (vi) Accordingly, even if the OAN were to be updated in this manner, there would be no implications for the CBC examination, its strategy to contribute to the housing needs of Luton or the release of Green Belt land around Luton.
- (vii) A Statement of Common Ground on this point has been agreed by all three authorities (CBC, NHDC and LBC), which is also enclosed (Note 3).

Aireborough Neighbourhood Forum v Leeds City Council [2020] EWHC 45 (Admin)

- (viii) As set out above, there has not been a meaningful change in the housing need situation and therefore the judgment has no implications for the examination.
- (ix) In the Leeds case, there had been a material change in the housing requirement and the inspectors who examined the plan, failed to provide adequate reasoning why the Green Belt releases to meet housing need were still justified. It is worth noting that it was not the case that the Green Belt releases could not be made, but rather that adequate reasoning for so doing had not been provided.
- (x) None of the circumstances that arose in the Leeds case apply in respect of the CBC examination.

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In conclusion, there are no implications for the examination arising from either the up to date ONS 2018 based projections or from the Leeds case.

Yours sincerely

A handwritten signature in black ink that reads "A. Davie". The signature is written in a cursive style with a large initial 'A' and a smaller 'D'.

Andrew Davie
Assistant Director – Development and Infrastructure

Note 1: ORS review of objectively assessed need for housing for Central Bedfordshire

Central Bedfordshire Local Plan EIP

Response to the Inspectors' questions on the ONS 2018-based population and household projections

1. The Inspectors examining the Central Bedfordshire and North Hertfordshire Local Plans have jointly written to both Councils following the publication of the ONS 2018-based household projections, asking about the implications of the new figures on the identified housing need for their respective local areas. In addition, the Inspectors have asked about the impact of the new figures on the housing need for Luton and the possible implications for unmet need that is included within their Plans.
2. Central Bedfordshire Council has asked Opinion Research Services (ORS) to prepare this note to consider the implications of the latest official projections on the OAN for Central Bedfordshire.
3. Luton Borough Council together with Central Bedfordshire Council and North Hertfordshire District Council have jointly asked ORS to prepare a separate note to consider the implications for Luton.

Population and household projections

4. Following the original hearing, a table was produced that provided the Inspectors with a comparison of the various housing needs that had been discussed during the hearing as summarised below. The ONS has now published the 2018-based household projections which include a number of variant scenarios, and the most relevant have now also been included in the summary table below.
5. For each projection, the table summarises the key assumptions (in terms of the migration period, the rates applied for fertility and mortality and the household formation method used) together with the total population and households resident in 2015, the equivalent projections for 2035 and the net change over the 20-year period 2015-2035.

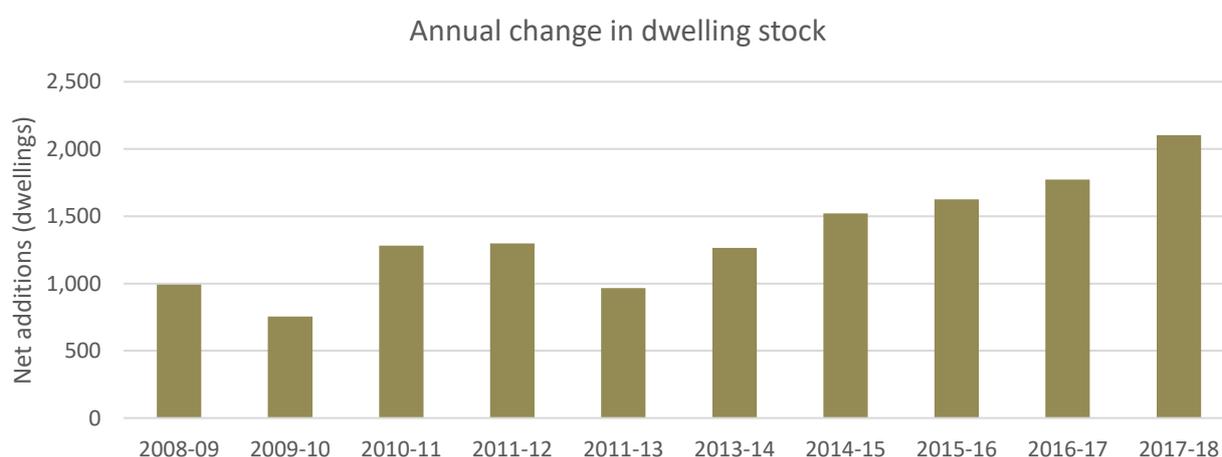
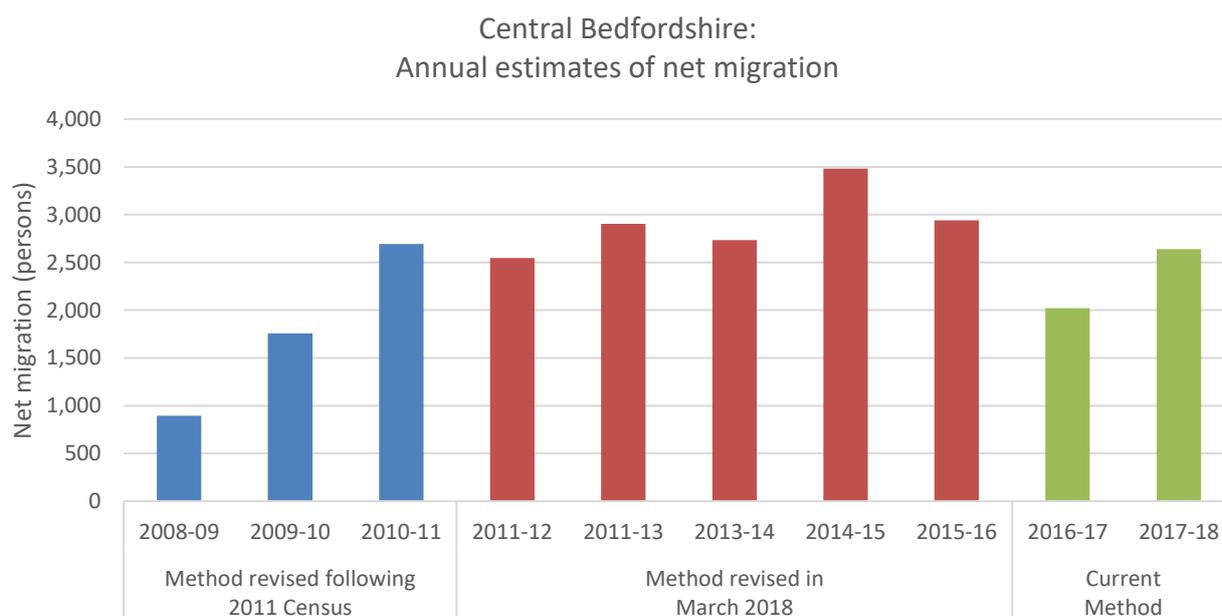
Projection	Migration Period	Fertility/ Mortality	Household Formation	Total Population			Households			
				2015	2035	2015-35	2015	2035	2015-35	
SHMA	10-yr trend 2005-15	ONS 2014-based SNPP rates	CLG method	271,529	325,061	53,532	112,435	140,173	27,738	
CLG 2014	5-yr trend 2009-14			273,191	343,789	70,598	113,012	147,599	34,587	
ONS 2016 sensitivity 2	5-yr trend 2011-16	ONS 2016-based SNPP rates		ONS method; constant rates from 2021	272,421	334,630	62,209	112,417	143,653	31,236
ONS 2016 principal scenario					111,357	142,198	30,841			
ONS 2016 10-yr migration	10-yr trend 2006-16			272,421	326,954	54,533	111,357	139,886	28,529	
ONS 2018 principal scenario	2-yr trend 2016-18	ONS 2018-based SNPP rates		272,421	318,055	45,634	111,355	136,802	25,448	
ONS 2018 5-yr migration	5-yr trend 2013-18		272,421	324,397	51,976	111,355	139,020	27,665		
ONS 2018 10-yr migration	10-yr trend 2008-18		272,421	323,203	50,782	111,355	138,837	27,482		

6. The SHMA projects a total of 140,173 households resident in Central Bedfordshire by 2035 based on 10-year migration trends. This compares to a lower total of 138,837 households identified by the ONS 2018-based projections, based on their **10-year migration variant**. However, the latest ONS figures now estimate that there were slightly fewer households resident in 2015 than was estimated by the SHMA based on previous CLG projections; so the 20-year Local Plan period 2015-2035 has a lower starting point in the latest ONS projections than had been assumed by the SHMA. The growth identified by the SHMA for this period was 27,738 households compared to 27,482 households now identified by the ONS 2018-based 10-year migration variant; a difference of only 256 households, equivalent to less than 1%.
7. The other two scenarios presented from the ONS 2018-based projections show comparable levels of household growth:
 - » The **principal scenario** (based on 2-year migration trends) identifies a growth of 25,448 households; lower than both the SHMA projection and the 10-year migration variant, with differences of 2,290 households (8.3%) and 2,034 households (7.4%) respectively; and
 - » The **alternative internal migration variant** (based on 5-year migration trends) identifies a growth of 27,665 households; lower than the SHMA projection by 73 households (0.3%) but higher than the 10-year migration variant by 183 households (0.7%).
8. **In summary, we can conclude that there is no material difference between the SHMA and the ONS 2018-based household projections.** However, the following sections consider two technical points relating to the official projections.

Revisions to the official mid-year population estimates

9. ORS has had long-standing concerns about the accuracy of the official mid-year population estimates published by the ONS for Central Bedfordshire for the period since the 2011 Census (see chapter 3 of the 2017 SHMA, paras 3.21-3.34). Given these concerns, the SHMA derived alternative population estimates based on a range of administrative data sources to provide the mid-2015 starting point for the population projections.
10. The ONS revised the official population estimates for mid-2012 to mid-2016 to take account of a number of methodological improvements. This data was published to inform the 2016-based sub-national population projections, which formed the basis for the ONS 2016-based household projections. The data was not available when the SHMA was prepared, but it was discussed at the original Matter 2 examination hearings and a summary table which set out the various population estimates was subsequently produced in response to the Inspectors' questions (EXAM 33).
11. The ONS official estimate for mid-2015 was originally 274,022 persons, whereas the SHMA estimated the population to be 271,527 persons at that time: a difference of 2,495 persons. The ONS revised estimate for mid-2015 was 272,421 persons: a reduction of 1,601 persons, around two thirds of the difference between the original estimate and the SHMA, albeit that the revised estimate remained higher than the SHMA figure (a difference of 894 persons). However, other data sources such as the Statistical Population Dataset (currently an ONS research project) suggested that the ONS revised estimate was still too high.

12. The ONS has continued their programme of methodological improvements to the population estimates, and further changes to the way in which internal migration flows are calculated were introduced for 2016-17 and 2017-18 to inform the mid-2017 and mid-2018 estimates. Data for earlier years has not been revised to take account of these latest changes. Instead, the ONS decided that the 2018-based projections would only use internal migration estimates for 2016-17 and 2017-18 to inform the principal scenario, with variant scenarios produced using longer trend periods despite the methodological differences between the estimates. The various methodological changes can be summarised as follows:
- » Migration estimates for the 2-year period 2016-2018 are based on the latest methodology;
 - » Migration estimates for the 5-year period 2011-2016 are based on those improvements introduced in the revised data published in March 2018;
 - » Migration estimates for the 3-year period 2008-2011 are based on those improvements introduced when the figures for 2002-2010 were reissued following the 2011 Census.
13. The following charts shows the annual migration estimates for Central Bedfordshire over this period and the annual change in dwelling stock (based on MHCLG Live Table 122).



14. It is clear that the ONS estimates of annual net migration for 2-year period 2016-2018 (the only years which benefit from the latest methodological improvements) are notably lower than the annual average for the 5-year period 2011-2016, which are estimates from a methodology that has now been superseded. The average annual net gain from 2011-16 was 2,922 persons, compared to an average gain of 2,331 persons each year from 2016-18. This represents a difference of 591 persons, which is equivalent to over 20% of the average annual estimates for 2011-16 and over 25% of the average annual estimates for 2016-18.
15. MHCLG data shows that the dwelling stock increased by 1,335 dpa on average over the period 2011-2016, with an average of 1,938 dpa over the period 2016-2018. This represents a difference of 603 dpa equivalent to an increase of 45%. Whilst it is not possible to directly relate migration estimates with increases in the dwelling stock, PPG recognises that housing delivery can have an impact on migration levels:

Migration levels that may be affected by ... a large housing development such as an urban extension in the last five years [ID 2a-017-20140306]

16. It is therefore notable that official estimates of migration reduced by 20-25% when net additions to the dwelling stock increased by 45%. Whilst the methodological improvements that ONS has introduced have improved the official estimates of migration over the period 2011-2016, ORS continues to have concerns about the accuracy of the data for this period.
17. It seems likely that the most recent improvements that the ONS introduced for the mid-2017 and mid-2018 data may have addressed the outstanding issues, but this does not address problems that are likely to remain in the existing data for earlier years which continues to inform variant scenarios in the population projections. If the official estimates of migration are too high within the data informing the trend period, the projected rates of future migration will also be too high.
18. On the basis that problems remain with the official migration estimates for the period 2011-2016, both the "alternative internal migration variant" and the "10-year migration variant" scenarios within the ONS 2018-based projections are likely to overstate future population growth. As a result, the associated household growth is also likely to be overstated. The ONS 2018-based projections principal scenario does not rely on the problematic migration estimates, but as this projection is based on only 2-years of trend-based data, it unfortunately lacks the robustness of a longer-term perspective.

Changes to the method for calculating household formation

19. The ONS 2018-based household projections are based on a new household formation method that was first introduced for the ONS 2016-based projections. This new ONS household formation method only uses data from the 2001 and 2011 Census, so recent trends such as the reduction in young households being able to form in some local authority areas following the 2008 recession and associated credit crunch can have a significant impact on the future projection. In contrast, the SHMA projections were based on the previous CLG household formation method (see chapter 3 of the 2017 SHMA, paras 3.78-3.100) which used Census data covering the period 1971 to 2011.
20. As part of the 2016-based projections, the ONS published a sensitivity analysis which compared the two methods for calculating household formation. Both the ONS 2016 principal projection and the ONS 2016 sensitivity 2 projection were based on the same population, but applied the different formation rates.

21. For Central Bedfordshire applying the new ONS formation method yielded a growth of 30,841 households over the 20-year period 2015-2035, whereas applying the previous CLG formation method yielded a growth of 31,236 households for the same population over the same period. In other words, the change in formation method reduced the projected growth: the CLG method identified 395 more households than the new ONS method, a difference of 1.3%.
22. Whilst the ONS has not published this sensitivity test as part of the 2018-based household projections, the method has not changed and it is likely that the previous CLG method would again yield slightly more households. However, even with an uplift of 1.3% applied, the principal scenario would remain lower than the SHMA projection.

Conclusions

23. The ONS 2018-based household projections show a comparable level of growth to that identified by the SHMA. Whilst the principal scenario identifies a marginally lower growth of 25,448 households over the 20-year Local Plan period 2015-2035 (2,290 fewer than the SHMA) this is based on migration trends covering only a 2-year period, and a longer-term perspective typically provides a more robust basis for establishing housing need. Both the alternative internal migration variant (based on 5-year trends) and the 10-year migration variant identify growth that is within 1% of the SHMA projection.
24. Nevertheless, it is important to note that there have been longstanding problems with the accuracy of official migration estimates for Central Bedfordshire. Whilst the most recent improvements introduced by the ONS for the mid-2017 and mid-2018 data may now have addressed these issues, problems are likely to remain in the data for earlier years that inform both the "alternative internal migration variant" and the "10-year migration variant" scenarios of the 2018-based projections. As a consequence, both variants are likely to overstate future household growth to some extent. The ONS 2018-based projections principal scenario does not rely on the problematic migration estimates, but this projection uses only two years of trend-based data so lacks the robustness of a longer-term perspective.
25. It is also important to recognise that changes to the household formation method that were introduced by the ONS when they took responsibility for the projections are likely to have increased the level of suppressed household formation in some areas. However, sensitivity analysis published for the 2016-based projections showed that the impact in Central Bedfordshire was only 1.3%. Whilst an equivalent sensitivity analysis has not been published for the 2018-based projections, the reduction would be comparable as the method remains the same. Therefore, whilst suppressed household formation might have reduced projected growth to some extent, it is likely that the doubts about migration trends underlying both the "alternative internal migration variant" and the "10-year migration variant" scenarios being too high would offset any adjustment to household formation.
26. **On this basis, we can conclude that there is no material difference between the SHMA and the ONS 2018-based household projections; so there is no meaningful change in the housing situation in the context of the PPG.¹**

¹ PPG Reference: ID 2a-017-20140306



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Note 2: ORS review of Luton population and household projections

Review of the Luton Population and Household Projections

1. The Office for National Statistics (ONS) published the 2018-based sub-national population projections (SNPP) in March 2020. These formed the basis of the 2018-based household projections, published in June 2020.
2. The official projections provided the starting point estimate for housing need in the context of the original National Planning Policy Framework (NPPF) and associated Planning Practice Guidance (PPG),¹ and given that the local plans for Central Bedfordshire and North Hertfordshire are being examined under the original NPPF and both Plans provide for Luton's unmet need, Luton Borough Council, Central Bedfordshire Council and North Hertfordshire District Council have jointly commissioned Opinion Research Services (ORS) to consider if the latest figures represent "a meaningful change in the housing situation" [ID 2a-017-20140306].
3. Figure 1 presents the range of official population and household projections that have been published since the original SHMA was commissioned, together with the independent projections produced by ORS that have informed the SHMA analysis. The table sets out the key assumptions for each projection (in terms of the migration period, the rates applied for fertility and mortality and the household formation method used) together with the change in population and households resident over the 20-year period covered by the Luton Local Plan (2011-2031) and the associated housing need prior to any market signals uplift, and with uplifts of 10% and 20% applied.

Figure 1: Population and Household Projections for Luton, 2011-2031 (Sources: CLG; ONS; SHMA)

Projection		Migration Period	Fertility/ Mortality	Household Formation	Change 2011-31		Housing Need			
					Pop	HH	No uplift	10% uplift	20% uplift	
CLG 2012-based		5-yr trend 2007-12	2012-based SNPP rates	CLG method	45,111	21,682	22,306	24,537	26,767	
2015 SHMA		10-yr trend 2001-11			30,576	14,349	14,762	16,238	17,714	
CLG 2014-based		5-yr trend 2009-14			2014-based SNPP rates	48,979	23,336	23,965	26,361	28,758
2017 SHMA		10-yr trend 2005-15				43,813	16,651	17,100	18,810	20,520
ONS 2016-based	Sensitivity analysis 2	5-yr trend 2011-16	2016-based SNPP rates	ONS method	34,154	19,110	19,625	21,587	23,550	
	Principal scenario					13,776	14,147	15,562	16,977	
	10-yr migration variant	10-yr trend 2006-16			35,341	13,624	13,991	15,390	16,789	
ONS 2018-based	Principal scenario	2-year trend 2016-18	2018-based SNPP rates	1,077	3,775	3,877	4,264	4,652		
	Alt. internal migration variant	5-year trend 2013-18		17,558	8,543	8,773	9,651	10,528		
	10-yr migration variant	10-yr trend 2008-18		26,815	11,494	11,804	12,984	14,164		

¹ Planning Practice Guidance (PPG) ID 2a-015-20140306

4. It is apparent that the ONS 2018-based projections are considerably lower than previous official projections, with the principal projection showing a growth of only 3,775 households over the 20-year period 2011-2031 equivalent to an average of 189 per year. This contrasts with the CLG 2012-based projections (the starting point for the 2015 SHMA, which informed the Luton Local Plan) which showed a growth of 21,682 households over the same 20-year period (an average of 1,084 per year) and the CLG 2014-based projections which showed yet higher growth of 23,336 households (1,167 per year).
5. However, all of these projections are based on relatively short-term migration trends: the 2012-based and 2014-based projections covering the 5-year periods 2007-12 and 2009-14 respectively, and the 2018-based projections covering the 2-year period 2016-18. As migration trends tend to be cyclical (and often have peaks and troughs) the SHMA projections were based on trends that covered 10-year periods. At the time that the SHMA analysis was prepared, these suggested lower rates of growth than the official projections. Whilst the 2012-based projections identified a growth of 21,682 households, the 2015 SHMA projections identified a growth of 14,349 households – a figure that was around one third (33.8%) lower than the starting point.
6. The official household projections that were published by CLG did not provide any migration sensitivity tests; however, the more recent ONS figures provide variants based on a number of scenarios, which include an analysis based on 10-year migration trends. This scenario shows a growth of 11,494 households for Luton, which is only 2,855 households fewer than identified by the 2015 SHMA projections based on 10-year trends (14,349 households); a reduction of less than a fifth (19.8%). This contrasts with the 17,907 household difference between the 2012-based starting point (21,682 households) and the 2018-based principal scenario (3,775 households); a reduction of more than four-fifths (82.6%).
7. The Luton projections exemplify why it is right to focus on longer-term migration trends (as was argued by the SHMA and endorsed by the Inspector that examined the Luton Local Plan) and not rely uncritically on the starting point figures. It would have been wrong to rely on the CLG 2012-based projection, as it was unduly high; and it would be equally wrong to rely on the ONS 2018-based principal projection, as it is unduly low. Given this context, when considering the latest official projections, it is appropriate to focus on the 10-year migration variant to determine if these figures represent a “*a meaningful change*”.
8. On balance, it would probably be reasonable to conclude that a reduction of a fifth was a meaningful change if the figures had been derived on an otherwise like-for-like basis. However, changes that the ONS introduced for establishing household formation when they took responsibility for the producing the 2016-based figures have had a significant impact in Luton.
9. Using the new ONS household formation method, the 2016-based projection identified a growth of 13,776 households; but “sensitivity analysis 2” showed that the same population projections would result in a growth of 19,110 households if the previous CLG household formation method had been applied. Therefore, the methodological change that was introduced for calculating household formation resulted in 5,334 fewer households. On this basis, we can conclude that the 2018-based household projections are not directly comparable with the projections that were produced by the SHMA, given the impact of the different household formation calculations.

Household Formation

10. As previously noted, the ONS introduced an entirely new methodology for calculating household formation when they took responsibility for the 2016-based household projections. Whilst the previous CLG household formation method used Census data covering the period 1971 to 2011 (see the Luton & Central Bedfordshire SHMA Refresh 2015, paras 2.87-2.94) the new ONS household formation method only uses data from the 2001 and 2011 Census. Consequently, recent trends (such as the reduction in young households being able to form in some areas) can have a significant impact on the future projection.
11. Furthermore, the 2001 Census had a particularly low response rate in Luton which led to a likely under-enumeration of the population for this area (see the SHMA Refresh 2015, paras 2.20-2.24). Whilst this had an impact on migration trends, it would also affect household formation.
12. The methodology for establishing household formation is based on the probability of individuals being household representatives (the statistical “head of household”). This is based on dividing the total number of persons in the household population within each age/gender group with the total number of household representatives within that same group. If the total number of persons is underestimated, then this would lead to the household representative rate (i.e. the probability of individuals being household representatives) being overestimated.
13. Since the household representative rates calculated based on 2001 Census data formed only one of the five Census data points in the trends used to inform the previous CLG household formation method, the impact of any error in the 2001 Census would only have had limited impact. However, as the 2001 Census data forms one of only two Census data points in the trends used to inform the new ONS household formation method, any errors in that data would have a substantial impact on the resulting projections.
14. Figure 2 shows the male and female household representative rates by age group for Luton from the 2018-based household projections, and how these are projected to change over time. The new ONS method assumes that the trends observed between the 2001 and 2011 Census will continue up until 2021, and then holds the rates constant from 2021 onwards. The charts also show a combined rate for all persons for the 2018-based projections, but this is only illustrative as the household projections are based on the separate male and female data.
15. It is clear that the overall rates declined across all 5-year age bands for those aged under 40 over the 10-year period 2001 to 2011, with similar reductions evident for those aged between 60 and 79. Since the projections are trend-based, the rates for each of these 5-year age bands are projected to continue declining until 2021, at which point they are held constant.
16. Figure 3 compares the combined rates by age group for Luton from the 2018-based household projections with the previous CLG 2014-based projections. Once again, this is illustrative given that the previous CLG method divided each age band into six groups, with separate male and female rates established for those (i) currently living as a couple (either married or cohabiting); (ii) previously married but now separated, divorced or widowed; and (iii) single people who have never been married.
17. It is apparent that the new ONS household formation method is based on lower household representative rates than were projected by the previous CLG method across all age groups aged under 45 and also for those aged between 60 and 74. As a consequence of these lower rates, there is less probability of individuals being counted as household representatives which results in fewer households overall; so the ONS 2018-based projections are more likely to result in suppressed household formation.

Figure 2: ONS 2018-based Household Representative Rates for Luton by age and gender, 2001-2031

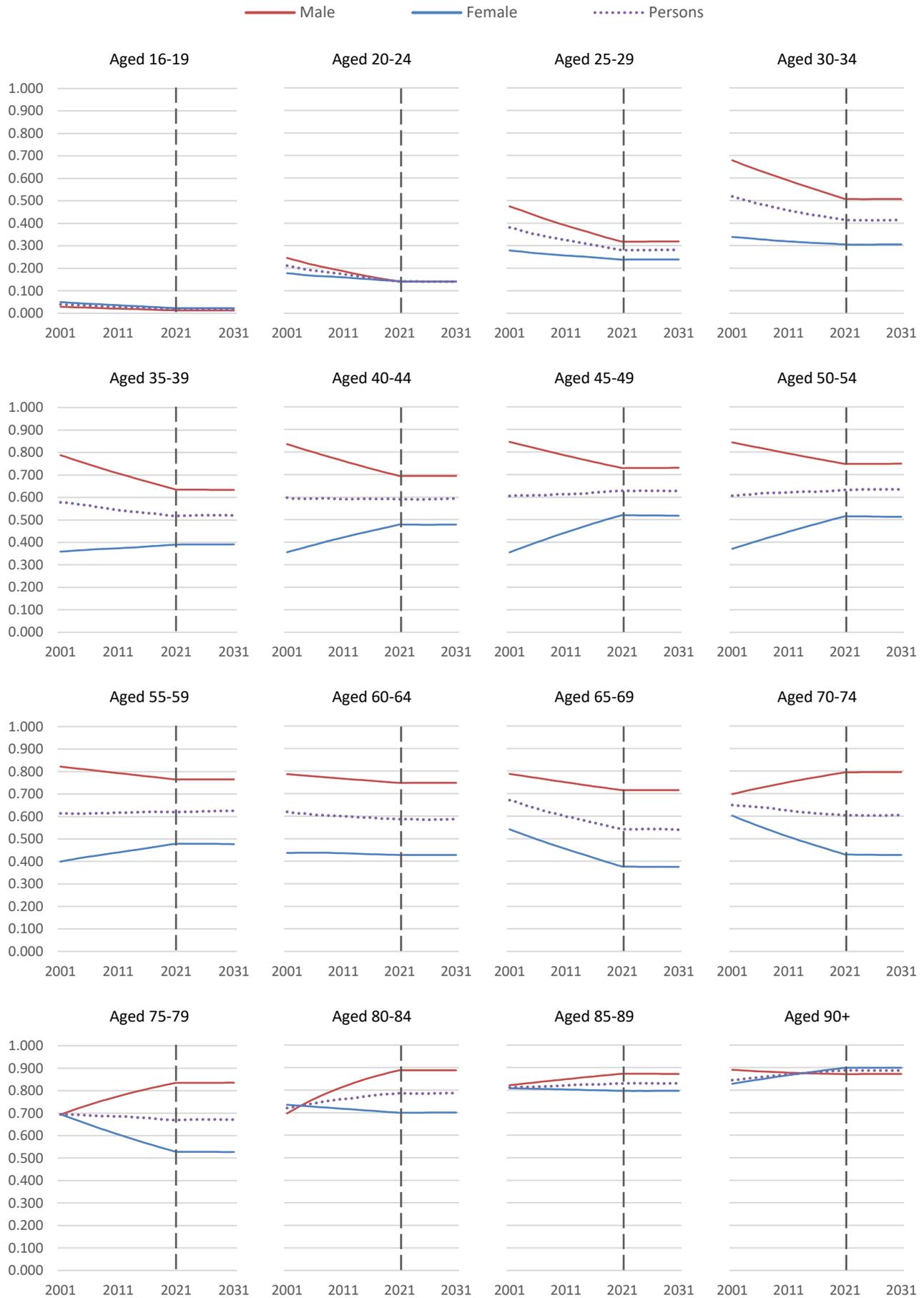
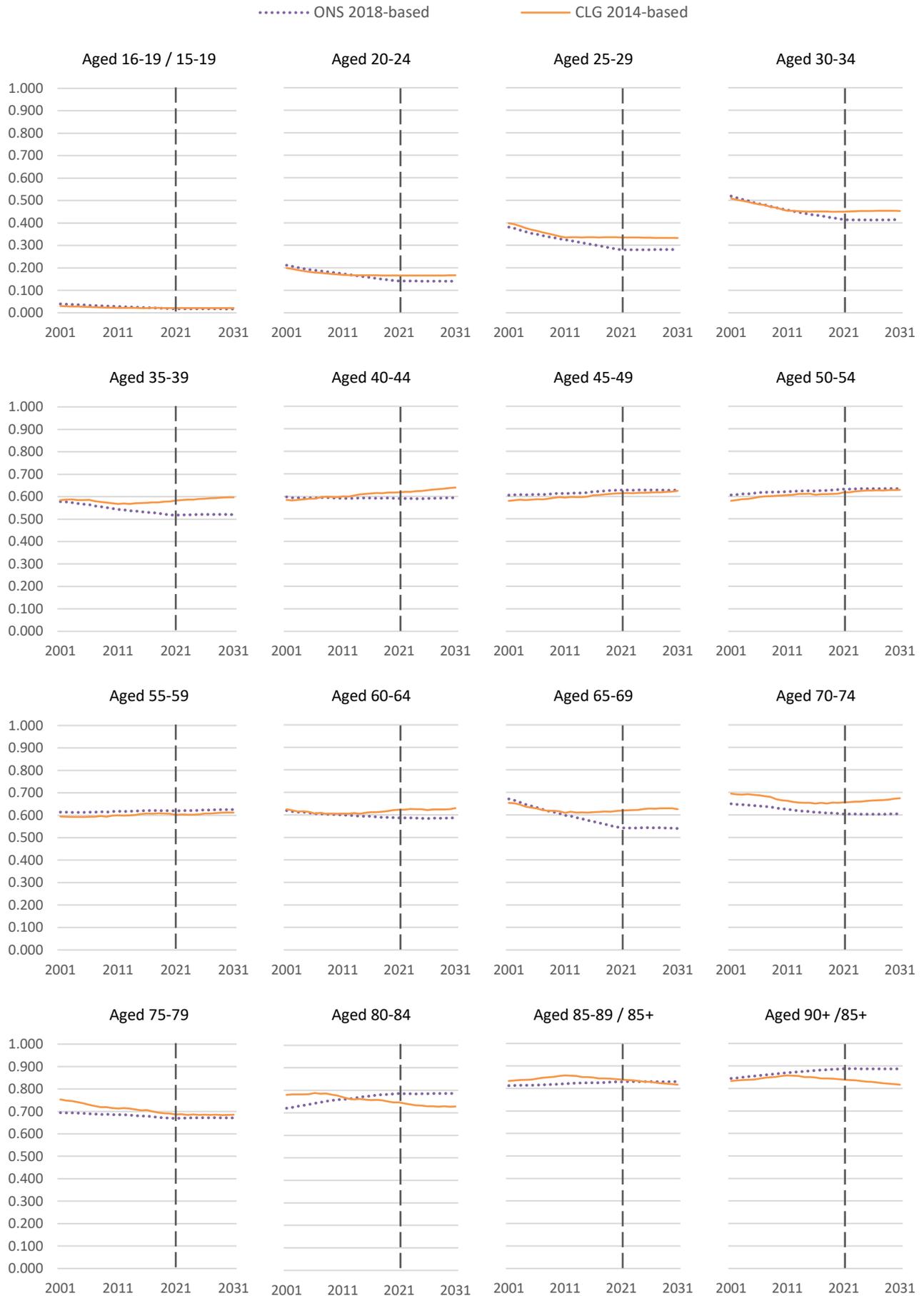


Figure 3: Comparison of ONS and CLG Household Representative Rates for Luton by age and gender, 2001-2031



18. Whilst it is likely that the ONS 2018-based household projections under-estimate future household growth, it is also likely that the CLG 2014-based household projections over-estimated the likely growth. This was partly due to the reliance on historic data from 1971 and 1981 at a time that the demographic characteristics and ethnic mix of Luton were very different to that of the current population; but, more importantly, as a consequence of not taking account of cohort effects within the analysis.
19. This was reviewed by the 2017 SHMA, which considered the likely impact of the ethnic mix across the different population cohorts (see the Luton & Central Bedfordshire SHMA 2017, paras 3.90-3.100). The SHMA concluded that some of the household representative rates for Luton from the CLG 2014-based household projections were probably too high, and as a consequence both the currently estimated and the projected future average household sizes were too low (2017 SHMA, figure 55). Therefore, the rates from the 2014-based projections were adjusted to take account of local evidence.
20. To establish the impact of each of these different household formation calculations, ORS has undertaken sensitivity analysis using the 10-year migration variant of the official 2018-based population projections; applying the household formation rates from the CLG 2014-based projections (an analysis that is comparable with “sensitivity analysis 2” undertaken by the ONS as part of the 2016-based projections) and also the adjusted rates that were used for the 2017 SHMA. Figure 4 shows the outcome of this analysis set alongside the figures from the 2015 SHMA which informed the Luton Local Plan.

Figure 4: Sensitivity analysis based on the ONS 2018-based Population Projections for Luton, 2011-2031

Household Projection		Change 2011-31		Housing Need		
		Population	Households	No uplift	10% uplift	20% uplift
ONS 2018-based household projections 10-year migration variant		26,815	11,494	11,804	12,984	14,164
ORS sensitivity analysis	CLG 2014-based household formation rates		16,179	16,615	18,276	19,938
	2017 SHMA adjusted household formation rates		13,501	13,865	15,251	16,638
2015 SHMA household projections 10-year migration trends		30,576	14,349	14,762	16,238	17,714

21. Both of the sensitivity analysis are based on the same population as the 2018-based household projections: the 10-year migration variant, which projects a growth of 26,815 persons over the 20-year period 2011-2031. However, whilst the ONS household formation method yields a growth of 11,494 households, applying the previous CLG method yields a notably higher growth: a total of 16,179 households, which is 4,685 more than projected by the ONS method, equivalent to an increase of around two-fifths (40.8%).
22. On this basis, it is reasonable to take a range of between 11,494 and 16,179 households when considering household growth based on the latest official population projections. However, for the reasons set out above it is likely that the official figure published by the ONS is too low for establishing housing need given (i) the extent of suppressed household formation, and (ii) errors likely to have been introduced by relying unduly on data from the 2001 Census. Therefore, for the reasons set out in the 2017 SHMA (paras 3.90-3.100), it is likely that sensitivity analysis based on the CLG 2014-based rates yields a figure that is too high.
23. The adjusted rates that were derived for the 2017 SHMA yield a growth that is between these two extremes: 13,501 households, which is 2,007 more than the ONS method (an increase of 17.5%) but 2,678 fewer than the CLG method (a reduction of 16.6%). Taking account of all of the evidence, we believe that this provides the most appropriate basis for considering if there has been “*a meaningful change in the housing situation*”.

Conclusions

24. When compared with the 2015 SHMA (which formed the basis of the OAN for the Luton Local Plan), it is evident that the latest data shows a lower rate of population growth (26,815 cf. 30,576 persons) and a lower household growth based on our best estimates (13,501 cf. 14,349 households). Therefore, whilst the starting point for establishing housing need in Luton has reduced from a growth of 14,349 households to only 3,775 households, projections based on longer-term migration trends and that take account of changes to the household formation method provide far more consistency.
25. Taking these household projections as a basis for establishing housing need on a like-for-like basis with that used for the 2015 SHMA – which made an allowance for vacant and second homes and then applied an uplift of 20% as a response to the market signals in Luton – would yield a housing need of 16,638 dwellings. **On this basis, a full Objectively Assessed Need would be 16,700 dwellings for the 20-year period 2011-2031 equivalent to an average of 835 dpa.** This compares to the OAN of 17,800 dwellings (890 dpa) that formed the basis of the housing numbers in the Luton Local Plan.
26. On balance, whilst it is likely that the overall OAN has reduced by around 55 dpa over the Plan period, **we do not consider that a reduction of only 6% represents a meaningful change.**



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Note 3: Statement of Common Ground between CBC, NHDC and LBC

**Statement of Common Ground
agreed between
North Hertfordshire District Council,
Central Bedfordshire Council and Luton Borough Council**

July 2020

Purpose

1. This Statement of Common Ground (SoCG) has been agreed between Central Bedfordshire Council, North Hertfordshire District Council and Luton Borough Council in relation to the North Hertfordshire and Central Bedfordshire Local Plan Examinations.
2. It has been prepared in response to a joint letter (dated 8 July 2020) written to both Central Bedfordshire and North Hertfordshire Council's, from their respective Inspectors, concerning the 2018 Household Projections and Luton's unmet need, which seeks the preparation of a SoCG at paragraph 7.
3. CBC and NHDC have also individually provided further views on these figures, and the questions raised, in their own responses to this letter, in relation to their respective Examinations.

2018 Household Projections

4. The Luton Local Plan (2011-2031) was adopted in November 2017. It is based on an objectively assessed housing need (OAN) for the borough of 17,800 net additional dwellings (890 per annum). The Luton Local Plan makes provision for 8,500 homes over the plan period within the administrative area. Luton, therefore, has an unmet housing need of 9,300 net additional dwellings over the plan period (465 per annum).
5. The status of the Luton Local Plan, as an adopted plan, is such that the housing need identified for Luton has been independently examined and is set in the statutory Development Plan for the Borough.
6. However, ORS, as requested by all three authorities, have indicatively modelled several scenarios. These suggest that, in the event Luton's OAN was formally reassessed under the provisions of the 2012 NPPF, a revised figure of approximately 16,700 homes is the most robust figure at this level of analysis and based on the methodology previously accepted by the Inspector examining the Luton Local Plan.
7. CBC, NHDC and LBC are all agreed that the indicative revised figures which represent a 6% difference do not represent a 'meaningful change' from those contained in the adopted Plan.

Signed on behalf of Central Bedfordshire Council

Name: **Councillor Kevin Collins**

Signature: 

Date: 05.08.2020

Signed on behalf of North Hertfordshire District Council

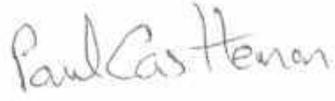
Name: Councillor Paul Clark

Signature: 

Date 05.08.2020

Signed on behalf of Luton Borough Council

Name: Councillor P. Castleman

Signature: 

Date: 05.08.2020

EP3



Statement on the Fylde Annual Position Statement 2020

for Wainhomes (North West) Ltd

Emery Planning project number: 19-318



Project : 19-318
Site address : Fylde Local Plan
Client : Wainhomes (North West)
Ltd

Date : July 2020
Author : Stephen Harris

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1. Introduction

1.1 Emery Planning is instructed by Wainhomes to make representations on the Draft Annual Position Statement (APS) for Fylde Council for the period 1st April 2020 to 31st March 2025.

1.2 In summary, there are a number of overarching points which need to be taken into account. These are:-

- Inadequate consultation which significantly undermines the process;
- We have significant concerns that the LPA has not sought documentation from developers, landowners and agents to inform this draft APS which is the only opportunity for representors to make submissions to. It is not meeting the tests of clear evidence for developer, landowner or agent notes or correspondence, simply to be provided to the Planning Inspector only. As a result our assessment is not based on the full evidence that the Council has or that the Inspector will get if the APS is submitted; and,
- Notwithstanding our overarching objections, we consider that there should be deductions to specific sites included in the APS as there is not the clear evidence of deliverability set out in the Framework, the PPG and appeal decisions.

1.3 The Council's deliverable supply is claimed to be 2,991 dwellings. This equates to 6.01 years applying Liverpool and the 10% buffer. We conclude the LPA is wrong on how they have calculated the shortfall at the base date and based on Policy H1 it should be 2,331 dwellings. With the 10% buffer the 5 year requirement is 2,564 dwellings, which equates to 513 dwellings per annum. This would reduce the supply to 5.83 years.

1.4 The above figures assume that all the sites in the supply are deliverable. However, we have undertaken a detailed assessment of the supply to establish what we consider to be the true supply. We calculate the deliverable supply to be 2,074 which equates to a supply of 4.05 years.

2. The Methodology

2.1 We maintain our objection to this APS being used to assess and potentially endorse the 5 year supply through a written procedure when the only forum for an oral assessment was the Local Plan Examination. However, that assessment was undertaken against the 2012 Framework which was materially different and less onerous for deliverability. As will establish the APS has proceeded on trying to establish a 5 year supply which is not in accordance with the tests in the Framework and PPG. Lead in times, delivery rates, the lack of any meaningful engagement and no clear evidence are key concerns as we now set out.

Lead-in times and delivery rates

2.2 The APS is using an out of date methodology for lead-in times and delivery rates. Paragraphs 4.16 to 4.20 refer to the SHLAA Steering Group and a table of assumptions. Such a table is of its time and superseded by more recent guidance in the 2019 Framework. As will establish in later sections, the PPG is clear that LPA should contact the developer and landowner for each site rather than relying on an out of date methodology. It is important to note from the trajectory that with the exception of the Clifton House Farm site, there is currently no reference to any engagement with applicants or developers. This is a fundamental and in our view one that means the APS should not proceed.

Absence of Clear Evidence

2.3 We have significant concerns that the documentation from developers, landowners and agents has not been provided as part of the consultation but it will be provided at a later date. As this consultation is the only opportunity for representors to make submissions on the Council's evidence, it must be included in the draft APS, if not before, in order for other parties to interrogate the information. It is not meeting the tests of clear evidence for developer, landowner or agent notes or correspondence, simply to be provided to the Planning Inspector only. On that basis our assessment is not based on the full evidence that the Council has or that the Inspector will get if the APS is submitted. Our position is endorsed by the following commentary on the PPG.

2.4 Paragraph: 048 Reference ID: 3-048-20180913 of the PPG asks "What information will annual reviews of 5 year land supply, including annual position statements, need to include?". It then states:

“Assessments need to be realistic and made publicly available in an accessible format as soon as they have been completed. Assessments will be expected to include”

2.5 In this case the assessment is not complete and even if there is evidence it is not publicly available. Seven criteria are then set out.

- for sites with detailed planning permission, details of numbers of homes under construction and completed each year; and where delivery has either exceeded or not progressed as expected, **a commentary indicating the reasons for acceleration or delays to commencement on site or effects on build out rates;**
- for small sites, details of their current planning status and record of completions and homes under construction by site;
- for sites with outline consent or allocated in adopted plans (or with permission in principle identified on Part 2 of brownfield land registers, and where included in the 5 year housing land supply), **information and clear evidence that there will be housing completions on site within 5 years, including current planning status, timescales and progress towards detailed permission;**
- permissions granted for windfall development by year and how this compares with the windfall allowance;
- details of demolitions and planned demolitions which will have an impact on net completions;
- total net completions from the plan base date by year (broken down into types of development e.g. affordable housing); and
- the 5 year land supply calculation clearly indicating buffers and shortfalls and the number of years of supply.

2.6 The information in Appendix 1 is limited and simply cannot be considered to meet the PPG. One or two lines on each site is simply not going to comply. With the information not being made publicly available in any format these statements can have no weight as all we see is the LPA's summary. The consultation enables us to make our own investigations but our final say on this process is on a half-finished draft APS where the LPA can then produce new information to either rebut our evidence and provide new evidence which we cannot comment on. The draft APS consulted on should be the final version.

2.7 Paragraph: 050 Reference ID: 3-050-20180913 asks “How is 5 year land supply confirmed through an annual position statement?” Guidance is then set out in 3 paragraphs. We break down these paragraphs in order to assess how the APS has been prepared.

Where a local planning authority subsequently wishes to confirm their 5 year land supply position through an annual position statement, they will need to advise the Planning Inspectorate of their intention to do so by 1 April each year.

2.8 We note that the LPA did inform PINS of their intention.

To ensure the robustness of the assessment of the deliverability of sites, the local planning authority should carry out an engagement process to inform the preparation of the annual position statement.

2.9 We have a fundamental objection to the APS and the procedure the LPA has carried out. Whilst we understand contact has been made to landowners and developers on some sites in the supply, the actual clear evidence required by the PPG is not provided. Wainhomes has no record of an approach on Cropper Road West, therefore as a minimum all correspondence should be provided, so representors can at least see what has been provided to the Council as it prepared its APS. To have no Engagement Statement, even in draft to this point, is a significant lack of openness and transparency.

2.10 Paragraphs 4.24 and 4.27 of the APS state:

"4.24 Site promoters are invited to provide updated information on their likely commencement of delivery/ delivery rates going forward.

4.25 It is recognised that there is a degree of uncertainty as to the impact of the COVID-19 lockdown period. The majority of development sites shut for a two-month period, which on a pro-rata basis would be equivalent to one-sixth of a year's delivery. On a site delivering the standard assumption rate of 30 dwellings per annum, this would amount to 5 dwellings, and would give delivery of 25 rather than 30 dwellings in the current year, with the 5 dwellings added to the end of the period of delivery. However, in terms of impact on the supply over 5 years, a number of sites will end during the five-year period and therefore delivery on those sites within the five years would not be affected. On other sites, commercial imperatives may encourage developers to make up for lost delivery over a period, which is unlikely to exceed five years. There is some concern over the economic impact of COVID-19 on the overall housing market, but it is much too early to make any assessment and it cannot be justified to make a revision to housing delivery via a blanket approach on the basis of macro-economic outlook and its impact on overall housing demand at this stage. It should be noted that at the base date 1st April 2020, one week into the lockdown, no rational analysis of the position was possible.

4.26 Therefore, individual site developers are invited to comment on the extent to which the existing delivery rates on their sites are likely to be impacted, if at all. Where information in this regard has already been provided it has been incorporated into the trajectories in Appendices 1 and 2."

4.27 The PPG requires that commentary is provided indicating reasons why a site has either exceeded or not progressed as expected. **Comments are provided in this edition on the basis of known information, including information provided on request from developers/landowners and their agents. Any further information provided by site owners/developers in response to the consultation on this draft Annual Position Statement will be considered for incorporation into the final version of this statement for submission to the Planning Inspectorate**.
(our emphasis)

2.11 We have highlighted certain parts of the above paragraphs which emphasise that this consultation is on a half-finished draft APS where the LPA can then produce new information to either rebut our evidence and provide new evidence which we cannot comment on. The draft APS consulted on should be the final version.

2.12 As an interested party with sites in the supply and sites without consent, the engagement has been minimal as:

- We were not notified by letter or email but came across it on the LPA website;
- We are given a 3 week period. Potential representors may well miss the opportunity to comment particularly if developers and landowners have not been contacted on their specific site. Wyre Council has published their draft APS for 4 weeks. We consider a minimum of 6 weeks is necessary; and,
- Have Parish Council's and local residents been notified?

2.13 We only have the benefit of the LPAs short summary in the final column of Appendix 1 of the APS. Therefore we are not able to assess or interrogate the information provided by agents, landowners and developers to test their conclusions. It is important to note from the trajectory that with the exception of the Clifton House Farm site, there is currently no reference to any engagement with any other applicant or developer.

2.14 The LPA states that this information, along with any updated responses will be provided to the Planning Inspectorate. This means that we will not have the opportunity to comment on the information to date or that to be provided, and on that basis there is a simple but crucial unfairness point to the process. That simply cannot be right or fair on such an important topic.

The local planning authority can then submit their annual position statement to the Planning Inspectorate for review by 31 July of the same year.

2.15 We assume that the LPA will meet this deadline, although due to our concerns on the procedural aspect we question whether a submission should be made.

When assessing an annual position statement, the Planning Inspectorate will carry out a 2 stage assessment.

First, they will consider whether the correct process has been followed (i.e. whether a 5 year supply has been confirmed initially through an up to date plan and whether satisfactory stakeholder engagement has been carried out).

2.16 For the reasons set out above, satisfactory stakeholder engagement has not been carried out and we have not been provided with the required clear evidence in order to comment on. Whilst our submissions later set out our view on sites, this has been done without the benefit of the information the Council has and will receive during the consultation process and it puts any party seeking to challenge the APS at a significant disadvantage.

Second, they will look at whether the evidence is sufficient to demonstrate a 5 year supply of deliverable housing sites, with an appropriate buffer, at the base date of the assessment (i.e. 1 April in the relevant year).

2.17 Our submissions on this point are in Section 10 of this Statement.

The Planning Inspector's assessment will be made on the basis of the written material provided by the authority and the Planning Inspector will not refer back to the local planning authority or any other stakeholders to seek further information or to enter into dialogue about sites.

2.18 This goes precisely to our objection on the procedure as all parties must have the information that is to be provided to the Inspector. If not, then the Inspector's decision is taken on all the evidence yet representors and stakeholders are only provided with part of the picture. As this consultation is the only opportunity we have, all evidence must be provided now for review and comment. If not then the process is both opaque and unfair.

2.19 If housing land supply is a matter for a Section 78 appeal, it is usually dealt with by either a hearing or inquiry.

2.20 We note that Criterion K of the PINS Procedural Guidance for Appeals¹ states:

"Hearing - a hearing would be appropriate if:

- **the Inspector is likely to need to test the evidence by questioning or to clarify matters**¹³; or

¹
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/871973/Procedural_Guide_Planning_appeals_version_9.pdf

- *the status or personal circumstances of the appellant are at issue¹⁴; or*
- *there is no need for evidence to be tested through formal questioning by an advocate or given on oath; or*
- *the case has generated a level of local interest such as to warrant a hearing¹⁵; or*
- *it can reasonably be expected that the parties will be able to present their own cases (supported by professional witnesses if required) without the need for an advocate to represent them; or*
- *in an enforcement appeal, the grounds of appeal, the alleged breach, and the requirements of the notice, are relatively straightforward.*

2.21 Footnote 13 states:

“13 For example where detailed evidence on housing land supply needs to be tested by questioning.”

2.22 Whilst we note the process for an APS, we do want to raise our concern when we have no further opportunity to comment on the APS and any additional information provided.

It is therefore important that the authority has carried out a robust stakeholder engagement process and that adequate information is provided about disputed sites.

2.23 At this stage there is no clarity on what the disputed sites are and it will only be when the consultation closes that the LPA will know which sites are disputed. However we cannot give our full position on which sites we dispute and do not dispute if the information is not provided. Section 10 is based on the information provided to date and from what we have obtained. The LPA should have published a draft APS and then consulted upon it, including a meeting with all stakeholders before the draft APS is formally published for consultation prior to submission to PINS.

2.24 Paragraph: 051 Reference ID: 3-051-20180913 of the PPG asks “What engagement should the authority undertake to prepare an annual position statement?” We assess each below.

- All local planning authorities will need to engage with stakeholders who have an impact on the delivery of sites. The aim is to provide robust challenge and ultimately seek as much agreement as possible, so that the authority can reach a reasoned conclusion on the potential delivery on sites which contribute to the 5 year land supply. Those authorities who are seeking to demonstrate a confirmed 5 year land supply will need to produce an engagement statement and submit this to the Planning Inspectorate, including:

- an overview of the process of engagement with site owners/applicants, developers and other stakeholders and a schedule of site based data resulting from this;
- specific identification of any disputed sites where consensus on likely delivery has not been reached, including sufficient evidence in support of and opposition to the disputed site(s) to allow a Planning Inspector to reach a reasoned conclusion; as well as an indication of the impact of any disputed sites on the number of years of supply;
- the conclusions which have been reached on each site by the local planning authority in consideration of the outcome of stakeholder engagement;
- the conclusions which have been reached about the overall 5 year land supply position.

2.25 There has been no engagement with the APS until its publication and on the information provided parties have not been able to “provide robust challenge” or even discuss agreement with the LPA. The above process has simply not been followed and the absence of even a draft Appendix 3 (Engagement Statement) of what has been done to date further demonstrates that the process has not been followed.

Provided the correct process has been followed and sufficient information has been provided about any disputed sites, the Planning Inspectorate will issue their recommendation in October of the same year, confirming, if appropriate, the housing land supply until the following October.

2.26 Noted.

2.27 It is clear the LPA has not followed procedure and the APS should be withdrawn.

3. Assessment of the Council's housing supply

3.1 Our assessment of the Council's five year housing land supply is based on six key stages:

1. The base date and five year period;
2. The housing requirement;
3. Identifying the past shortfall;
4. Identifying the method of addressing the past shortfall;
5. Applying the appropriate buffer; and
6. Identifying a Realistic and Deliverable Supply.

3.2 Each stage is addressed below.

4. Stage 1: Agreeing the base date and five year period

4.1 The base date is the start date for the five year period for which both the requirement and supply should relate. The Council's APS has a base date of 31st March 2020 with the five year period being 1st April 2020 to 31st March 2025. This is agreed.

5. Stage 2: Identifying the housing requirement

National planning policy and guidance

5.1 Paragraph 60 of the Framework states:

"To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for."

5.2 Paragraph 73 of the Framework states:

"Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies or against their local housing need where the strategic policies are more than five years old."

5.3 Footnote 37 of the Framework explains that unless the housing requirement set out in the strategic policy has been “*reviewed and found not to require updating*”, local housing need will be used for assessing whether a five year supply of specific deliverable sites exists using the standard method set out in the PPG where the strategic policy is more than five years old.

5.4 Paragraph 3-029 of the PPG² explains:

“The purpose of the 5 year housing land supply is to provide an indication of whether there are sufficient sites available to meet the housing requirement set out in adopted strategic policies for the next 5 years.”

5.5 Paragraph 3-030 of the PPG³ states:

“Housing requirement figures identified in strategic policies should be used as the starting point for calculating the 5 year land supply figure:

- for the first 5 years of the plan, and*
- where the strategic housing policies plans are more than 5 years old, but have been reviewed and are found not to need updating.*

In other circumstances, the starting point for calculating the 5 year land supply will be local housing need using the standard method.”

5.6 Consequently, it is clear that the five year supply should be measured against the housing requirement set out in strategic policies when those policies are less than five years old and when they are more than five years old, the local housing need figure should be used unless the housing requirement has been reviewed and found not to require updating. In this case, with the Local Plan being adopted in October 2018, the housing requirement must be used.

5.7 The Local Plan sets the housing requirement for the Fylde as 415 dwellings per annum. Therefore the requirement for the **5 year period is 2,075 dwellings**.

Partial Review of the FLP32

5.8 Paragraphs 2.6 to 2.9 of the APS refer to the Partial Review of the Local Plan. We do not need to respond on this as the adopted Local Plan is the only requirement to apply which the LPA accept.

² Paragraph: 029 Reference ID: 3-029-20180913: “*What is the purpose of the 5 year housing land supply?*”

³ Paragraph: 030 Reference ID: 3-030-20180913: “*How can an authority demonstrate a 5 year supply of deliverable housing sites?*”

- 5.9 However, we note that paragraph 2.7 states that the Council considers it necessary to undertake the Partial Review in order to fulfil the requirements of paragraph 212 of the Framework, which notes that plans may need to be revised to reflect policy changes that the replacement Framework has made. Paragraph 2.8 states that *“The Partial Review includes revisions to reflect the change in methodology for calculating minimum local housing need in accordance with paragraph 60 of the Framework.”*
- 5.10 Table 1a then sets out the supply using the local housing need figure of 275, which is the correct starting point using the current standard method which use the 2014 household projections.
- 5.11 The 2018 household projections have now been issued. These are not being used for calculating LHN as the standard method is being revised. However Fylde has seen a significant increase with households increasing by 428 per annum between 2020 and 2030. If we apply (for illustrative purposes only) this household increase to the current standard method the annual requirement would be 466 dwellings per annum which is higher than Policy H1 requirement of 415 dwellings per annum and significantly above the current LHN of 275.
- 5.12 As noted this is not for this APS, but a review of the Local Plan, but it is clear that housing need will increase. In that context delivering the homes people need in this 5 year period is important and a robust 5 year supply is crucial to doing that. As we will establish the LPA cannot demonstrate a 5 year supply and those people in housing need will not be provided with the home they urgently require.

6. Stage 3: Shortfall

- 6.1 Paragraphs 4.4 and 4.6 of the Draft APS states:

“4.4 Shortfall is calculated from the base date of the Local Plan (in accordance with para. 044 of PPG on HELAA). The annual requirement figure of 415 is rebased in the Local Plan to include shortfall from early in the plan period, before the examination took place. The Local Plan spreads this shortfall over the remainder of the plan period (Liverpool method), resulting in a residual requirement from 1st April 2017 of 479 dwellings per annum. This approach has been found sound at the Examination in Public and is written into the statutory adopted development plan in Policy H1 and its supporting text.

4.5 Delivery in the three years from 1st April 2017 has been 463, 490 and 634 net homes respectively. This leaves a surplus of 150 against the residual requirement. In accordance with PPG, this can be set against previous shortfall.

4.6 The five year requirement incorporating shortfall is therefore 5×479 , minus the surplus from the last three years, which gives 2,245 net dwellings."

6.2 The shortfall since that date is set out below.

Table 1 – Calculating the Backlog

A	Housing requirement 01/04/11 to 31/03/20 (9 years)	3,735
B	Net completions up to 31/03/20	3,121
C	Shortfall at 01/04/20 (A-B)	614

6.3 The shortfall is 614 dwellings.

7. Stage 4: Identifying the method of addressing the past shortfall

7.1 Policy H1 states:

"The Council will provide for and manage the delivery of new housing by:

a) Setting and applying a minimum housing requirement of 415 net homes per annum for the plan period 2011-2032

b) Keeping under review housing delivery performance on the basis of rolling 3 year completion levels as set out in accordance with the Monitoring Framework at Appendix 8.

"c) Ensuring there is enough deliverable land suitable for house building capable of providing a continuous 5 year supply calculated using the "Liverpool" method from the start of each annual monitoring period and in locations that are in line with the Policy DLF1 (Development Locations for Fylde) and suitable for developments that will provide the range and mix of house types necessary to meet the requirements of the Local Plan.

d) The delivery of the developable sites, which are allocated for housing and mixed use from 1 April 2011 to 31 March 2032 and provided for through allowances, to provide for a minimum of 8,715 homes."

7.2 As established in the last section, the shortfall in housing delivery for the first 9 years of the plan period (at 1st April 2020) is 614 dwellings.

- 7.3 On the basis that the Liverpool approach is applied then the figure for the next 5 years is 256 dwellings. This is calculated by dividing 614 by 12 (years) and multiplying by 5 (years). It is this figure that should be added to 2,075 dwellings from Stage 2 above which at 1st April 2020 results in 2,331 dwellings (i.e. $415 \times 5 \text{ years} + 256 \text{ past shortfall} = 2,331 \text{ dwellings}$).
- 7.4 The draft APS has however calculated a different figure of 2,245 dwellings. This is because the LPA has used the figure of 479 dwellings per annum and multiplied that by the 5 years, with a subtraction of 150 dwellings for the surplus over the last 3 years.
- 7.5 Our position is that this is incorrect and contrary to Policy H1. This is because Part A of Policy H1 states that the requirement is 415 dwellings per annum for the period 2011-2032. That is the starting point of the calculation as we have set out in Stage 2. For the purposes of calculating a 5 year supply, which is the purpose of this APS, part C of Policy H1 is clear when it states that “*a continuous 5 year supply calculated using the “Liverpool” method from the start of each annual monitoring period*” should be provided. The only interpretation of part C is to calculate the shortfall at 1st April 2020 and then apply the Liverpool approach for the remaining 12 years. This would accord with Indicator 2 of Appendix 8 of the Local Plan.
- 7.6 The Council has rather used part (B) of Policy H1 to justify their calculation. However the purpose of the 3 year completion level is not for the purposes of a 5 year supply but for other actions as set out in Indicator 1 of Appendix 8.
- 7.7 Therefore, the five-year requirement at 1st April 2020 is 2,331 dwellings (i.e. $415 \times 5 \text{ years} + 256 \text{ past shortfall} = \mathbf{2,331 \text{ dwellings}}$).
- 7.8 Even if the Council was correct in using a 3 year period, what they have done is to deduct the 150 surplus for the next 5 years which is applying the Sedgfield Method. The LPA successfully challenged the Inspectors Report to the 2019 APS on the use of the Sedgfield method, yet now adopt it when they have a surplus. That is contrary to Policy H1 and the subsequent judgement.
- 7.9 If the Council's approach of using 479 dwellings x 5 years (2,395), then they should not subtract 150 for the 5 year period but rather it should be spread across the plan period (Liverpool approach) and only the proportion of the 150 for the 5 year period should be subtracted. We calculate this to be 63 dwellings ($150/12 \text{ years} \times 5 \text{ years}$). Subtracting these 63 dwellings gets to 2,332 dwellings for the 5 year period which is 1 dwelling greater than our approach above.

7.10 It is clear that the APS figure of 2,245 is in conflict with Policy H1 and the Court Order. Our figure of 2,331 is the policy compliant method.

8. Stage 5: Applying the appropriate buffer

8.1 Paragraph 73 of the Framework states:

“The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:

- *5% to ensure choice and competition in the market for land; or*
- *10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or*
- *20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.”*

8.2 Footnote 39 of the Framework explains that from November 2018 “significant under delivery” of housing will be measured against the Housing Delivery Test, where this indicates that delivery was below 85% of the housing requirement.

8.3 The Council passed the 2019 HDT and therefore the 5% buffer would apply. However with the advent of the APS, then the 10% buffer has been applied.

8.4 Under the Liverpool method, the five year requirement at 1st April 2019 is 2,635 dwellings (i.e. 415 X 5 years + 256 past shortfall + 10% buffer = 2,564 dwellings).

8.5 The only area of disagreement from Stages 1 to 5 is how the LPA has adjusted the shortfall in establishing the requirement. A summary of the housing requirement is set out in the following table.

Table 2: Summary in relation to the housing requirement

	Requirement	LPA	Emery
A	Annual requirement	479	415
B	Past shortfall at 1 st April 2020	-150	614
C	Amount of past shortfall to be addressed in the five year period	-150	256
D	Total five year requirement (A X 5 + C)	2,245	2,331
E	Requirement plus 10% buffer (D + 10%)	2,470	2,564
F	Annual requirement plus buffer (E / 5 years)	494	513

9. Stage 6: Identifying a Realistic and Deliverable Supply

What constitutes a deliverable site?

Previous National Planning Policy (2012) and Guidance (2014)

9.1 Footnote 11 of the 2012 Framework stated:

“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.”

9.2 Paragraph 3-031 of the previous PPG (dated 6th March 2014): “What constitutes a ‘deliverable site’ in the context of housing policy?” stated:

“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 5 years.

However, planning permission or allocation in a development plan is not a prerequisite for a site being deliverable in terms of the 5-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 (eg infrastructure) 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 5-year timeframe.

The size of sites will also be an important factor in identifying whether a housing site is deliverable within the first 5 years. Plan makers will need to consider the time it will take to commence development on site and build out rates to ensure a robust 5-year housing supply."

- 9.3 Therefore, under the 2012 Framework, all sites with planning permission, regardless of their size or whether the planning permission was in outline or in full were to be considered deliverable until permission expired unless there was clear evidence that schemes would not be "implemented" within five years. The PPG went further by stating that allocated sites "could" be deliverable and even non-allocated sites without planning permission "can" be considered capable of being delivered.

Draft revised National Planning Policy Framework (March to May 2018)

- 9.4 The Government consulted on the draft revised Framework between March and May 2018. The draft revised Framework provided the following definition of "deliverable" in the glossary:

"To be considered deliverable, sites for housing 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. Small sites, and sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (e.g. they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans). Sites with outline planning permission, permission in principle, allocated in the development plan or identified on a brownfield register should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years."

- 9.5 Question 43 of the Government's consultation on the draft revised NPPF asked: "do you have any comments on the glossary?"
- 9.6 Under the title: "What constitutes a 'deliverable site' in the context of housing policy?", the draft Planning Practice Guidance (March 2018, page 16) simply included the same definition as that set out in the draft revised NPPF above.

Government's response to the draft revised Framework consultation

- 9.7 There were 750 responses to question 43 of the consultation. Some of the points raised included:

"Local authorities called for the proposed definition of 'deliverable' to be reconsidered, as it may result in them being unable to prove a five year land supply and place additional burdens on local authorities to produce evidence.

Private sector organisations were supportive of the proposed definition.” (our emphasis)

9.8 The government's response was as follows:

*“The Government has considered whether the definition of 'deliverable' should be amended further, but having assessed the responses it has not made additional changes. This is because **the wording proposed in the consultation is considered to set appropriate and realistic expectations for when sites of different types are likely to come forward.**” (our emphasis)*

Revised Framework (July 2018)

9.9 The revised Framework was published on 24th July 2018. The definition of deliverable was provided on page 66 of the 2018 Framework and was as follows:

*“To be considered deliverable, sites for housing 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. Sites that are not major development, and sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (e.g. they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans). **Sites with outline planning permission, permission in principle, allocated in the development plan or identified on a brownfield register should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.**” (our emphasis)*

9.10 Consequently, the 2018 Framework stated that sites with outline planning permission or allocated sites should “only” be considered deliverable where there is “clear evidence” that housing completions will “begin” on site within five years. The onus is on the Council to provide the clear evidence for any sites with outline planning permission and allocated sites it considers deliverable.

9.11 The “clear evidence” required is not described any further in the Framework. However, it is discussed in the updated PPG, which we discuss below.

Technical consultation on updates to national planning policy and guidance

9.12 Between 26th October and 7th December 2018, the Government consulted on:

- Changes to planning practice guidance relating to the standard method for assessing local housing need; and
- Policy clarifications relating to housing land supply, the definition of deliverable and appropriate assessment.

9.13 In terms of the definition of deliverable, the consultation document stated at paragraph 36:

“The new Framework published in July this year set out a revised definition of ‘deliverable’ (contained in the glossary at Annex 2 of the Framework). Early experience of applying this definition has suggested that it would benefit from some clarification of the wording. In particular, the existing text could be clearer that sites that are not major development, and which have only an outline planning consent, are in principle considered to be deliverable. The relationship between the first sentence of the definition (which sets out general considerations in terms of deliverability), and the remainder that explains how particular circumstances should be approached, also needs to be clear. The specific circumstances cited in the definition are intended to indicate how the general considerations in the first sentence apply to the types of development referred to in the text that follows.

9.14 The consultation document then set out a proposed revised definition as follows:

“Deliverable: To be considered deliverable, sites for housing 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. In particular:

a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).

*b) **where a site has outline planning permission for major development, has been allocated in a development plan**, has a grant of permission in principle, or is identified on a brownfield register, it **should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.**”(our emphasis)*

9.15 Question 5 of the consultation asked: “Do you agree with the proposed clarification to the glossary definition of “deliverable”?”

Government’s response to the technical consultation

9.16 The Government's response to the consultation was published on 19th February 2019. It explained that there were 461 responses to question 5 and the points raised included:

“• There was considerable support (68%) for the proposal from the private sector, although some concerns were raised that sites will need longer than five years to be built out.

- About half (54%) of local authorities agreed with the proposal, although some felt that it may make delivery harder to demonstrate, resulting in sites being removed from plans and therefore make it more difficult for authorities when demonstrating a five year land supply.

- **Many respondents across the groups suggested that sites with outline planning permission and / or sites that are included within local plans should be included in the definition of deliverable.** Many respondents also suggested that the proposal would result in developers using specialist knowledge and resources to influence planning decisions in their favour, as well as complaints concerning land banking" (**our emphasis**)

9.17 The Government's response states:

"The Government welcomes the views submitted on this proposal. Taking them into account, it considers that the revised definition does provide helpful clarification of the approach established already in the National Planning Policy Framework. **The concerns that have been expressed relate more to this overall approach than the merits of the clarification (and the relevance of the overall approach was considered when the Framework was being finalised, following the consultation in the spring of 2018).** The changes to the definition that the present consultation proposes should not make it harder for authorities to demonstrate that they have a deliverable portfolio of sites; indeed, it makes it clearer that non-major sites with outline consent should be considered deliverable unless there is evidence to the contrary. **We are, however, providing further information on applying the approach through planning practice guidance.**" (**our emphasis**).

Revised Framework (February 2019)

9.18 The definition of "deliverable" is set out on page 66 of the 2019 Framework states:

"Deliverable: To be considered deliverable, sites for housing 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. In particular:

a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).

b) **where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.**" (**our emphasis**)

9.19 The “further information” on applying the approach of the revised definition of “deliverable” referred to in the Government’s response has now been set out in the PPG, which is discussed below.

Updated Planning Practice Guidance (PPG, September 2018)

9.20 The PPG was originally updated on 13th September 2018. Paragraph 3-036 of the PPG⁴ stated:

“For sites with outline planning permission, permission in principle, allocated in a development plan or identified on a brownfield register, where clear evidence is required to demonstrate that housing completions will begin on site within 5 years, this evidence may include:

- *any progress being made towards the submission of an application;*
- *any progress with site assessment work; and*
- *any relevant information about site viability, ownership constraints or infrastructure provision.*

For example:

- *a statement of common ground between the local planning authority and the site developer(s) which confirms the developers’ delivery intentions and anticipated start and build-out rates.*
- *a hybrid planning permission for large sites which links to a planning performance agreement that sets out the timescale for conclusion of reserved matters applications and discharge of conditions.”*

Further Updated Planning Practice Guidance (PPG, July 2019)

9.21 The PPG was more recently updated on 22nd July 2019. Paragraph 68-007 of the PPG⁵ provides some examples of the types of evidence, which could be provided to support the inclusion of sites with outline planning permission for major development and allocated sites without planning permission. It states:

“In order to demonstrate 5 years’ worth of deliverable housing sites, robust, up to date evidence needs to be available to support the preparation of strategic policies and planning decisions. Annex 2 of the National Planning Policy Framework defines a deliverable site. As well as sites which are considered to

⁴ Paragraph: 036 Reference ID: 3-036-20180913: ““What constitutes a ‘deliverable site’ in the context of housing policy?”

⁵ Paragraph 007 Reference ID: 68-007-20190722: “What constitutes a ‘deliverable’ housing site in the context of plan-making and decision-taking?”

be deliverable in principle, this definition also sets out the sites which would require further evidence to be considered deliverable, namely those which:

- have outline planning permission for major development;*
- are allocated in a development plan;*
- have a grant of permission in principle; or*
- are identified on a brownfield register.*

Such evidence, to demonstrate deliverability, may include:

- current planning status – for example, on larger scale sites with outline or hybrid permission how much progress has been made towards approving reserved matters, or whether these link to a planning performance agreement that sets out the timescale for approval of reserved matters applications and discharge of conditions;*
- firm progress being made towards the submission of an application – for example, a written agreement between the local planning authority and the site developer(s) which confirms the developers' delivery intentions and anticipated start and build-out rates;*
- firm progress with site assessment work; or*
- clear relevant information about site viability, ownership constraints or infrastructure provision, such as successful participation in bids for large-scale infrastructure funding or other similar projects.*

Plan-makers can use the Housing and Economic Land Availability Assessment in demonstrating the deliverability of sites."

9.22 The Fylde APS clearly fails on providing this information.

Relevant Appeal Decisions

9.23 The following appeal decisions are relevant as it sets out how the policy context has been assessed for decision making.

Land to the south of Cox Green Road, Rudgwick, Surrey⁶

9.24 As part of its case in seeking to defend an appeal made by Parkes Ltd against its decision to refuse to grant outline planning permission for up to 53 dwellings at land to the south of Cox Green

⁶ PINS ref: 3227970

Road, Rudgwick, Waverley Council claimed it could demonstrate a supply of 5,708 dwellings, which equated to just under 5.2 years against its housing requirement and buffer.

9.25 The Inspector concluded that the supply should be reduced by 928 dwellings and therefore that Waverley Council could only demonstrate a “deliverable” supply of 4.3 years. The reasons why the Inspector considered the supply should be reduced are set out in paragraphs 10 to 27 of the appeal decision. We note the following points which are highly material to the Fylde APS:

- Firstly, whilst Waverley Council's assumptions of delivery on a site at Dunsfold Park relied on estimated numbers of delivery from pro-forma returned by the site's lead developer, the Inspector considered that the details contained within it were “scant”. **There was no explanation as to how the timings of delivery could be achieved including the intended timescales for submitting and approving reserved matters, applications of discharge of conditions, site preparation and installing infrastructure.**
- Secondly, 24 sites without full planning permission were removed for the reason set out in paragraphs 21 to 24. Paragraph 23 of the appeal decision states:

“To justify including sites of these types it would be necessary to produce clear and specific evidence, in sufficient detail, to show that the sites were available, suitable, and achievable, with a realistic prospect of delivery within the required timescale. I appreciate that this would be a large task, but self-evidently the size of that task is related to the number of sites without full planning permission that the Council seeks to rely on. On the evidence before me now, none of the sites in the second section of the schedule can currently justify being included in the 5-year supply.” (our emphasis)

Land off Popes Lane, Sturry, Kent⁷

9.26 As part of its case in seeking to defend an appeal against its decision to refuse to grant outline planning permission for up to 140 no. dwellings at land off Popes Lane, Sturry, Canterbury City Council claimed that it could demonstrate a 6.72 year supply. For there to be a shortfall in the supply, Canterbury Council claimed that some 1,654 dwellings (out of 6,455 dwellings) would need to be removed from the “deliverable” supply.

9.27 The Inspector however found that the Council could not demonstrate a five year housing land supply. The Inspector concluded that the deliverable supply was 4,644 dwellings, which equates to 4.8 years. The reason why the Inspector concluded that the deliverable supply was 1,811

⁷ PINS ref: 3216104

dwellings (28%) less than the Council claimed was because he found that 10 sites should be removed from the supply because:

“there is insufficient clear evidence to show that they meet the NPPF’s definition of deliverable. Sites which are not deliverable cannot be counted as part of the supply for the purposes of meeting the 5-year requirement.” (paragraph 23)

9.28 In this case, Canterbury Council had provided statements of common ground between the Council and the developer or landowner to support the inclusion of several of the disputed sites. No such statements are provided as part of the Fylde APS. The Inspector found that the statements of common ground did not demonstrate that the development prospect was realistic. Paragraph 23 of the appeal decision states:

*“For a number of the disputed sites, the Council’s evidence is founded on site-specific SCGs which have been agreed with the developer or landowner of the site in question. I appreciate that the PPG refers to SCGs as an admissible type of evidence, and I have had full regard to that advice. But nevertheless, the evidential value of any particular SCG in this context is dependent on its content. In a number of cases, **the SCGs produced by the Council primarily record the developer’s or landowner’s stated intentions. Without any further detail, as to the means by which infrastructure requirements or other likely obstacles are to be overcome, and the timescales involved, this type of SCG does not seem to me to demonstrate that the development prospect is realistic. In addition, most of the site-specific SCGs are undated, thus leaving some uncertainty as to whether they represent the most up-to-date position.**”* (**our emphasis**)

9.29 This is crucial as all we have as part of the Fylde APS is a very simple position with no letters or evidence as to why sites are deliverable.

Land east of Gleneagles Way, Hatfield Peverel, Braintree⁸

9.30 The Secretary of State called-in for his own determination David Wilson Homes’ application to Braintree District Council for up to 120 dwellings at land east of Gleneagles Way, Hatfield Peverel. An inquiry was held in December 2017 and January 2018 and the Inspector issued his report on 20th March 2018 i.e. before the 2018 Framework was published. Over a year after the Inspector had issued his report, on 11th April 2019, Braintree District Council published new information in relation to housing land supply. This was an addendum to Braintree’s housing land supply position paper, which included the evidence the Council relied on to support the inclusion of sites with

⁸ PINS ref: 3180729

outline planning permission for major development and allocated sites without planning permission in its supply.

- 9.31 Braintree District Council claimed that it could demonstrate a 5.29 year supply. In determining the appeal, the Secretary of State concluded that the Council could only demonstrate a 4.15 year supply. The reason for this is set out in paragraph 41 of the decision letter, which states:

*“Having reviewed the housing trajectory published on 11 April, the Secretary of State considers that the evidence provided to support some of the claimed supply in respect of sites with outline planning permission of 10 dwellings or more, and sites without planning permission do not meet the requirement in the Framework Glossary definition of “deliverable” **that there be clear evidence that housing completions will begin on site within five years. He has therefore removed ten sites from the housing trajectory**”*

- 9.32 The ten removed sites are listed in a table provided at Annex D on page 24 of the Secretary of State's decision letter. Of the ten sites removed from Braintree's supply, 9 had outline planning permission and the remaining site was an allocated site with a hybrid planning application pending determination. For these sites, Braintree District Council had submitted completed forms and emails from landowners, developers and their agents providing the timescales for the submission of reserved matters applications and anticipated build rates. However, the Secretary of State removed these sites because he did not consider they met the definition of “deliverable” as set out in the Framework. Again a much more detailed level of information to that contained in the Fylde APS.

- 9.33 The Secretary of State made the same conclusions in three other appeal decisions in Braintree at that time: land off Stone Path Drive, Hatfield Peverel (ref: 3180725 – 8th July 2019), land off Stone Path Drive, Hatfield Peverel (ref: 3162004 – 8th July 2019) and land north and south of Flich Way, Pods Brook Road, Braintree (ref: 3197293 – 13th June 2019).

Green Road, Woolpit, Suffolk⁹

- 9.34 In allowing the appeal for 49 dwellings at land off Green Road, Woolpit, Inspector Harold Stephens concluded that Mid Sussex Council could not demonstrate a five year supply. The Inspector concluded the following:

⁹ PINS ref: 3194926

- Sites with outline planning permission made up a very large proportion of Mid Sussex Council's claimed supply (paragraph 68);
- The onus is on the LPA to provide clear evidence that housing completions will begin in the next five years for sites with outline planning permission for major development and allocated sites (paragraph 65); and
- Mid Sussex Council's AMR fell substantially short of producing the evidence that sites with outline planning permission for major development are expected to have as set out in paragraphs 3-035, 3-047 and 3-048 of the previous version of the PPG (paragraphs 68 and 69).

Entech House, London Road, Woolmer Green¹⁰

9.35 In allowing an appeal for 72 dwellings, Inspector George Baird concluded that Welwyn Hatfield Borough Council could not demonstrate a five year supply. The Inspector concluded the following:

- The definition of "deliverable" in the revised Framework goes significantly further than the 2012 Framework (paragraph 30);
- The definition of "deliverable" identifies 2 closed lists. Whilst sites with outline planning permission, with permission in principle, allocated in the development plan or identified on a brownfield register can be included within the supply, there is no presumption of deliverability and it is for the LPA to justify their inclusion with clear evidence that housing completions will begin on-site within 5 years (paragraph 30);
- The PPG provides a non-exhaustive list of examples of the type of evidence that can be used to justify the inclusion of such sites within the 5 year supply (paragraph 30); and
- The information produced by Welwyn Hatfield to support sites with outline planning permission was on data sheets, which the Inspector found to be short of the "clear evidence" required by the Framework to justify the inclusion of these sites within the housing land supply (paragraph 32).

Land south of Kislingbury Road, Rothersthorpe¹¹

9.36 Inspector Philip Major agreed with the Appellant (Emery Planning on behalf of Hollins Strategic Land) that South Northamptonshire Council could not demonstrate a deliverable five year housing land supply. In terms of the clear evidence required, the Inspector concluded the following:

¹⁰ PINS ref: 3190821

¹¹ PINS ref: 3206346

- It is insufficient to rely on the fact that outline planning permission exists. The PPG indicates that the assessment of housing land supply should go further and seek evidence that completions are likely to be forthcoming (paragraph 16); and
- Whilst the LPA had assumed that further phases of development on large sites would come forward in the five year period on the basis of delivery of current phases, there was no real evidence to back up the position (paragraph 17); and
- A short email from a developer confirming build rates on one of the sites does not amount to the clear evidence of deliverability, which is now required (paragraph 17).

9.37 In summary, the above appeal decisions found that sites with outline planning permission for major development and allocated sites should not be included in the deliverable supply where the respective Councils had failed to provide the clear evidence required. This is also the case in terms of Fylde's APS for the sites where no clear evidence has been provided.

9.38 Even where Councils had produced some evidence, Inspectors and the Secretary of State found that the evidence provided was not enough to include some of the category b) sites as deliverable. In the Rothersthorpe case, this was in the form of an email from a developer. In the Braintree case, this was in the form of proformas and emails from developers with details of who the developer was, when the reserved matters application would be made and what the anticipated build rates would be. In the Rudgwick and Sturry cases, this was in the form of statements of common ground between the Council and the developer.

9.39 When Inspectors and the Secretary of State has consistently omitted sites with a higher level of information, then we respectfully suggest that the Fylde APS cannot comply.

Conclusion

9.40 There are two key issues as result of the revised Framework and the updated PPG:

- Firstly, there has been a radical change in terms of what constitutes a deliverable site; and
- Secondly, the Government's view as to what this means has been set out in the PPG.

9.41 Whilst the previous definition in the 2012 Framework considered that all sites with planning permission should be considered deliverable, the revised definition is clear that only sites with detailed consent for major development should be considered deliverable and those with outline planning permission should only be considered deliverable where there is clear evidence that housing completions will begin in five years.

- 9.42 The revised definition of “deliverable” effectively sets out when sites at various stages of the planning process are realistically expected to deliver dwellings. This was made clear in the Government’s response to the consultation on the then draft revised Framework.
- 9.43 As above, the PPG has been updated to provide the type of evidence required to be able to consider that sites with outline planning permission for major development, allocated sites and sites identified on a brownfield register are deliverable.
- 9.44 Whatever form the “clear evidence” takes, this must be prepared at the same time as the housing land supply position statement and, in accordance with the PPG, should be consulted on if the LPA is not to rely upon ‘after the event’ justification of the kind criticised in the Woolpit appeal decision as we have explained above. Fylde Council has failed to provide the clear evidence necessary and consult on it. For the reasons set out earlier this results in stakeholders not being able to make representations on the full case.
- 9.45 Despite our significant concern on the limited process to date, we have assessed the Council’s supply within the context of the revised NPPF and the updated PPG which we now set out.

10. Contested Supply

10.1 The APS sets out a number of components of supply which we now assess and we make a number of deductions. At the outset it is important to state that excluding sites from the 5 year supply is not a reflection on planning aspects of the sites as in the vast majority they are allocated sites to be delivered by 2032. Their exclusion from the 5 year supply is based on Government guidance which seeks to ensure a robust housing land supply and the evidence required is a high test. Therefore, we do not doubt the vast majority of these sites will deliver homes in the plan period, but crucially not in the next 5 years.

10.2 We now assess the sites.

Site 1 – Valentines Kennels (capacity = 114 dwellings, contribution to the five year supply = 114 dwellings)

10.3 The APS states:

“Local Plan allocated site. Council resolved at committee 15/1/2020 to approve application, subject to S106, adoption of shadow HRA (agreed) and planning conditions, for full planning permission for two storey c2 care village with 205 bedrooms, communal lounge and dining areas, residents library, cinema room and salon plus outside recreation area and car parking. Equivalent to 114 dwelling units in accordance with PPG.”

10.4 The application has a resolution to approve at the January 2020 Planning Committee subject to a Section 106 agreement. Therefore, at the base date there is not a planning permission and it should not be considered deliverable for the purposes of this APS. We are now some 6 months after committee and there is no correspondence on the planning file after 18th November 2019 and there is no evidence in the APS on progress with the Section 106 agreement. From experience as a planning consultancy working on development projects across the country, the lack of a signed Section 106 6 months after a resolution to grant does raise concerns. The main reason is usually viability which if not agreed can result in the permission not being issued or if a change is agreed that it returns to planning committee.

10.5 We also note that the Land Registry details (**Appendix HLS11**) which has a restrictive covenant on the site. There are 6 covenants, the first 2 being:

1. Not to erect on any part of the Property hereby conveyed any buildings erections or fixtures other than those intended to be used and in fact used in

connection with the use of the land for the carrying on of the business of a market gardener poultry keeper kennel keeper or grazier

2. Not to erect any private dwellinghouse on the Property

10.6 We would expect the LPA to have set out clear evidence on this issue and how the permission can be implemented with such covenants.

10.7 Therefore at this stage in the process, it cannot be considered deliverable until a planning permission is issued and confirmation that the site is available. We discount the 114 dwellings.

Site 2 - Jubilee House, East Beach, Lytham (capacity = 20 dwellings, contribution to the five year supply = 20 dwellings)

10.8 Full planning permission was granted in August 2013 for remodelling of an existing office block and the erection of 20 apartments. The permission was part implemented, with the completion of the office works in March 2015. No work on the residential element has commenced. The applicant advised Emery Planning in 2018 as part of our evidence for a planning appeal (**Appendix HLS1**) that the residential component is on hold until suitable funding streams can be secured. There were also issues with car parking capacity on the site as the office development is now fully occupied.

10.9 There is no evidence at all in the APS to counter our specific evidence from 2018 on the site being delivered and therefore we discount the 20 dwellings.

Site 3 - HS11 – The Galleries, 2-4 Kingsway, Lytham St Annes (capacity = 9 dwellings, contribution to the five year supply = 9 dwellings)

10.10 Full planning permission was granted November 2015 with a requirement for development to commence by November 2018. The property remains in use as auction rooms (**Appendix HLS2**) (currently closed due to Covid19) and the permission was not implemented. The property has been marketed for sale since November 2015 (**Appendix HLS2**) for commercial purposes (with the benefit of the planning permission), indicating that the applicant, who also owns the auction business, does not intend to bring forward the residential redevelopment themselves.

10.11 Application 18/0966 was then approved which in essence renews the previous consent. The site continues to be marketed at the time of writing (**Appendix HLS2**).

10.12 Given the site has had a consent for 5 years, has been marketed for in excess of 5 years and is still in use, we discount the 9 dwellings.

Site 4 - HS14 – Axa Lytham, (Gladman Care Homes, capacity = 65 dwellings, contribution to the five year supply = 65 dwellings)

10.13 Planning permission was granted (Feb 2018) for specialist accommodation comprising 65 apartments for the elderly (Use Class C2) (**Appendix HLS3**). As a residential institution falling outside of Class C3 of the use classes order it must be considered against the PPG.

“How can authorities count older people’s housing in the housing land supply?”

Local planning authorities will need to count housing provided for older people, including residential institutions in Use Class C2, as part of their housing land supply. This contribution is based on the amount of accommodation released in the housing market. Further guidance is set out in Housing for Older and Disabled People.

Paragraph: 035 Reference ID: 68-035-20190722

Revision date: 22 July 2019”

“How should plan-making authorities count specialist housing for older people against their housing requirement?”

Plan-making authorities will need to count housing provided for older people against their housing requirement. For residential institutions, to establish the amount of accommodation released in the housing market, authorities should base calculations on the average number of adults living in households, using the published Census data.

Paragraph: 016a Reference ID: 63-016a-20190626

Revision date: 26 June 2019”

10.14 Using the same methodology as the LPA use for Valentines Kennels, there should be a discount of 30 dwellings.

Site 5 – Land at Roseacre, Wilding Lane, St Annes, capacity = 45 dwellings, contribution to the five year supply = 45 dwellings)

10.15 The Decision Notice on the application (**Appendix HLS4**) is dated 6th November 2016. Condition 1 states:

“The development must be begun not later than the expiration of three years beginning with the date of this permission.”

10.16 There has been no discharge of conditions and despite a later Section 106 agreement, the permission expired on 6th November 2019.

10.17 We discount 45 dwellings.

Site 6 - Hole in One, Forest Drive, Lytham St Annes capacity = 27 dwellings, contribution to the five year supply = 27 dwellings)

10.18 The application has a resolution to approve at the December 2019 Planning Committee subject to a Section 106 agreement. Therefore, at the base date there is not a planning permission and it should not be considered deliverable for the purposes of this APS. **Appendix HLS5** is an email exchange from the agent dated 25th January 2020 that is listed on the LPA's online planning file raising viability issues. There is no subsequent correspondence so notwithstanding the base date point, there is concerns on viability.

10.19 We discount the 27 dwellings.

Site 7 - Cropper Road East, Whitehills - capacity = 105 dwellings, contribution to the five year supply = 105 dwellings)

10.20 The outline planning application was submitted in February 2015 and the decision was issued on 11th March 2020 (**Appendix HLS6A**). Condition 1 states that the timescale on the permission are:

[a] The expiration of five years from the date of this permission; or

[b] The expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter approved.

10.21 As set out earlier the definition of “deliverable” is set out on page 66 of the 2019 Framework and states:

“Deliverable: To be considered deliverable, sites for housing 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. In particular:

a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).

b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.” (our emphasis)

10.22 It should be noted that the APS states:

“Local Plan allocated site. Outline planning permission with access applied for granted 11/3/2020. Applicant's response to pre-consultation email endorses the Council's projection but notes that the rate of delivery will depend on the developer who takes on the site.”

10.23 Therefore there is no clear evidence on delivery. The applicant in this case states that *“the rate of delivery will depend on the developer who takes on the site”*. Therefore the site needs to be:

- Marketed;
- If a buyer is found, a sale proceeds and is completed;
- The chosen developer prepares and submits a reserved matters application;
- The reserved matters is approved;
- Works to commence development and build infrastructure before any completions.

10.24 There could not be a clearer example of a site not having clear evidence and not being in accordance with part (b) of the Framework and such sites have been consistently removed by Inspectors and the Secretary of State.

10.25 We discount the 105 dwellings.

Site 8 – MUS2 - Whyndyke Farm (Oyston Developments, capacity = 1310 dwellings, contribution to the five year supply = 30 dwellings)

10.26 Whyndyke is a strategic site within Fylde but on the edge of Blackpool. The agent for the owner advised the Local Plan Examination of their lead in times and delivery rates. In their statement for Matter 5 (**Appendix HLS7**) they state:

“In particular Queensway and Whyndyke Garden Village have each taken many years to progress to a reserved matters/outline application stage with no certainty of when delivery is likely to commence. Both are subject to s106 agreements of some complexity with the former reliant upon the delivery of a link road for which funding is not yet guaranteed and the latter the subject of ongoing negotiations of a cross boundary nature which has hindered progress for many years.

At the time of preparing this statement, the s106 agreement for Whyndyke Farm remained incomplete despite first being supported by Committee in June 2015. The delay is not due to the developer, rather it relates to ongoing discussions between the other interested parties.

It is therefore not clear when either site will commence.”

10.27 In their statement to the Stage 3 hearing (**Appendix EP7**), they state:

“Given the ongoing failure of the respective local planning authorities, namely Fylde and Blackpool to agree to the terms of the s106 agreement for Whyndyke Farm, questions must begin to be asked about the extent to which this site will make a full contribution to the housing land supply of Fylde over the plan period.”

10.28 The planning application (11/0221) was submitted in March 2011 and the decision (**Appendix EP7**) was issued on 5th June 2018. Condition 1 requires the first reserved matters application be submitted within three years from the date of this permission. All subsequent reserved matters applications shall be submitted no later than 12 years from the date of this permission and shall be commenced within two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter approved. No reserved matters application has been submitted. On that point alone it should be excluded based on the same reasons as Site 6 above being contrary to part (b) of the deliverability test in the NPPF.

10.29 This is also a site that has been in the AMR's since at least 2013 yet there has been no significant progress. Inspector Boniface made the following conclusion in his report to the 2019 APS:

“MUS2 Whyndyke Farm, Preston New Road, Whitehills 23.

This is a large site for some 1,310 dwellings. Outline planning permission was granted in June 2018, some 7 years after the site was first mooted. Whilst only 30 dwellings have been included in the 5-year trajectory in the final year, 2023/2024, the response from the developer is at best "lukewarm" indicating that no progress has been made since 2018. Here, there is not the clear evidence required to support the inclusion of this site and the supply figure should be reduced by removing 30 units."

10.30 There is no evidence to justify the continual inclusion of the site in Year 5 in the AMRs and now the APS. We therefore exclude the 30 dwellings from Year 5.

Site 9 Cropper Road West (HSS5) (Wainhomes and BAK, capacity = 442 dwellings, contribution to the five year supply = 169 dwellings)

10.31 This is a site in the adopted Local Plan. Wainhomes control the majority and BAK Developments control a parcel. Both parties have applications submitted and pending, which are:

"17/0779 - Outline Application with access from Cropper Road and School Road for the proposed demolition of existing buildings and structures and residential development for up to 350 dwellings together with associated works and infrastructure".

19/0284 - Residential development of 142 dwellings with associated landscaping and infrastructure"

10.32 The site was allocated and both parties maintain the sites are developable in the plan period. However following the allocation and the submission of the applications, the Environment Agency revised its flood mapping and a large proportion of the site was reclassified as Flood Zone 3 – see below.

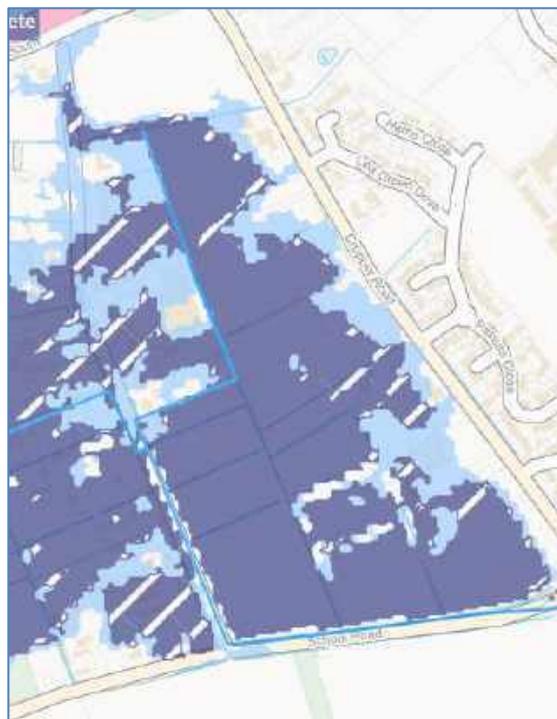
Extract from FRA

According to the EA Flood Map for Planning (Rivers and Sea) (**Figure 2**) the site is located in Flood Zone 1.



Figure 2: Environment Agency Flood Map for Planning (Rivers & Sea)
(Source: EA website)

Revised EA Flood Map



10.33 In our response to the 2019 APS, we stated:

"Both applicants are seeking resolution but for the last 9 months this has not been achieved. Further detail is provided below."

10.34 Inspector Boniface, in his report to the 2019 APS stated:

"HSS5 Cropper Road West, Whitehills (Site 1) & Cropper Road West (Bambers Lane), Whitehills (Site 2) 24. These are allocated sites in the Local Plan. An outline planning application for Site 1 has been submitted for up to 350 units and a full planning application has been submitted for Site 2 for up to 142 units. For Site 1 the trajectory shows delivery of 10 units in Year 4 and 30 units in Year 5. For Site 2 the trajectory shows 15 units in Year 3, 30 units in Year 4 and 30 units in Year 5. It appears that consultants for the developers have prepared Design Codes for these sites. The Environment Agency (EA) has issued a holding objection to the development of these sites following a reassessment of the flood risk. The applicants are responding to the EA and the Council consider the issues are technical and capable of resolution. On balance, given the progress to date, these allocations appear realistic."

10.35 It is now 12 months on and the EA maintain their objection.

Application 17/0779

10.36 The application was validated on the 11th September 2017 and in their letter dated 2nd August 2018 the Environment Agency provided a response on the application. The letter (**Appendix HLS8**) states:

"Due to a change in circumstances in relation to flood risk, we now wish to object to the application until a satisfactory FRA has been submitted to address this issue."

10.37 Further information was submitted by the Applicant and a further response from the EA dated 2nd July 2019 (**Appendix HLS8**) has confirmed that their objection remains. The applicant is continuing to seek to address the objection but for the purposes of the APS the site should be excluded from the 5 year supply. If there is a resolution it may impact on the developable area and the number of dwellings that could be accommodated.

10.38 Therefore it is necessary to discount 70 dwellings from years 3, 4 and 5. The site remains developable in the plan period and if the EA objection is lifted in the next 12 months then the site could be included in the 2021 APS.

Application 19/0284

10.39 This application was submitted in April 2019 by BAK Building Contracts Ltd. As with Application 17/0779 the Environment Agency objects to the application (**Appendix EP8**). For the same reasons as our client's site, for the purposes of the APS the site should be excluded from the 5 year supply. We therefore discount 99 dwellings from years 2, 3, 4 and 5.

10.40 As with our client's parcel, the site remains developable in the plan period and if the EA objection is lifted in the next 12 months then the site could be included in the 2021 APS.

Site 10 - HSS12 – Land North of Freckleton Bypass, Warton (Warton East Developments Ltd, capacity = 120 dwellings, contribution to the five year supply = 120 dwellings)

10.41 Outline consent was granted on Appeal in February 2017 for Warton East Developments Ltd. The APS states:

"Local Plan allocated site. Outline planning permission for 350 dwellings. Reserved matters application received 24/1/2020 for 350 dwellings for developer Countryside Properties; also full planning application received 31/1/2020 for additional 14 dwellings. Delivery rate is in line with earlier projections for the site, already reduced to recognise there would be a single developer; however Countryside Properties are known to have higher delivery rates, so the figure shown are considered very conservative"

10.42 Therefore the site has no reserved matters consent at the base date so should be excluded on the basis of part (b) of the definition of deliverable in the Glossary to the NPPF. It should also be noted that the application also has an objection by the Highway Authority and Natural England (Appendices HLS9). We discount the 120 dwellings at this stage. That can of course be reviewed in the APS next year.

Site 11 - HSS13 – Clifton House Farm, Lytham Road, Warton (Hallam Land Management, capacity = 96 dwellings, contribution to the five year supply = 75 dwellings)

10.43 Outline consent was granted on Appeal in February 2017. Reserved Matters was approved on 23rd March 2020. A further duplicate Reserved Matters application is pending. The applicant is Hallam Land Management who are not housebuilders. They are clearly seeking to obtain a implementable consent to ensure the outline permission does not expire.

10.44 Therefore there is no clear evidence on delivery and the site needs to be:

- Marketed;
- If a buyer is found, a sale proceeds and is completed;
- The chosen developer prepares and submits a reserved matters application or further application to vary house types;
- The reserved matters and/or further applications are approved;
- Works to commence development and build infrastructure before any completions.

10.45 This is a further example of a site not having clear evidence and not being in accordance with part (b) of the Framework. We discount the 75 dwellings.

Site 12 - Brook Mount, 4 Lytham Road, Warton, capacity = 26 dwellings, contribution to the five year supply = 26 dwellings)

10.46 The APS states:

“Windfall site, previously-developed land within settlement, identified on brownfield land register. Full planning application received 2/7/2019”.

10.47 The site has no permission at the base date so must be excluded.

Site 13 - Campbells Caravans, Blackpool Road, Kirkham, capacity = 30 dwellings, contribution to the five year supply = 30 dwellings)

10.48 The APS states:

“Local Plan allocated site. Outline planning permission for 30 dwellings approved with S106 17/5/2019.”

10.49 As with other sites, there is no clear evidence on delivery and having an outline planning application does not justify inclusion as a deliverable site based on the Glossary in the NPPF.

Therefore the site needs to be:

- Marketed;
- A sale proceeds and is completed if a buyer can be found;
- The chosen developer prepares and submits a reserved matters application;
- The reserved matters is approved;
- Works to commence development and build infrastructure before any completions.

10.50 This is a further example of a site not having clear evidence and not being in accordance with part (b) of the Framework. We discount the 30 dwellings.

Site 14 - Former Wesham Park Hospital, Derby Road, Wesham, capacity = 51 dwellings, contribution to the five year supply = 51 dwellings)

10.51 The APS states:

“Outline planning application for 51 dwellings on previously-developed site within settlement. Principle of development accepted. Council’s Planning Committee resolved to grant outline permission on 18/3/2020 subject to S106 agreement relating to affordable housing, contributions for education and public open space. NHS Property Services announced through local press (4/6/2020) that demolition would commence on 8/6/2020 and take 5 months.”

10.52 Reference is made to an article in the local press. As with all the LPA’s evidence none of it is published as part of this APS which is not acceptable for the reasons set out earlier.

10.53 We enclose an article (**Appendix HLS10**) dated 5th June 2020.

“NHS Property Services, which has been tasked with the demolition, says the repurposing of the vacant site, in Derby Road, will help the NHS make significant savings on running costs and better use of the space.

After the site has been cleared, it is proposed that half of the land will be developed for new clinical use, with the local CCG having already indicated its aim to develop a new state of the art health centre, which would provide capacity for the two GP practices in Kirkham as well as a variety of community services.

The other half of the site has been determined to not be of use for clinical purposes and looks set to be made available for sale.”

10.54 As with other sites, there is no clear evidence on delivery and having an outline planning application does not justify inclusion as a deliverable site based on the Glossary in the NPPF. Therefore the site needs to be:

- Marketed;
- A sale proceeds and is completed if a buyer can be found;
- The chosen developer prepares and submits a reserved matters application;
- The reserved matters is approved;
- Works to commence development and build infrastructure before any completions.

10.55 This is a further example of a site not having clear evidence and not being in accordance with part (b) of the Framework and why they should not be included.

10.56 We discount the 51 dwellings.

Site 15 - Land North of North View Farm, Wrea Green (capacity = 21 dwellings, contribution to the five year supply = 21 dwellings)

10.57 The APS states:

“Local Plan allocated site. Planning Committee resolved 12/2/2020 to grant full planning permission subject to S106. Production of the S106 has been undertaken and matters of detail within it are being agreed prior to being finalised and signed.”

10.58 The site has no permission at the base date so should be excluded.

Site 16 - Cobweb Barn, Oak Lane, Newton (capacity = 30 dwellings, contribution to the five year supply = 30 dwellings)

10.59 An outline application for 30 dwellings was approved in July 2017. However a new planning application (2003115/FUL has been submitted but not determined at the base date so should be excluded.

The impact of Covid-19 on housing land supply

10.60 The Covid-19 pandemic in the UK will have an impact in terms of housing land supply. Firstly, build rates in 2020/21 will be lower than those predicted before the pandemic. This is because following the Prime Minister’s announcement of the ‘lockdown’ in the UK on 23rd March 2020 construction on many sites ceased. Construction did not re-commence on those sites which had closed until late April / early May 2020. Therefore, there was at least 5 weeks when work was not being undertaken on many housing sites. Even though construction has now resumed on many sites, build rates will still be reduced due to social distancing on site and the supply of trade and materials. Build rates could be reduced further in 2020/21 because of the economic recession and reduced consumer confidence.

10.61 Secondly, in terms of the definition of “deliverable”, any “clear evidence” provided by the Council to support the deliverability of sites cannot be relied on unless it has taken into account the impact that the Covid-19 will have on build rates.

10.62 Within this context, we refer to a recent decision dated 9th April 2020 regarding an appeal made by Welbeck Strategic Land against the decision of Wokingham Borough Council to refuse to grant outline planning permission for up to 118 dwellings at land north of Nine Mile Ride, Finchampstead, Berkshire¹². The public inquiry into the appeal took place in February 2020. Following the close of the inquiry, Inspector Christina Downes asked the main parties whether they wished to comment on any implications that the Covid-19 pandemic may have in terms of their evidence on housing delivery. The Appellant and Wokingham Council responded. Paragraphs 109-111 of the appeal decision state:

“109. The Covid-19 pandemic is likely to have implications for the housebuilding industry as with other sectors of the economy. The evidence indicates that a number of developers are temporarily closing their construction sites to protect employee and customer welfare. For those remaining open, the lock-down will impact on the availability of support services. Customer confidence is also likely to be reduced with a consequent effect on the buying and selling of property.

110. The Appellant has concluded that the effects would be felt for a 3 to 6 month period, which does not seem unreasonable. On that basis the conclusion is that a further 168 dwellings should be removed from the trajectory to take these factors into account. Whilst it is contended that this is an optimistic assessment, it is equally possible that a bounce back will occur once the crisis ends. Indeed, it is reasonable to surmise that housebuilders and their suppliers will be keen to rectify losses if it is possible to do so.

111. At this stage the economic effects of Covid-19 cannot be known. However, even if all of the impacts suggested by the Appellant are accepted, the Council would still be able to demonstrate about 5.2 years supply of deliverable sites.”

10.63 On this basis, the build rate expected on the sites should be reduced to the extent that there would be a reduction in the deliverable supply. Indeed, where the Council reflects the response from the developer on Clifton House Farm, Lytham Road, Warton on the impact of Covid19 with a corresponding reduction in build rates. This is not unique to this site. At this stage we agree with the LPA that in many cases the loss of completions in the 3 months of lockdown can be recovered within the 5 year period. Therefore we have made a reduction on sites in the supply where supply is expected in all 5 years so delays in the last 3 months would fall in year 6. They are:

- Blackfield End Farm, Warton – 5 dwellings;
- Land North of Blackpool Road, Kirkham – 5 dwellings; and,

¹² PINS ref: 3238048

- Land at Brookfarm, Dowbridge, Kirkham – 5 dwellings.

10.64 A response from developers or the HBF, if they are even aware of this consultation, can advise on build rates or other changes. We consider that Covid19 will have a greater impact but this will only be established in the coming months. We would expect build rates to reduce and that will be accounted for in the next APS.

11. Conclusions

11.1 The Council's deliverable supply is claimed to be 2,991 dwellings. This equates to 6.01 years applying Liverpool and the 10% buffer. We conclude the LPA is wrong on how they have calculated the shortfall at the base date and based on Policy H1 it should be 2,331 dwellings. With the 10% buffer the 5 year requirement is 2,564 dwellings, which equates to 513 dwellings. This would reduce the supply to 5.83 years.

11.2 The above figures assume that all the sites in the supply are deliverable. However, we have undertaken a detailed assessment of the supply to establish what we consider to be the true supply. We calculate the deliverable supply to be 2,074. The differences in the supply are as follows:

Site Ref	Deliverable Supply (Council)	Deliverable Supply (Emery)
1	Valentines Kennels, Wilding Lane	-114
2	Jubilee House, East Beach, Lytham	-20
3	The Galleries, 2-4 Kingsway, Lytham St Annes	-9
4	Axa Lytham	-30
5	Land at Roseacre, Wilding Lane, St Annes	-45
6	Hole in One, Forest Drive, Lytham St Annes	-27
7	Cropper Road East, Whitehills	-105
8	Whyndyke Farm	-30
9	Cropper Road West (HSS5)	-169
10	Land North of Freckleton Bypass, Warton	-120
11	Clifton House Farm, Lytham Road, Warton	-75
12	Brook Mount, 4 Lytham Road, Warton	-26

13	Campbells Caravans, Blackpool Road, Kirkham	-30
14	Former Wesham Park Hospital, Derby Road, Wesham	-51
15	North of North View Farm, Wrea Green	-21
16	Cobweb Barn, Oak Lane, Newton	-30
17	Impact of Covid19	-15
Total		2,074

11.3 We now calculate the years supply.

		APS	Emery
A	Annual requirement	479	415
B	Past shortfall at 1 st April 2020	-150	614
C	Amount of past shortfall to be addressed in the five year period	-150	256
D	Total five year requirement (A X 5 + C)	2,245	2,331
E	Requirement plus 10% buffer (D + 10%)	2,470	2,564
F	Annual requirement plus buffer (E / 5 years)	494	513
G	Deliverable Supply	2,991	2,074
H	Years Supply	6.01	4.05

11.4 Our assessment is that the supply is **4.05 years**.

12. Appendices

- HLS1. Jubilee House, East Beach, Lytham
- HLS2. The Galleries, 2-4 Kingsway, Lytham St Annes
- HLS3. Axa Lytham
- HLS4. Land at Roseacre, Wilding Lane, St Annes
- HLS5. Hole in One, Forest Drive, Lytham St Annes
- HLS6. Cropper Road East, Whitehills
- HLS7. Whyndyke Farm
- HLS8. Cropper Road West (HSS5)
- HLS9. Land North of Freckleton Bypass, Warton
- HLS10. Former Wesham Park Hospital, Derby Road, Wesham
- HLS11. Valentines Nursery Land Registry

HLS1

Re: Project Status Update (March 2018) - Jubilee House, East Beach, Lytham.

Telephone conversation with EDG Properties Ltd (Andrew – 07747 561598), 2:30pm Thursday 1st March 2018.

Spoke to the applicant who informed me that the office component of app ref: 13/0001/FULL had been implemented, completed and is now fully let. The residential component is on hold while project finance is being sought.

Furthermore, the full occupancy of the office building has created an issue with bringing the residential element forward, in that the apartment building would be on land currently utilised as car parking by the office tenants, and the car park is at capacity.

The applicant was unable to indicate as to when the scheme would be completed, however due to the partial implementation of the planning permission the applicant's view is that there is no time limit for the remainder of the permission to be implemented.

HLS2



[\[Index\]](#) [\[Next Sale \]](#) [\[Buying & Selling \]](#) [\[Sale History \]](#) [\[Kingsway Fairs \]](#) [\[Gift Shop \]](#) [\[Feature \]](#) [\[News\]](#) [\[Feedback\]](#)



WELCOME TO-
KINGSWAY
AUCTION ROOMS

01253 735442

enquiries@kingswayauctions.co.uk

[as seen on BBC TV- FLOG IT!]

NEXT AUCTION -

We are currently closed. We do have an auction ready to take place as and when it is permitted to do so.

We are hopeful that we can announce the date of the next auction before too long. We plan to have extra viewing days to help combat the restrictions which will need to be put in place. Please check again.

We also offer a probate valuation & full house clearance service if required.

[Contact Information -](#)

Telephone **01253 735442 or 07816 500 631**

Postal address The Galleries, Kingsway, Ansdell, Lytham St Annes, Lancs FY8 1AB

Email to thegalleries.kingsway@virgin.net

[Kingsway Auction Rooms](#) [Click the Kingsway Auction Rooms link to watch promo video.](#)

		
<p align="center">Val Elliott Director/Auctioneer <i><u>Val has been working at the auction room since 1978</u></i></p>	<p align="center">The Galleries 'The Galleries' opened in 1923</p>	<p align="center">Peter Crouch Director/Auctioneer <i><u>Peter has been working at the auction room since 1983</u></i></p>

We are open for accepting items between 9 - 12 & 2 - 4- Monday-Friday. We do advise you to phone first to make sure we are accepting items that day-in case we are full. We often open outside of these hours depending on other commitments, ie, outside valuations or home visits.

WHERE TO FIND US

Kingsway Auction Rooms was established in 1923 and is a purpose built auction room situated in Lytham St Annes on the A584, just off Clifton Drive, in Kingsway, Ansdell . We offer both vendors and purchasers modern facilities within the auction rooms, ideal for the sale of fine art, antiques, collectables, reproduction and modern furnishings. All aspects of house contents are covered such as, paintings, prints, antiques, modern furniture, porcelain, glass, silver, jewellery, clocks, textiles, objets d'art.

	
<p align="center">AREA MAP-click to enlarge</p>	<p align="center">LOCAL MAP-click to enlarge</p>

DIRECTIONS

If approaching from the end of the M55... follow the signs for Lytham St Annes. This road[B5261] will take you via the back of the airport. You will pass the Harvester restaurant on the right. Keep on this road, pass the Shell garage turning right at the traffic lights towards Lytham. Straight on at the mini roundabout, take the next turn on the right at the Blossoms Public House onto Woodlands Rd. Passing between the shops, over the railway bridge, turn right at the corner shop into **KINGSWAY**. The auction room is situated 100 yards on the left hand side.

If approaching from Lytham... Follow the promenade[a584] passing the windmill on Lytham green. Continuing for about 1 1/2 miles you will pass The White Church on the left. About 100 yards further, turn right at the mini roundabout into Woodlands Rd. Take the first turn on the left into **KINGSWAY**. The auction room is situated 100 yards on the left hand side.

Public Transport

Ansdell & Fairhaven railway station is only 2 or 3 minutes walk from the saleroom and is on the Preston to Blackpool South line. Local buses also stop within easy walking distance of the saleroom.

Opening Times For Auction Entries

We are usually in attendance at the saleroom 9-12 & 2-4 Monday-Friday. You may deliver items to the saleroom during these hours. We will be happy to include them into the auction we are preparing, but if that auction is full we may need to hold them over until the following auction. It may be advisable to call us first to see what stage we are at.

Look for Kingsway Auction Rooms on Facebook



INFORMATION ABOUT OUR WEBSITE

The following notes will tell you about the various pages available to you on our website. Just click on the buttons at the top of the page to access the information you require.

[INDEX.](#)

The index is this page. The first port of call to the website. This page is for customers who are perhaps visiting us for the first time and would like to know who we are, where we are, & what we do.

[NEWS.](#)

There are regular updates giving information on the current or forthcoming sales. Details of special events and other information can be found here. Recent sale results, site update details & other relevant news.

[FEATURE](#)

The feature page displays the complete catalogue for the current sale and also a video preview of the auction entries + other relevant information. The catalogue remains online until the next one is ready. The catalogue and video preview are normally available a couple of days prior to the viewing Friday

[NEXT SALE.](#)

Details of the forthcoming auction can be found here. Viewing dates & times, & other sale information is here.

[BUYING AND SELLING.](#)

This is a general information page aimed at prospective vendors or purchasers.

[SALE HISTORY.](#)

This is where you may view photographs, along with prices of items sold previously. More photographs will be added periodically.

[FEEDBACK.](#)

Feedback gives you the opportunity to contact us should you require any other information about the auction room. We welcome your opinions about our website & auction service & are pleased to listen to suggestions of how it may be improved. You may of course E.mail us on enquiries@kingswayauctions.co.uk All E.mails will receive a reply.

[The Salerooms](#)



[Auctioneers & Valuers](#)

Professional efficient and friendly service. Frequent sales of antiques and general lots, attended by local, national and international buyers. Complete house clearance and single items sold. Valuation for insurance, probate and

family division. Free advice without obligation. Collection throughout the northern region. Prompt settlement following auction.

[The Valuation Department](#)

Written valuations can be prepared for Probate, Insurance etc

No charge is made for guidance valuations of items brought to the saleroom.

[Web Service](#)

e-mail a description and photograph of your article to us. We will endeavor to assist in identification and valuation. This service is free of charge for intended vendors.

[Your first contact:](#)

Val or Peter will be happy to assist personally with any enquiries you may have.



Val Elliott Director.

Auctioneer and Valuer



Peter Crouch Director.

Auctioneer and Valuer

[Contact Information](#)

Telephone

01253 735442

Postal address

The Galleries, Kingsway, Ansdell, Lytham St Annes, Lancs FY8 1AB

Electronic mail

General Information: enquires@kingswayauctions.co.uk

Sales:

Customer Support:

Webmaster: webmaster@kingswayauctions.co.uk

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Send mail to webmaster@kingswayauctions.co.uk with questions or comments about this web site.

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Last modified: August 15, 2019

FOR SALE RESIDENTIAL RE-DEVELOPMENT SITE

THE GALLERIES (BUILDING & SITE)
2 - 4 KINGSWAY
ANSELL
LYTHAM ST ANNES
FY8 1AB

- CONVERSION AND EXTENSION OF EXISTING BUILDING TO PROVIDE 10 NO. APARTMENTS (SIX ONE BEDROOM & FOUR TWO BEDROOM) INCLUDES SPLIT-LEVEL REAR EXTENSION, ALTERATIONS TO SHOP FRONT & PROVISION OF OFF-STREET CAR PARKING
- FULL PLANNING PERMISSION GRANTED

GUIDE PRICE: OFFERS IN THE REGION OF £390,000



Unit 8, Metropolitan Business Park, Blackpool, Lancashire, FY3 9LT
t: 01253 316919 e: enquiries@duxburyscommercial.co.uk
f: 01253 765260 w: www.duxburyscommercial.co.uk

KINGSWAY, ANSDELL, LYTHAM ST ANNES

LOCATION

The residential re-development opportunity occupies a sought after location in the affluent town of Ansdell, Lytham St Annes.

It is located on Kingsway, which is accessed off Woodlands Road. It is within walking distance of the train station, local supermarket, local shops and amenities. The surrounding areas also include dense residential areas. Ease of access is available on the coast road / Promenade and towards Fairhaven Lake. Ease of commuting is available towards Lytham and St Annes as well as Blackpool.

PROPOSED RE-DEVELOPMENT

We confirm the opportunity to purchase this building and site that has Full Planning Permission Granted for the conversion and extension of the existing building to provide 10 Apartments (6 no. One Bedroom and 4 no. Two Bedroom), including split-level rear extension, alterations to the shop front and provision of off-street car parking (off the side road).

Garages: there are 6 no. garages included in the sale.

Plans and planning information is available from the Fylde Council planning website via Reference 15/0486. This information is also available via our office.

PRESENT ACCOMMODATION

The present building comprises an open plan auction room, with a shop front and ancillary areas:

Ground Floor GIA: 300 SQ M (3,229 SQ FT)

Uppers floors: not measured

DESCRIPTION

The present building comprises Kingsway Auction Rooms providing an open plan auction room, with a shop front and ancillary areas. There is additional accommodation to the upper floors.

There are car parking spaces (off the side road), the side road also leads to 6 no. garages included in the sale.

VIEWING ARRANGEMENTS

Strictly via prior appointment through Duxburys Commercial on 01253 316919.

BUSINESS RATES

To be confirmed.

EPC

To be confirmed

VAT

All prices quoted are exclusive of VAT but may however be subject to VAT at the prevailing rate.

Disclaimer

The sales particulars have been produced with information provided by the owner/occupier or landlord and are made in good faith without any responsibility whatsoever on the part of Duxburys Commercial. It is for the purchaser or as the case may be the lessee to satisfy themselves by inspection or otherwise, as to the accuracy or fullness of the information. They must not in entering into any contract or incurring costs or otherwise rely upon these particulars as statements or representations of facts.



Misrepresentation Act 1967: Duxburys Commercial, as agents for the vendor or, as the case may be, lessor (the "Vendor") and for themselves, give notice that:

- (1) These particulars are provided merely as a general guide to the property. They are not and shall not hereafter become part of any other contract.
 - (2) The Statements herein are made in good faith without any responsibility whatsoever on the part of the Vendor, Duxburys Commercial or their servants. It is for the purchaser or as the case s Commercial nor its servants has any authority, express or implied, to make or give any representations or warranties in respect of the property.
 - (3) In the event of any inconsistency between these particulars and the Conditions of Sale, the latter shall prevail.
 - (4) Nothing in these particulars should be deemed to be a statement that the property is in good condition or that any of the facilities are in working order.
- Note: Duxburys Commercial has not made any investigations into the existence or otherwise of any issues concerning pollution and potential land, air or water contamination. The purchaser is responsible in making his own enquiries in this regard.

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(4) Nothing in these particulars should be deemed to be a statement that the property is in good condition or that any of the facilities are in working order.
Note: Duxburys Commercial has not made any investigations into the existence or otherwise of any issues concerning pollution and potential land, air or water contamination. The purchaser is responsible in making his own enquiries in this regard.

HLS3

Mr Robert Buffham
Senior Development Officer
Fylde Borough Council
Town Hall
St Annes on Sea
Lancashire
FY8 1LW

31st August 2017

Dear Sirs,

Proposed Development for Specialist Accommodation for the Elderly consisting of apartments with care, communal facilities, parking and associated private amenity space (Planning Portal Ref PP-06311670)

Further to our online application PP-06311670 submitted on 31st August 2017 for the proposed Development for Specialist Accommodation for the Elderly, please find attached a CD containing the following documentation which were uploaded as part of our on line application: -

1. Application letter, forms and certificates
2. Location Plan - 09992-P1-101
3. Site Context Plan - 09992-P1-102
4. Site Plan - 09992-P1-103
5. Footprint comparison Plan - 09992-P1-104
6. Comparative Context Elevations - 09992-P1-111/112/113/114
7. Floor Plans - 09992-P1-121/122
8. Typical Apartment Layouts - 09992-P1-123
9. Building Elevations - 09992-P1-131
10. Building Appearance - 09992-P1-132
11. Landscape Strategy - 09992-P1-141
12. Planning Statement
13. Care Statement
14. Design and Access Statement
15. Parking Statement
16. Views Document
17. Transport Statement
18. Noise Assessment
19. Ecology Appraisal
20. Arboricultural Assessment
21. Phase 1 SI Report
22. FRA
23. Drainage Strategy
24. Drainage Layout – 09992-652-P0
25. Statement of Community Involvement
26. Topographical Survey Drawings

A cheque for the sum of £24,569.00 (Twenty four thousand, five hundred and sixty nine Pounds) made payable to Fylde Borough Council is attached to this letter.

We trust the enclosed information is sufficient to enable our application to be validated at your earliest opportunity, however, should you have any queries or require any further information please do not hesitate to contact the writer.

Yours faithfully

Andrew Green
Project Manager
Email: a.green@gladman.co.uk
Tel: 01260 288820

Application for Planning Permission.
Town and Country Planning Act 1990

Publication of applications on planning authority websites.

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

1. Applicant Name, Address and Contact Details

Title:	<input type="text" value="Mr"/>	First Name:	<input type="text" value="Andrew"/>	Surname:	<input type="text" value="Green"/>
Company name:	<input type="text" value="Gladman Care Homes Ltd"/>				
Street address:	<input type="text" value="Gladman House"/>				
	<input type="text" value="Alexandria Way"/>			Telephone number:	<input type="text" value="01260288820"/>
	<input type="text" value="Congleton Business Park"/>			Mobile number:	<input type="text" value="01260288800"/>
Town/City:	<input type="text" value="Congleton"/>			Fax number:	<input type="text"/>
Country:	<input type="text" value="Cheshire"/>			Email address:	<input type="text"/>
Postcode:	<input type="text" value="CW12 1LB"/>			<input type="text" value="a.green@gladman.co.uk"/>	
Are you an agent acting on behalf of the applicant?				<input type="radio"/> Yes <input checked="" type="radio"/> No	

2. Agent Name, Address and Contact Details

No Agent details were submitted for this application

3. Description of the Proposal

Please describe the proposed development including any change of use:

Has the building, work or change of use already started? Yes No

4. Site Address Details

Full postal address of the site (including full postcode where available)

House: Suffix:

House name:

Street address:

Town/City:

Postcode:

Description of location or a grid reference
(must be completed if postcode is not known):

Easting:

Northing:

Description:

The development is on the site of the former AXA Technology Services Building/West Cliffe Centre. The building is to be demolished under a separate application 17/0411.

5. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application? Yes No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title: First name: Surname:

Reference:

Date (DD/MM/YYYY): (Must be pre-application submission)

Details of the pre-application advice received:

Advices was give at our meeting on 7/06/17 and via a series of email from the case officer. Please refer to the planning statement and statement of Community Involvement submitted with this application for detail of the pre-application advice given

6. Pedestrian and Vehicle Access, Roads and Rights of Way

Is a new or altered vehicle access proposed to or from the public highway? Yes No

Is a new or altered pedestrian access proposed to or from the public highway? Yes No

Are there any new public roads to be provided within the site? Yes No

Are there any new public rights of way to be provided within or adjacent to the site? Yes No

Do the proposals require any diversions/extinguishments and/or creation of rights of way? Yes No

If you answered Yes to any of the above questions, please show details on your plans/drawings and state the reference of the plan(s)/drawings(s)

7. Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste? Yes No

If Yes, please provide details:

7. Waste Storage and Collection

Have arrangements been made for the separate storage and collection of recyclable waste?

Yes No

If Yes, please provide details:

Separate receptacles to be provide for recycling

8. Authority Employee/Member

With respect to the Authority, I am:

- (a) a member of staff
- (b) an elected member
- (c) related to a member of staff
- (d) related to an elected member

Do any of these statements apply to you?

Yes No

9. Materials

Please state what materials (including type, colour and name) are to be used externally (if applicable):

Boundary Treatments - description:

Description of *existing* materials and finishes:

Description of *proposed* materials and finishes:

Please refer to Design and Access Statement submitted with the application

Doors - description:

Description of *existing* materials and finishes:

Description of *proposed* materials and finishes:

Please refer to Design and Access Statement submitted with the application

Lighting - description:

Description of *existing* materials and finishes:

Description of *proposed* materials and finishes:

Not submitted

Roof - description:

Description of *existing* materials and finishes:

Description of *proposed* materials and finishes:

Please refer to Design and Access Statement submitted with the application

Vehicle Access - description:

Description of *existing* materials and finishes:

Description of *proposed* materials and finishes:

Please refer to Design and Access Statement submitted with the application

Walls - description:

Description of *existing* materials and finishes:

Description of *proposed* materials and finishes:

Please refer to Design and Access Statement submitted with the application

Windows - description:

Description of *existing* materials and finishes:

Description of *proposed* materials and finishes:

Please refer to Design and Access Statement submitted with the application

OTHER - description:

9. Materials

Type of other material:

Description of *existing* materials and finishes:

Description of *proposed* materials and finishes:

Are you supplying additional information on submitted plan(s)/drawing(s)/design and access statement? Yes No

If Yes, please state references for the plan(s)/drawing(s)/design and access statement:

10. Vehicle Parking

Please provide information on the existing and proposed number of on-site parking spaces:

Type of vehicle	Existing number of spaces	Total proposed (including spaces retained)	Difference in spaces
Cars	0	36	36
Disability spaces	0	6	6
Other (e.g. bus)	0	10	10
Short description of Other	new car parking spaces off Wharf street for the use of local residents		

11. Foul Sewage

Please state how foul sewage is to be disposed of:

Mains sewer Package treatment plant Unknown
 Septic tank Cess pit Other

Are you proposing to connect to the existing drainage system? Yes No Unknown

If Yes, please include the details of the existing system on the application drawings and state references for the plan(s)/drawing(s):

12. Assessment of Flood Risk

Is the site within an area at risk of flooding? (Refer to the Environment Agency's Flood Map showing flood zones 2 and 3 and consult Environment Agency standing advice and your local planning authority requirements for information as necessary.)

Yes No

If Yes, you will need to submit an appropriate flood risk assessment to consider the risk to the proposed site.

Is your proposal within 20 metres of a watercourse (e.g. river, stream or beck)?

Yes No

Will the proposal increase the flood risk elsewhere?

Yes No

How will surface water be disposed of?

Sustainable drainage system Main sewer Pond/lake
 Soakaway Existing watercourse

13. Biodiversity and Geological Conservation

To assist in answering the following questions refer to the guidance notes for further information on when there is a reasonable likelihood that any important biodiversity or geological conservation features may be present or nearby and whether they are likely to be affected by your proposals.

13. Biodiversity and Geological Conservation

Having referred to the guidance notes, is there a reasonable likelihood of the following being affected adversely or conserved and enhanced within the application site, OR on land adjacent to or near the application site:

a) Protected and priority species

- Yes, on the development site
 Yes, on land adjacent to or near the proposed development
 No

b) Designated sites, important habitats or other biodiversity features

- Yes, on the development site
 Yes, on land adjacent to or near the proposed development
 No

c) Features of geological conservation importance

- Yes, on the development site
 Yes, on land adjacent to or near the proposed development
 No

14. Existing Use

Please describe the current use of the site:

The site is currently vacant

Is the site currently vacant?

- Yes
 No

If Yes, please describe the last use of the site:

AXA Technology Services Building

When did this use end (if known) (DD/MM/YYYY)?

Does the proposal involve any of the following?

If yes, you will need to submit an appropriate contamination assessment with your application.

Land which is known to be contaminated?

- Yes
 No

Land where contamination is suspected for all or part of the site?

- Yes
 No

A proposed use that would be particularly vulnerable to the presence of contamination?

- Yes
 No

15. Trees and Hedges

Are there trees or hedges on the proposed development site?

- Yes
 No

And/or: Are there trees or hedges on land adjacent to the proposed development site that could influence the development or might be important as part of the local landscape character?

- Yes
 No

If Yes to either or both of the above, you may need to provide a full Tree Survey, at the discretion of your local planning authority. If a Tree Survey is required, this and the accompanying plan should be submitted alongside your application. Your local planning authority should make clear on its website what the survey should contain, in accordance with the current 'BS5837: Trees in relation to design, demolition and construction - Recommendations'.

16. Trade Effluent

Does the proposal involve the need to dispose of trade effluents or waste?

- Yes
 No

17. Residential Units

Does your proposal include the gain or loss of residential units?

- Yes
 No

Market Housing - Proposed					
	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					
Cluster Flats					

Market Housing - Existing					
	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					
Cluster Flats					

17. Residential Units

Market Housing - Proposed					
	Number of bedrooms				
	1	2	3	4+	Unknown
Flats/Maisonettes					
Houses					
Live-Work Units					
Sheltered Housing					
Unknown					

Proposed Market Housing Total

Social Rented Housing - Proposed					
	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					
Cluster Flats					
Flats/Maisonettes					
Houses					
Live-Work Units					
Sheltered Housing					
Unknown					

Proposed Social Housing Total

Intermediate Housing - Proposed					
	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					
Cluster Flats					
Flats/Maisonettes					
Houses					
Live-Work Units					
Sheltered Housing					
Unknown					

Proposed Intermediate Housing Total

Key Worker Housing - Proposed					
	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					
Cluster Flats					
Flats/Maisonettes					
Houses					
Live-Work Units					
Sheltered Housing					
Unknown					

Proposed Key Worker Housing Total

Market Housing - Existing					
	Number of bedrooms				
	1	2	3	4+	Unknown
Flats/Maisonettes					
Houses					
Live-Work Units					
Sheltered Housing					
Unknown					

Existing Market Housing Total

Social Rented Housing - Existing					
	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					
Cluster Flats					
Flats/Maisonettes					
Houses					
Live-Work Units					
Sheltered Housing					
Unknown					

Existing Social Housing Total

Intermediate Housing - Existing					
	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					
Cluster Flats					
Flats/Maisonettes					
Houses					
Live-Work Units					
Sheltered Housing					
Unknown					

Existing Intermediate Housing Total

Key Worker Housing - Existing					
	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					
Cluster Flats					
Flats/Maisonettes					
Houses					
Live-Work Units					
Sheltered Housing					
Unknown					

Existing Key Worker Housing Total

18. All Types of Development: Non-residential Floorspace

Does your proposal involve the loss, gain or change of use of non-residential floorspace?

Yes No

18. All Types of Development: Non-residential Floorspace

Use Class/type of use	Existing gross internal floorspace (square metres)	Gross internal floorspace to be lost by change of use or demolition (square metres)	Total gross new internal floorspace proposed (including changes of use) (square metres)	Net additional gross internal floorspace following development (square metres)
C2 - Residential institutions	0	0	7,299	7,299
Total	0	0	7,299	7,299

For hotels, residential institutions and hostels, please additionally indicate the loss or gain of rooms:

Use Class/types of use	Existing rooms to be lost by change of use or demolition	Total rooms proposed (including changes of use)	Net additional rooms

19. Employment

If known, please complete the following information regarding employees:

	Full-time	Part-time	Equivalent number of full-time
Proposed employees			18

20. Hours of Opening

If known, please state the hours of opening (e.g. 15:30) for each non-residential use proposed:

Use	Monday to Friday		Saturday		Sunday and Bank Holidays		Not Known
	Start Time	End Time	Start Time	End Time	Start Time	End Time	
C2							<input checked="" type="checkbox"/>

21. Site Area

What is the site area?

22. Industrial or Commercial Processes and Machinery

Please describe the activities and processes which would be carried out on the site and the end products including plant, ventilation or air conditioning. Please include the type of machinery which may be installed on site:

Is the proposal for a waste management development?

Yes No

If this is a landfill application you will need to provide further information before your application can be determined. Your waste planning authority should make clear what information it requires on its website.

23. Hazardous Substances

Is any hazardous waste involved in the proposal?

Yes No

A. Toxic substances

Amount held on site

Tonne(s)

B. Highly reactive/explosive substances

Amount held on site

Tonne(s)

23. Hazardous Substances

C. Flammable substances (unless specifically named in parts A and B)

Amount held on site

Tonne(s)

24. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

Yes No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact? (Please select only one)

The agent The applicant Other person

25. Certificates (Certificate A)

Certificate of Ownership - Certificate A Town and Country Planning (Development Management Procedure) (England) Order 2015 Certificate under Article 14

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/the applicant was the owner (*owner is a person with a freehold interest or leasehold interest with at least 7 years left to run*) of any part of the land to which the application relates, and that none of the land to which the application relates is, or is part of, an agricultural holding ("*agricultural holding*" has the meaning given by reference to the definition of "*agricultural tenant*" in section 65(8) of the Act).

Title: First name: Surname:

Person role: Declaration date: Declaration made

26. Declaration

I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.



Date



Town and Country Planning Act 1990

Town and Country Planning (Development Management Procedure) (England) Order 2015

Full Planning Permission Approved with 106 Agreement

Part 1 - Particulars of Application

Application Number: 17/0738

Location: AXA DATA CENTRE, WEST CLIFFE, LYTHAM ST ANNES, FY8 5DR

Description: DEVELOPMENT OF SPECIALIST ACCOMMODATION FOR THE ELDERLY
CONSISTING OF 65 APARTMENTS WITH CARE, COMMUNAL FACILITIES,
PARKING AND ASSOCIATED PRIVATE AMENITY SPACE

Part 2 - Particulars of Decision

The Fylde Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that **PERMISSION HAS BEEN GRANTED SUBJECT TO A 106 AGREEMENT** for the carrying out of development referred to in Part 1 hereof in accordance with the development proposal specified on your submitted application form and the relevant plan (s) subject to the following conditions(s) and reasons(s):

- 1 The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 This permission relates to the following plans:

- Location Plan drawing number 09992-P1-101.
- Site Plan drawing number 09992-P1-103 rev B.
- Building Elevations drawing number 09992-P1-131 rev B.
- Floor Plans 1 General Arrangement drawing number 09992-P1-121.
- Floor Plans 2 General Arrangement drawing number 09992-P1-122.
- Landscape Strategy drawing number 09992-P1-141 rev A.
- Comparative Elevations 1 09992-P1-111 rev A.
- Comparative Elevations 2 09992-P1-112 rev A.
- Comparative Elevations 1 09992-P1-113 rev A.
- Comparative Elevations 1 09992-P1-114 rev A.

Reason: To clarify the terms of this consent.

- 3 Notwithstanding the submitted details, prior to commencement of the development hereby approved, representative samples of the external construction materials shall be submitted to and

approved in writing by the Local Planning Authority. The approved details shall be used in construction of the development.

Reason: To provide sufficient clarity over the construction materials and in the interests of visual amenity for the development, in accordance with Policy HL2 of the Fylde Borough Local Plan.

- 4 Notwithstanding the submitted details, details of finished floor levels and external ground levels for the development shall be submitted to and approved in writing by the Local Planning Authority before any development at that plot takes place. The development shall thereafter be implemented in accordance with the duly approved details.

Reason: In order to ensure a satisfactory relationship between the new dwellings and their surroundings (including buildings and the street scene) and to ensure that the development is not at risk of flooding, in accordance with Policy HL2 and EP30 of the adopted Fylde Borough Local Plan (October 2005) and the National Planning Policy Framework.

- 5 Notwithstanding the submitted details, prior to commencement of the development hereby approved, detailed design of the external balcony structures shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

Reason: To provide sufficient clarity over the construction materials and in the interests of visual amenity for the development, in accordance with Policy HL2 of the Fylde Borough Local Plan.

- 6 Notwithstanding the submitted details, prior to commencement of the development hereby approved, detailed design of the external bin store shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

Reason: To provide sufficient clarity over the construction materials and in the interests of visual amenity for the development, in accordance with Policy HL2 of the Fylde Borough Local Plan.

- 7 Notwithstanding the submitted details, prior to commencement of the development hereby approved, detailed design of all windows within the development shall be submitted to and approved in writing by the Local Planning Authority. The submitted details should provide for frame size and colour, heads and cills, and, a 75mm reveal. The development shall be constructed in accordance with the approved details.

Reason: To provide sufficient clarity over the construction materials and in the interests of visual amenity for the development, in accordance with Policy HL2 of the Fylde Borough Local Plan.

- 8 Prior to commencement of the development hereby approved, a scheme for construction of the site access and off site highway improvements works shall be submitted to and approved in writing by the Local Planning Authority. The off-site highway works shall include:
1. Improvements to facilitate the re-prioritisation of the Wharf Street and North Warton Street junction.

The approved scheme shall be implemented prior to first occupation of the development and retained thereafter

Reason: In order to secure improvements to the highway network to ensure safe and convenient access and circulation for vehicle traffic in the interests of road safety, in accordance with Policy HL2 and TR1 of the adopted Fylde Borough Local Plan (October 2005) and the National Planning Policy Framework.

- 9 No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The CMS shall include details of the following: -

- The parking of vehicles of site operatives and visitors.
- Loading and unloading of plant and materials.

- Storage of plant and materials used in constructing the development.
- Provision of any porta cabins on the site.
- The erection and maintenance of security hoarding.
- Periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made).
- Routes to be used by vehicles carrying plant and materials to and from the site.
- Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.
- Wheel wash facilities.
- Measures to control noise, dust and vibration.

The duly approved CMS shall be adhered to throughout the construction period.

Reason: In order to ensure that appropriate measures are put in place to limit noise, nuisance and disturbance to the occupiers of neighbouring dwellings during the construction of the development, in accordance with Policy HL2 and EP27 of the adopted Fylde Borough Local Plan (October 2005) and the National Planning Policy Framework.

- 10 Prior to first occupancy of the development hereby approved, the private car parking and manoeuvring areas must be marked out in accordance with the approved plan, and permanently maintained thereafter.

Reasons: In the interests of highway safety, in accordance with Policy HL2 of the adopted Fylde Borough Local Plan (October 2005) and the National Planning Policy Framework.

- 11 The pedestrian link to the adjacent site to the west, as detailed on the Site Plan drawing number 09992-P1-103 revision B, shall be provided prior to first occupation of the development hereby approved and retained thereafter, unless otherwise agreed in writing by the Planning Authority.

Reason: To ensure satisfactory pedestrian access arrangements, in accordance with Policy HL2 of the adopted Fylde Borough Local Plan (October 2005) and the National Planning Policy Framework.

- 12 The 10 resident parking spaces opposing 7 to 15 Wharf Street (odds only), as detailed on the Site Plan drawing number 09992-P1-103 revision B, shall be provided prior to occupation of the development hereby approved and retained thereafter. Signage requiring use of these spaces for the sole use by residents of Wharf Street shall also be erected prior to occupation of the development hereby approved and retained thereafter.

Reason: To ensure satisfactory parking arrangements for residents adjacent to the site, and, access arrangements, in accordance with Policy HL2 of the adopted Fylde Borough Local Plan (October 2005) and the National Planning Policy Framework.

- 13 Prior to commencement of the development hereby approved, a scheme of boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to occupation of the development and retained thereafter.

Reason: In the interests of visual amenity, in accordance with Policy HL2 and HL6 of the adopted Fylde Borough Local Plan (October 2005) and the National Planning Policy Framework.

- 14 Notwithstanding any details shown on the approved plans, prior to commencement of the development hereby approved, a hard and soft landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The soft landscaping scheme shall ensure retention of all trees and hedgerows identified on the Tree Retention Plan drawing number 7795-A-03 (Arboricultural Assessment, FPCR, August 2017), as well as the type, species, siting, planting distances and the programme of planting of trees, hedges and shrubs for additional landscaping within the development.

The development shall be implemented in accordance with the agreed hard landscaping scheme. The agreed soft landscaping scheme shall be carried out during the first planting season after the development is substantially completed and the areas which are landscaped shall be retained as

landscaped areas thereafter. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure appropriate landscaping of the site in the interests of visual amenity, to enhance the character of the street scene and to provide biodiversity enhancements, in accordance with Policy HL2, EP14 and EP18 of the adopted Fylde Borough Local Plan (October 2005) and the National Planning Policy Framework.

- 15 There shall be no lopping, topping or felling of any trees or hedgerow on or overhanging the site unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to protect the existing trees on the site and to ensure satisfactory landscaping of the site in the interests of visual amenity, in accordance with Policy EP12 and EP14 of the adopted Fylde Borough Local Plan (October 2005) and the National Planning Policy Framework.

- 16 No clearance of trees and shrubs in preparation for or during the course of development shall take place during the bird nesting season (March to July inclusive) unless an ecological survey has first been submitted to and approved in writing by the Local Planning Authority which demonstrates that the vegetation to be cleared is not utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no clearance of trees and shrubs shall take place until a methodology for protecting nest sites during the course of the development has been submitted to and approved in writing by the Local Planning Authority. Nest site protection shall thereafter be provided in accordance with the duly approved methodology.

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with Fylde Borough Local Plan policy EP19, the provisions of the Wildlife and Countryside Act 1981 (as amended), in accordance with Policy EP19 of the adopted Fylde Borough Local Plan (October 2005) and the National Planning Policy Framework.

- 17 During construction of the development works on site shall be restricted to between the hours of:

08:00 - 18:00 Monday to Friday.

09:00 - 13:00 Saturday.

No on site works on Sundays or Bank Holidays.

Reason: To safeguard the amenity of neighbouring residents, in accordance with Policy HL2 of the adopted Fylde Borough Local Plan (October 2005) and the National Planning Policy Framework.

- 18 Prior to commencement of the development hereby approved, a scheme for provision of bat and bird boxes within the development shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to occupation of the development and retained thereafter.

Reason: To enhance the biodiversity value of the site, in accordance with Policy EP19 of the adopted Fylde Borough Local Plan (October 2005) and the National Planning Policy Framework.

- 19 Prior to commencement of the development hereby approved, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions, shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either

directly or indirectly. The development shall be completed in accordance with the approved details.

Those details shall include, as a minimum:

1. Information about the lifetime of the development, design storm period and intensity (1 in 30 & 1 in 100 year +30% allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD.
2. The drainage strategy should demonstrate that the surface water run-off must not exceed the pre-development greenfield runoff rate.
3. Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant).
4. Flood water exceedance routes, both on and off site.
5. A timetable for implementation, including phasing as applicable.
6. Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates.
7. Details of water quality controls, where applicable.

The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

Reason: To ensure that the development is not at risk of flooding and does not increase flood risk elsewhere, and that adequate measures are put in place for the disposal of foul and surface water, in accordance with Policies EP25 and EP30 of the adopted Fylde Borough Council Local Plan as altered (October 2005) and the National Planning Policy Framework.

20 None of the dwellings hereby approved shall be first occupied until details of a management and maintenance scheme for the surface water drainage system to be installed has been submitted to and approved in writing by the Local Planning Authority. The scheme shall cover the full lifetime of the drainage system and, as a minimum, shall include:

1. Arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a Residents Management Company.
2. Arrangements concerning funding mechanisms for the ongoing maintenance of all elements of any sustainable drainage system (including mechanical components) to include details such as:
 - On-going inspections relating to performance and asset condition assessments;
 - Operation costs for regular maintenance, remedial works and irregular maintenance of limited life assets; and
 - Any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.
3. Means of access and easements for maintenance purposes;
4. A timetable for implementation.

The drainage system shall thereafter be installed in accordance with the details and timetable contained within the approved scheme, and shall be managed and maintained as such thereafter.

Reason: To ensure that satisfactory measures are put in place for the management and maintenance of any surface water drainage system throughout the lifetime of the development, to minimise the risk of flooding and to limit the potential for surcharging of the sewer network, in accordance with Policies EP25 and EP30 of the adopted Fylde Borough Council Local Plan as altered (October 2005) and the National Planning Policy Framework.

21 No development shall take place until an investigation and risk assessment has been submitted to and approved in writing by the Local Planning Authority to assess the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment must be

undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority before any development takes place. The submitted report shall include:

- (i) a survey of the extent, scale and nature of contamination
- (ii) an assessment of the potential risks to:
 - human health;
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes;
 - adjoining land;
 - groundwaters and surface waters;
 - ecological systems;
 - archaeological sites and ancient monuments.
- (iii) where unacceptable risks are identified, an appraisal of remedial options and proposal for the preferred option(s) to form a remediation strategy for the site.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report submitted to and approved in writing by the Local Planning Authority before the development is first occupied.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers, in accordance with Policy EP29 of the adopted Fylde Borough Local Plan (October 2005).

- 22 Once the development is operational, deliveries to or from the site, and, refuse collection from the site shall only take place between the hours of 07:00 - 21:00 Monday to Sunday.

Reason: To safeguard the amenity of neighbouring residents, in accordance with Policy HL2 of the adopted Fylde Borough Local Plan (October 2005) and the National Planning Policy Framework.

- 23 Obscure glazing to a minimum Pilkington Level 3 shall be inserted to windows in the eastern elevation of the building hereby approved, as detailed on drawing number 09992-P1-131 revision B. These windows shall be top hung only.

Any replacement glazing or window shall be of identical obscurity and top hung.

Reason: To safeguard the amenity of neighbouring residents, in accordance with Policy HL2 of the adopted Fylde Borough Local Plan (October 2005) and the National Planning Policy Framework.

- 24 The restaurant, hair salon and Spa uses shall remain ancillary to the specialist elderly accommodation hereby approved and shall only be available for use by those working at the premises, occupants of the development and their visitors.

Reason: In order to avoid conflict with town centre retail policies and substandard car parking provision on the site to cater for any general use by the public, in accordance with Policies HL2 and SH15 of the adopted Fylde Borough Council Local Plan (October 2015).

SUMMARY OF RELEVANT POLICIES & GUIDANCE

This decision has been made having regard to the guidance provided by the National Planning Policy Framework and the policies contained within the adopted Development Plan which comprises the saved policies of: the Fylde Borough Local Plan and all other relevant planning guidance and in particular policies:

Fylde Borough Local Plan:

- EP01 Environmental Improvement Schemes
- EP10 Protection of important landscape and habitat features

EP11	Building design & landscape character
EP13	Planting of trees, hedgerows and woodland
EP14	Landscaping of new developments
EP19	Protected species
EP23	Pollution of surface water
EP24	Pollution of ground water
EP30	Development within floodplains
HL02	Development control criteria for new housing proposals
HL06	Design of residential estates
TR09	Car parking within new developments
TREC17	Public Open Space within New Housing Developments

Fylde Local Plan to 2032:

DLF1	Development Locations for Fylde
ENV2	Biodiversity
ENV4	Provision of New Open Space
GD7	Achieving Good Design in Development
H2	Density and Mix of New Residential Development
H4	Affordable Housing
HW1	Health and Wellbeing
INF1	Service Accessibility and Infrastructure
INF2	Developer Contributions
S1	Proposed Settlement Hierarchy
SL1	Lytham and St Annes Strategic Location for Development
SL5	Development Sites outside Strategic Locations for Devt

Informative notes:

1. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. This has been demonstrated by:
 1. Actively engaging in pre-application discussions with the applicant to try and find solutions to problems.
 2. Providing advice to the applicant/agent during the course of the application on potential problems and possible solutions.
 3. Securing revised plans during the course of the application which have overcome initial problems.

Date of Decision: 05/03/2018

Signed:



Mr P. Walker
Director of Development Services
Fylde Borough Council
Town Hall
Lytham St Annes, FY8 1LW

Mr Green
Gladman Care Homes Ltd
Gladman House
Alexandria Way
Congleton Business Park
Congleton
CW12 1LB

IMPORTANT – PLEASE CAREFULLY READ THE NOTES BELOW AS FAILURE TO COMPLY COULD MAKE THE DEVELOPMENT UNAUTHORISED

- 1) These notes should be read in conjunction with the decision notice issued by the Local Planning Authority in respect of the application which you have recently submitted to the Council.

IN CASES WHERE PERMISSION/CONSENT HAS BEEN GRANTED

- 2) Any permission/consent is granted on the basis of the approved plans listed in the decision notice. The development should be undertaken in strict accordance with the approved plans, as any deviation will constitute unauthorised development which may be liable to enforcement action. Any amendments to the approved plans are likely to require the submission of a further application to the Council. Should such changes be desired, you are advised to contact the Development Management Service to determine the most appropriate means by which any revisions could be considered.
- 3) Any permission/consent granted is subject to the conditions set out in the decision notice and it is the responsibility of the developer to ensure that these conditions are fully complied with. Any conditions that require work to be carried out or details to be approved before any development can take place form a “condition precedent”. If a condition precedent is not complied with, the whole of the development will be unauthorised and may result in enforcement action being taken by the Council.
- 4) The applicant is reminded of the need to obtain formal approval of those details required by the conditions of any planning permission/consent before development may lawfully commence on the site (or any other relevant trigger as set out in each condition). Formal applications for the approval of matters reserved by condition are currently subject to fees (per request) of £34 for householder applications and £116 in all other cases. Any breach of the imposed conditions may leave you liable to enforcement action or may require you to submit a new application in order to regularise any unauthorised works.
- 5) If the applicant is aggrieved by any of the conditions imposed as part of the planning permission, they may appeal to the Planning Inspectorate. Any appeal against the grant of permission subject to conditions to which the applicant objects needs to be made within 6 months of the date on the decision notice.
- 6) In undertaking any development you should ensure that you have also secured any necessary approval under the Building Regulations or any other approvals or consents required including consent from the landlord or obligations under the Party Wall Act.
- 7) For developments that need a new address or address change, please contact addresses@fylde.gov.uk or 01253 658515. New addresses need to be made as early as possible to arrange for Utility connections.

IN CASES WHERE PERMISSION/CONSENT HAS BEEN REFUSED

8) If the applicant is aggrieved by the decision of the Local Planning Authority to refuse planning permission/consent, they may appeal to the Planning Inspectorate. The relevant time limits to lodge an appeal following the Local Planning Authority's refusal of permission/consent are as follows:

- a) For **householder** planning applications – **12 weeks** from the date on the decision notice.
- b) For **advertisement** consent applications – **8 weeks** from the date on the decision notice.
- c) For **minor commercial** development applications – **12 weeks** from the date on the decision notice.
- d) For **any other** types of planning application – **6 months** from the date on the decision notice.

SAVE THAT in circumstances **where an enforcement notice has been served** for the same or very similar development, the time limit to lodge an appeal (in all cases) is:

- within **28 days** from the date of the Local Planning Authority's decision if the enforcement notice was served before the decision was made, yet not longer than 2 years before the application was made.
- within **28 days** from the date the enforcement notice was served if served on or after the date the decision was made (unless this extends the normal appeal period).

Appeals must be made directly to the Planning Inspectorate and can be dealt with by exchange of written statements or heard before an Inspector at an Informal Hearing or at a Public Inquiry. Further information regarding the appeals process (including application forms) can be obtained from the Planning Inspectorate via their website - <https://www.gov.uk/planning-inspectorate>.

HLS4



Town and Country Planning Act 1990

Town and Country Planning (Development Management Procedure) (England) Order 2015

Full Planning Permission Approved with 106 Agreement

Part 1 - Particulars of Application

Application Number: 16/0061

Location: LAND AT ROSEACRE, WILDINGS LANE, LYTHAMST ANNES, FY8 3RJ

Description: ERECTION OF 45 DWELLING HOUSES AND ASSOCIATED PUBLIC OPEN SPACE, AND ENHANCEMENT TO WILDINGS LANE, FOLLOWING DEMOLITION AND REMOVAL OF EXISTING DWELLING, STABLES, MENAGE AND PADDOCKS.

Part 2 - Particulars of Decision

The Fylde Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that **PERMISSION HAS BEEN GRANTED SUBJECT TO A 106 AGREEMENT** for the carrying out of development referred to in Part 1 hereof in accordance with the development proposal specified on your submitted application form and the relevant plan (s) subject to the following conditions(s) and reasons(s):

- 1 The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 This consent relates to the following details:

Approved plans:

Site Location Plan
Revised Access Plan – J614 –Access-flg1
Proposed Site Plan – A2A.15.702_202 Revision E
Proposed strip elevations – A2A.15.702_303 Revision D
Proposed strip elevations – A2A.15.702_302 Revision D
Proposed strip elevations – A2A.15.702_301 Revision D
House types – A2A.15.702_101
A2A.15.702_102
A2A.15.702_103
A2A.15.702_104
A2A.15.702_105
A2A.15.702_106

A2A.15.702_107
A2A.15.702_108
A2A.15.702_109
A2A.15.702_1010
A2A.15.702_1011

Reason: For the avoidance of doubt and as agreed with the applicant / agent.

- 3 Notwithstanding any denotation on the approved plans samples of the roof treatment and wall cladding [both inclusive of colour] shall be submitted to and approved by the Local Planning Authority no later than 21 days prior to the commencement of any built development works on site. Thereafter only those approved materials shall be used in the development unless otherwise agreed in writing with the Authority.

Such details are not shown on the application and must be agreed to ensure a satisfactory standard of development.

- 4 Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed in accordance with the approved details.

Those details shall include, as a minimum:

- a. Information about the lifetime of the development, design storm period and intensity (1 in 30 & 1 in 100 year +30% allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
- b. The drainage strategy should demonstrate that the surface water run-off must not exceed the pre-development greenfield runoff rate.
- c. Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- d. Flood water exceedance routes, both on and off site;
- e. A timetable for implementation, including phasing as applicable;
- f. Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
- g. Details of water quality controls, where applicable.

The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.

- 5 Prior to the commencement of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the Local Planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:
- a. The arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a Resident's Management Company; and
 - b. Arrangements concerning appropriate funding mechanisms for its ongoing maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as ongoing inspections relating to performance and asset condition assessments, operation costs, regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development

- 6 No development shall commence until details of the finished floor levels have been submitted to, and approved in writing by, the local planning authority. The development shall be constructed in accordance with the approved details.

Reason: For the avoidance of doubt, to comply with the requirements of the flood risk assessment Wildings Lane, Lytham St Anne's by Atmos Consulting, December 2015, and to ensure a satisfactory standard of development.

- 7 No part of the development hereby approved shall commence until a scheme for the construction all site access and the off-site works of highway improvement have been submitted to, and approved by the Local Planning Authority in consultation with the Highway Authority. The site accesses and off-site highway works shall be completed before the development is first occupied unless otherwise agreed in writing by the Local Planning Authority. The following schemes to be covered by this condition include:

- The Main Site access junction off Wildings Lane and associated improvement works on Wildings Lane as agreed 'in principle' subject to detailed design and shown in revised site access plan (Drawing No. J614_Access-fig1, dated 13/07/2016),
- Introduction of MOVA at St Annes Road East signalised junction with St David Road; and
- Introduction of MOVA at St Annes Road East and Church Road

The scheme shall include a phasing plan for these works and shall be implemented in accordance with this agreed phasing.

(Note: Delivering these s278 works may require a review, consultation and implementation of new/or changes to TROs; the full cost for these to be funded by the developer.)

Reason: In order to satisfy the Local Planning Authority and the Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site. Also, in order to provide safe access to the site for all users (motorised and non-motorised).

- 8 The Framework Travel Plan as agreed must be implemented in full in accordance with the timetable within it unless otherwise agreed in writing with the Local Planning Authority. All elements shall continue to be implemented at all times thereafter for as long as any part of the development is occupied or used/for a minimum of at least 5 years.

Reason: To ensure that the development provides sustainable transport options.

- 9 No development of any phase shall take place until a Construction Environmental Management Plan (CEMP), for the construction and operation of that proposed phase of development, is submitted to and approved by the Local Planning Authority. The plan shall detail:
- a. how biodiversity would be protected throughout the construction period
 - b. the potential impacts from all construction activities on both groundwater, public water supply and surface water and identify the appropriate mitigation measures necessary to protect and prevent pollution of these waters
 - c. the parking of vehicles of site operatives and visitors;
 - d. loading and unloading of plant and materials;
 - e. storage of plant and materials used in constructing the development;
 - f. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - g. wheel washing facilities to be retained throughout the construction period by which means the wheels of vehicles may be cleaned before leaving the site;
 - h. a scheme for recycling/disposing of waste resulting from construction work (there shall be no burning on site);
 - i. a Management Plan to identify potential ground and water contaminants;
 - j. details for their storage and how water courses will be protected against spillage incidents and pollution during the course of construction;
 - k. a scheme to control noise during the construction phase,
 - l. the routing of construction vehicles and deliveries to site including the direction of construction traffic

The development shall then proceed in full accordance with this approved plan.

Reason: In order to safeguard the biodiversity of the site, protect the water environment and public drinking water supplies, and to maintain the operation and safety of the local highway network, and to minimise the risk of pollution to occupiers of nearby buildings during site preparation and construction, in accordance with the provisions of the NPPF.

- 10 There shall not at any time in connection with the development hereby permitted be planted hedges, trees or shrubs within any visibility splay required to maintain safe operation for all users.

Reason: To ensure adequate visibility splays are maintained at all time.

- 11 Prior to the commencement of works there shall be a further precautionary inspection/survey of ditches to inform any change in the habitat quality for and use by water voles. The report of the survey (together with proposals for mitigation/compensation, if required) shall be submitted to Fylde Borough Council for approval in consultation with specialist advisors. Any necessary and approved measures for the protection of Water Vole will be implemented in full.

Reason: In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.

- 12 No tree felling, vegetation clearance works, demolition work or other works that may affect nesting birds shall take place between 1st March and 31st August inclusive, unless surveys by a competent ecologist show that nesting birds would not be affected.

Reason: In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.

- 13 The precautions for avoidance of possible harm to bats as detailed in section 7.2.2 of the 'Atmos'

ecological survey report dated October 2015 shall be implemented in full throughout construction of the development.

Reason: In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.

- 14 All existing lengths of hedgerow within the proposed residential development area shall be retained, except for where their removal is required for the formation of access points or visibility splays or in other limited circumstances where an equivalent or greater length of hedge is provided as a replacement and has been previously agreed in writing by the Local Planning Authority. No removal, relaying or works to existing hedgerows shall be carried out between March and August inclusive in any one year unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.

- 15 Prior to the commencement of development a plan shall be provided to the Local Planning Authority for approval in writing in consultation with Natural England which clearly identified the area in the north east corner of the site where no construction works shall be undertaken between the 28th/29th February and 30th September of any year.

Reason: In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.

- 16 Notwithstanding the approved plans prior to the commencement of development full details of all boundary treatments shall be submitted for approval in writing to the Local Planning Authority. For the avoidance of doubt this shall include details of signage on appropriate boundaries to highlight the importance and sensitivity of the surrounding area and that fences shall be dog proof to prevent dogs accessing adjacent land independently.

Reason: In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.

- 17 Prior to occupation of the dwellings hereby approved full details of a homeowner's pack that will be made available to new and future homeowners, which would highlight and explain the sensitivity of the surrounding areas, the importance of keeping dogs on a lead and identifying other suitable recreational areas locally shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.

- 18 Prior to the commencement of development the applicant shall submit a piling method statement in accordance with BS 7385: Part 2 and assessed to BS 5228 part 4 (enables a prediction to be made of the peak particle velocities from piling) for the effects of vibration on Buildings and Structure and also human health for approval in writing to the Local Planning Authority. For the avoidance of doubt the method statement shall include the predictions and any necessary mitigation; proposals for monitoring the vibration during the work program at noise sensitive properties; making local residents aware of times, duration and contact details of anyone on site during the work. This in accordance with the general time restrictions to be imposed on the construction site.

Reason: In the interests of residential amenity.

- 19 Construction phase (noise and vibration) levels shall not exceed 5mm/sec at the nearest sensitive premises as a result. This level is deemed to have a “moderate negative” impact on human health in accordance with BS 6472:19929

Reason: In the interests of residential amenity.

- 20 Notwithstanding the provision of Article 3, Schedule 2, Part 1, Class(es) A, B, C, D, E, F and G of the Town and Country Planning General Permitted Development Order 2015 [or any Order revoking or re-enacting that Order], no further development of the dwelling[s] or curtilage(s) relevant to those classes shall be carried out without Planning Permission.

To ensure that the Local Planning Authority has control over any future development of the dwelling[s] which may adversely affect the character and appearance of the dwelling[s] and the surrounding area.

- 21 No development shall take place until full details of scheme indicating areas of public open space and / or children's play areas have been submitted to and approved by the Local Planning Authority. Such a scheme should make provisions in accordance the Council's adopted policy on public open space in terms of layout and requirements.

To ensure adequate on site play space.

- 22 Prior to the commencement of the development, the developer must contact the Safeguarding Team, Blackpool Airport, Squires Gate Lane, Blackpool, FY4 2QY (Tel: 01253 472527 or by email to safeguarding@blackpoolairport.com) if any equipment to be used during construction will exceed the maximum height of the finished development (eg tower cranes, piling rigs). Notification of the equipment shall be made in writing and include:
- its position (OSGB grid coordinates to 6 figures each of Eastings and Northings);
 - height above ordnance datum;
 - anticipated dates on site;
 - emergency contact numbers for the crane operator and site manager

Reason: In the interests of aviation safety.

- 23 Prior to the commencement of development on the site a scheme shall be submitted to the Local Planning Authority for approval in writing that includes full details of the following mitigation actions specified in the ATMOS Bird Hazard Risk Assessment;
- The process for the attendance of Bird Control at the site, when triggered by the presence of birds at levels described in the ATMOS Assessment and details of the provisions for this.
 - The process for site surveys as detailed in the mitigation actions specified in the Bird Hazard Risk Assessment and provide the results of said surveys to the Local Planning Authority for review in consultation with Blackpool Airport.
 - Full details of the Homeowners Pack and the signage around the development site.
 - Full details of the proposed landscaping.

The proposed development and mitigation shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of aviation safety.

SUMMARY OF RELEVANT POLICIES & GUIDANCE

This decision has been made having regard to the guidance provided by the National Planning Policy Framework and the policies contained within the adopted Development Plan which comprises the saved policies of: the Fylde Borough Local Plan and all other relevant planning guidance and in particular policies:

Fylde Borough Local Plan:

- EP11 Building design & landscape character
- EP14 Landscaping of new developments
- EP19 Protected species
- EP22 Protection of agricultural land
- EP23 Pollution of surface water
- EP24 Pollution of ground water
- EP25 Development and waste water
- HL02 Development control criteria for new housing proposals
- SP02 Development in countryside areas
- TREC17 Public Open Space within New Housing Developments

Fylde Local Plan to 2032:

Informative notes:

1. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area
2. The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact the Lancashire County Council, Highways in the first instance, to ascertain the details of such an agreement and the information to be provided.
3. The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act.
4. Traffic Regulation Orders, diversions of Public Rights of Way, Stopping Up of existing highway, changes to public transport scheduling/routing and other activities require separate statutory consultation processes beyond the planning application process. The applicant will be obliged to meet all the costs associated with these of works and ensure that any works which rely upon them do not commence until all legal processes have been satisfactorily completed.

Signed:



Mr P. Walker
Director of Development Services
Fylde Borough Council
Town Hall
Lytham St Annes, FY8 1LW

Mr Gee
Roman Summer Associates Ltd
LIME LEACH STUDIO
363 - 367 ROCHDALE ROAD
TURN VILLAGE
RAMSBOTTOM, BURY, Lancashire
BL0 0RL

**IMPORTANT – PLEASE CAREFULLY READ THE NOTES BELOW AS FAILURE TO COMPLY COULD
MAKE THE DEVELOPMENT UNAUTHORISED**

- 1) These notes should be read in conjunction with the decision notice issued by the Local Planning Authority in respect of the application which you have recently submitted to the Council.

IN CASES WHERE PERMISSION/CONSENT HAS BEEN GRANTED

- 2) Any permission/consent is granted on the basis of the approved plans listed in the decision notice. The development should be undertaken in strict accordance with the approved plans, as any deviation will constitute unauthorised development which may be liable to enforcement action. Any amendments to the approved plans are likely to require the submission of a further application to the Council. Should such changes be desired, you are advised to contact the Development Management Service to determine the most appropriate means by which any revisions could be considered.
- 3) Any permission/consent granted is subject to the conditions set out in the decision notice and it is the responsibility of the developer to ensure that these conditions are fully complied with. Any conditions that require work to be carried out or details to be approved before any development can take place form a “condition precedent”. If a condition precedent is not complied with, the whole of the development will be unauthorised and may result in enforcement action being taken by the Council.
- 4) The applicant is reminded of the need to obtain formal approval of those details required by the conditions of any planning permission/consent before development may lawfully commence on the site (or any other relevant trigger as set out in each condition). Formal applications for the approval of matters reserved by condition are currently subject to fees (per request) of £28 for householder applications and £97 in all other cases. Any breach of the imposed conditions may leave you liable to enforcement action or may require you to submit a new application in order to regularise any unauthorised works.
- 5) If the applicant is aggrieved by any of the conditions imposed as part of the planning permission, they may appeal to the Planning Inspectorate. Any appeal against the grant of permission subject to conditions to which the applicant objects needs to be made within 6 months of the date on the decision notice.
- 6) In undertaking any development you should ensure that you have also secured any necessary approval under the Building Regulations or any other approvals or consents required including consent from the landlord or obligations under the Party Wall Act.
- 7) For developments that need a new address or address change, please contact addresses@fylde.gov.uk or 01253 658515. New addresses need to be made as early as possible to arrange for Utility connections.

IN CASES WHERE PERMISSION/CONSENT HAS BEEN REFUSED

- 8) If the applicant is aggrieved by the decision of the Local Planning Authority to refuse planning permission/consent, they may appeal to the Planning Inspectorate. The relevant time limits to lodge an appeal following the Local Planning Authority's refusal of permission/consent are as follows:
- a) For **householder** planning applications – **12 weeks** from the date on the decision notice.
 - b) For **advertisement** consent applications – **8 weeks** from the date on the decision notice.
 - c) For **minor commercial** development applications – **12 weeks** from the date on the decision notice.
 - d) For **any other** types of planning application – **6 months** from the date on the decision notice.

SAVE THAT in circumstances **where an enforcement notice has been served** for the same or very similar development, the time limit to lodge an appeal (in all cases) is:

- within **28 days** from the date of the Local Planning Authority's decision if the enforcement notice was served before the decision was made, yet not longer than 2 years before the application was made.
- within **28 days** from the date the enforcement notice was served if served on or after the date the decision was made (unless this extends the normal appeal period).

Appeals must be made directly to the Planning Inspectorate and can be dealt with by exchange of written statements or heard before an Inspector at an Informal Hearing or at a Public Inquiry. Further information regarding the appeals process (including application forms) can be obtained from the Planning Inspectorate via their website - <https://www.gov.uk/planning-inspectorate>.

HLS5

Stephen Harris

From: Alexis De Pol <alexis@depol.co.uk>
Sent: 21 January 2020 19:42
To: Andrew Stell
Cc: Nathan Tonge
Subject: FW: Hole in one - 19/0640

Hi Andrew

Nathan has copied me into your email below, where you refer to having not instructed the Council's valuers as you are waiting for a response to an email back in December. Your December email raises two points on affordable housing (AH).

1. It refers to NPPF para 64 and a need for 10% provision in all cases. You will recall we had a telephone discussion on this matter prior to Committee, where I highlighted that we fundamentally disagree with your interpretation of the NPPF in this regard. I also see no reason why this matter needs to be resolved prior to your instruction of a valuer to consider the submitted viability case. Nevertheless, I reiterate our interpretation of NPPF 64 later in this email.
2. It raises a query over the calculation of the scale of the proposed building in relation to Vacant Building Credit (VBC). Again, this is a separate issue to considering the viability evidence although I address your comments below.

At no time previously have you suggested that the above issues need resolving before you can instruct the valuer. When we spoke prior to Committee you confirmed that the reason you were not instructing the valuer was that you wanted to wait until the Committee had confirmed they were ok with the principle of development, which has been confirmed. VBC and NPPF para 64 are issues for consideration once we have fully explored viability and in this regard they may even prove academic. Nevertheless I address your comments below.

NPPF 64

The glossary at Annex 2 defines affordable housing as housing for sale or rent, before providing more detailed definitions. These run from definition a) which is affordable housing for rent, through to definition d) which is other affordable routes to home ownership. This is relevant as paragraph 64 states "*Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership²⁹, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups.*" It is clear therefore that paragraph 64 is specifically referring to affordable home ownership and not affordable housing generally. It is also relevant that the sentence has to be read alongside footnote 29, which states "*As part of the overall affordable housing contribution from the site*".

The 10% reference therefore means 10% of the overall affordable housing contribution has to be in the form of affordable ownership products. This is part of the Government drive to boost the provision of affordable housing products aimed at 'affordable home ownership' rather than affordable housing contributions being restricted to 100% affordable rental products. What the paragraph is not saying is that at least 10% of housing schemes must comprise affordable housing irrespective of vacant building credit or viability cases. If this were intended to be the case paragraph 64 would have been more specific and there would also be corresponding text elsewhere in the NPPF and PPG, where reference is made to vacant building credit and viability.

I am happy to discuss this matter further, but as stated it is first relevant to have your feedback on the viability evidence submitted and it certainly doesn't need to be resolved prior to your valuers being instructed.

VBC

I have double checked the position and I agree that there is an error in the calculation as the floor space of the proposed apartments is higher than stated. It is however only the VBC calculation which is wrong in this regard, as you will note that the submitted proposed floor plans identify the individual floor areas for each apartment and that when added together this reflects the floor area in your email. The submitted viability statement by LWP is also based on the submitted plans, which are correct, not the figure in the VBC calculation which is incorrect. As highlighted, the VBC case is also a matter than isn't really relevant until the viability case has been considered and is likely to prove academic in any event.

I trust you will therefore proceed with instructing a valuer, or at least obtaining confirmation on fees, ASAP so that we can progress this matter.

Kind regards

Alexis

Alexis De Pol
BA(Hons) DipTP MRTPI
Managing Director

T. 01772 888488
E. alexis@depol.co.uk
www.depol.co.uk



De Pol Associates Limited - Farington House, Stanifield Business Park, Stanifield Lane, Farington, Leyland, Preston, PR25 4UA



From: Andrew Stell <andrew.stell@fylde.gov.uk>
Sent: 14 January 2020 20:55
To: Nathan Tonge <Nathan@depol.co.uk>
Subject: RE: Hole in one - 19/0640

Nathan

Thanks for that plan which I have added to the file and sent to LCC highways for their view. I have also chased LCC for their views on the bus subsidy which was requested by Committee as that has implications for the viability as it is one of the contributions that the development would be expected to provide.

With regards to the viability I have not yet progressed this as I am also awaiting a response to my email of 8 December which raises some queries over the calculations of the scale of the building used in the submission and so have implications for the extent of VBC that can be applied. As this also affects the viability I need to have clarity on this to enable a clear instruction to be given to the council's valuers on this.

I will also need an assurance that your client will meet the costs of that valuation before placing the instruction so I will contact them to gather that and then be in touch when I have the information.

Regards

Andrew

From: Nathan Tonge <Nathan@depol.co.uk>
Sent: 13 January 2020 11:47
To: Andrew Stell <andrew.stell@fylde.gov.uk>
Subject: Hole in one - 19/0640

Hi Andrew,

Please see attached an amended version of the layout relating to the above application, which takes into account LCC Highways comments as set out below:

- Inclusion of a 2m wide footpath on the eastern side of the western access, up to the first parking bay.
- Swept path analysis for the proposed eastern access for a rear twin axel refuse vehicle (11.2m long), entering and existing the site access with a car in the opposite lane and not crossing the centre line of Forest Drive.
- Extended footpath to the west of the eastern access to a minimum of 2m around the radius.
- Swept path analysis for a twin axel refuse vehicle (11.2m long) for the turning head area or provide a prescribes "Access Way" turning head from the LCC residential design guide

In respect of comments regarding the need need to relocate the refuse collection point at the eastern access – the attached shows the optimal location for a refuse vehicle to stop with the ability to cars to pass safely.

We would be grateful if you could confirm whether the amended layout is acceptable.

We are now keen to progress with this application and we would appreciate an update regarding viability matters.

Kind regards,

Nathan Tonge
BA(Hons) MSc
Assistant Planner

T. 01772 888488
E. nathan@depol.co.uk
www.depol.co.uk



De Pol Associates Limited - Farington House, Stanifield Business Park, Stanifield Lane, Farington, Leyland, Preston, PR25 4UA



Andrew Stell
Development Manager
t: 01253 658473
e: andrew.stell@fylde.gov.uk
Fylde Borough Council
www.fylde.gov.uk

Email Disclaimer



HLS6



Town and Country Planning Act 1990

Town and Country Planning (Development Management Procedure) (England) Order 2015

Outline Planning Permission Granted with Section 106

Part 1 - Particulars of Application

Application Number: 15/0114

Location: LAND ON THE NORTH & SOUTH SIDE OF OLD HOUSE LANE, WESTBY WITH PLUMPTONS

Description: **OUTLINE APPLICATION FOR MIXED USE DEVELOPMENT OF UP TO 265 DWELLINGS AND 1.5 HECTARES OF EMPLOYMENT DEVELOPMENT (CLASS B1A/B1B/B1C/B2/B8) WITH ACCESS FROM WESTBY CLOSE AND WITH EMERGENCY ACCESS FROM WESTBY CLOSE AND FROM THE WEST VIA LEA GREEN DRIVE AS REQUIRED. ALL MATTERS OTHER THAN ACCESS TO BE RESERVED**

Part 2 - Particulars of Decision

The Fylde Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that PERMISSION HAS BEEN GRANTED for the carrying out of the development referred to in Part 1 hereof subject to the following condition(s):

1. A subsequent application for the approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates:
 - [a] The expiration of five years from the date of this permission;
 - or
 - [b] The expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter approved.

Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.

2. Before any development is commenced (a) reserved matters application(s) must be submitted to and approved by the Local Planning Authority in respect of the following reserved matters:

Nos. (1,2,3 & 5)

- (Reserved matters are:-
1. Layout
 2. Scale
 3. Appearance
 4. Access
 5. Landscaping

This permission is an outline planning permission and details of these matters still remain to be submitted.

3. Prior to the commencement of any of the residential development hereby approved, a scheme shall be submitted to and approved in writing by the Local Planning Authority which shall demonstrate how the infrastructure including the proposed vehicular access shall be delivered. Full details of the proposed pedestrian, emergency accesses and bus gates and how they will be delivered, controlled and maintained shall also be submitted. This scheme shall be implemented to the satisfaction of the Local Planning Authority, prior to the occupation of the first dwelling.

Reason: In order to ensure a satisfactory comprehensive development of the whole site in accordance with Policy M1 of the Local Plan to 2032.

4. Prior to the commencement of any of the employment development hereby approved, a scheme shall be submitted to and approved in writing by the Local Planning Authority which shall demonstrate how the infrastructure including the proposed vehicular access and services to the proposed employment land shall be delivered. Details of any proposed pedestrian, emergency accesses and bus gates and how they will be delivered, controlled and maintained shall also be submitted. This scheme shall be implemented to the satisfaction of the Local Planning Authority, prior to the occupation of the first employment land. .

Reason: In order to ensure a satisfactory comprehensive development of the whole site in accordance with Policy M1 of the Local Plan to 2032

5. A detailed scheme of landscaping for the proposed landscape buffer shall be submitted to and approved in writing by the Local Planning Authority, prior to construction of the residential development hereby approved. The landscaped buffer shall be implemented simultaneously with the residential development to the satisfaction of the Local Planning Authority and maintained in perpetuity.

Reason: To ensure a satisfactory standard of development in accordance with policy GD7 and ENV1 of the Local Plan to 2032.

6. No development shall take place until a plan detailing the protection and/or mitigation of damage to populations of Water Vole, a protected species under The Wildlife and Countryside Act 1981 as amended and their associated habitat during construction works and once the development is complete. Any change to operational, including management, responsibilities shall be submitted to and approved in writing by the local planning authority. The Water Vole protection plan shall be carried out in accordance with a timetable for implementation as approved.

Reason: This condition is necessary to protect the Water Vole population and their habitat within and adjacent to the development site. Without it, avoidable damage could be caused to the nature conservation value of the site in accordance with Policy ENV2 of the Local Plan to 2032.

7. No development shall take place until a landscape creation and management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning

authority.

The scheme shall include the following elements:

- " detail extent and type of new planting (NB planting to be of native species)
- " details of maintenance regimes
- " details of any new habitat created on site
- " details of treatment of site boundaries and/or buffers around water bodies
- " details of management responsibilities

Reason: In order to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in accordance with Policy ENV1 and ENV2 of the Local Plan to 2032.

8. The reserved matters application shall retain all existing lengths of hedgerow within the proposed residential development area except for where their removal is required for the formation of access points, pavements/cycleways & visibility splays or in other limited circumstances where an equivalent or greater length or hedge is provided as a replacement and has been previously agreed in writing by the Local Planning Authority. No removal, relaying or works to existing hedgerows shall be carried out between March and August inclusive in any one year unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to protect habitats which have the potential to support breeding birds in accordance with Policy ENV2 of the Local Plan to 2032

9. Prior to any development activity commencing, retained trees, either individually or, where appropriate, as groups, will be protected by erecting HERAS fencing at the Root Protection Areas (RPAs) identified in the arboricultural survey.

Within, or at the perimeter of, these root protection areas, all of the following activities are prohibited:

- " Lighting of fires;
- " Storage of site equipment, vehicles, or materials of any kind;
- " The disposal of arisings or any site waste;
- " Any excavation;
- " The washing out of any containers used on site.

HERAS fencing must not be removed or relocated to shorter distances from the tree without the prior agreement of the Local Planning Authority. Any work to retained trees to facilitate development or site activity must (a) be agreed in advance with the Local Planning Authority and (b) must meet the requirements of BS3998:2010 Tree Work - recommendations.

Reason: To ensure that tree root damage and damage to the aerial parts of retained trees is avoided so that the trees' health and visual amenity is not diminished by development activity in accordance with Policy ENV2 of the Local Plan to 2032.

10. The on-site provision of public open space shall be in accordance with the provisions of Policy ENV4 of the Fylde Local Plan to 2032 and shall include facilities for children's play provision in accordance with a scheme of which shall be agreed by the Local Planning Authority and constructed and made available for use in accordance with a timetable for construction which shall be approved in writing by the Local Planning Authority.

Reason: In order to secure the provision of public open space in accordance with Policy ENV4 of the Local Plan 2032

11. No development shall take place in any individual phase of the development hereby approved that exceeds 15m in height above ground level, unless there has been submitted to and approved in writing by the planning authority and by the radar Operator - NATS (En-route) plc, either:
" detailed plans for the proposed buildings in that individual phase, demonstrating that there would be no detrimental impact upon the operation of the St. Annes Radar; or,
" details of a scheme to mitigate any detrimental impact upon the St. Annes Radar.
Development shall not take place other than in complete accordance with such a scheme as so approved unless the planning authority and NATS (En-route) plc have given written consent for a variation.

Reason: To avoid a potential impact on the safety of air traffic due to a technical impact on the NATS RSS St. Annes Secondary Surveillance Radar.

12. No part of the development hereby approved shall commence until a scheme for the construction all site access and the off-site works of highway improvement have been submitted to, and approved by the Local Planning Authority in consultation with the Highway Authority. The site accesses and off-site highway works shall be completed before the development is first occupied unless otherwise agreed in writing by the Local Planning Authority. The following schemes to be covered by this condition include:

(i) The Main Site access junction on Westby Close. The main site access will provide a new standard roundabout or such other provision as approved in writing by the Local Planning Authority. The illustrative masterplan layout (Option 4) shows the approximate location which is agreed 'in principle' subject to detailed design.

The site access junction scheme should also include gateway treatment/traffic calming measures to residential areas.

(ii) Jenny Lane Footpath Improvement Scheme

Pedestrian footway on Jenny Lane (southeast side) from south of Old Houses Lane to tie in to existing footpath at Brunel Way roundabout (to include dropped kerbs and tactile paving over Old Houses Lane) so far as able to do so in adopted highway. This s278 scheme to include clearance of the overgrown vegetation to the existing footway at the junction of Old Houses Lane with Jenny Lane to be carried out within adopted highway and a traffic management scheme/signing scheme to reinforce the nature and limited access to Old Houses Lane.

Note: Delivering these s278 works may require a review, consultation and implementation of new/or changes to TROs; the full cost for these to be funded by the developer.

Reason: In order to satisfy the Local Planning Authority and the Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site. Also, in order to provide safe access to the site for all users (motorised and non-motorised).

13. Prior to the first occupation of any part of the development hereby approved, the access and off-site highway works set out in condition 12 should be constructed in accordance with the details approved, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In order to satisfy the Local Planning Authority and the Highway Authority that the development will provide a safe access to the site and ensure that users of the development have appropriate access to sustainable transport options

14. Prior to the commencement of development a phasing programme for the implementation of the residential development, the construction of the access roads and highway works in their entirety, and the implementation of public open space, landscaping and other associated works shall be submitted to and approved in writing by the local planning authority. The development

shall be carried out in accordance with the approved phasing programme.

Reason: To define the permission and in the interests of the proper site development in accordance with Policy M1 and GD7 of the Local Plan to 2032.

15. The Framework Travel Plan as agreed must be implemented in full in accordance with the timetable within it unless otherwise agreed in writing with the Local Planning Authority. All elements shall continue to be implemented at all times thereafter for as long as any part of the development is occupied or used/for a minimum of at least 5 years.

Reason: To ensure that the development provides sustainable transport options in accordance with Policy T4 of the Local Plan to 2032.

16. No development of any phase shall take place until a Construction Environmental Management Plan (CEMP), for the construction and operation of that proposed phase of development, is submitted to and approved by the Local Planning Authority. The plan shall detail:
- i. how biodiversity would be protected throughout the construction period
 - ii. the potential impacts from all construction activities on both groundwater, public water supply and surface water and identify the appropriate mitigation measures necessary to protect and prevent pollution of these waters
 - iii. the parking of vehicles of site operatives and visitors;
 - iv. loading and unloading of plant and materials;
 - v. storage of plant and materials used in constructing the development;
 - vi. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - vii. wheel washing facilities to be retained throughout the construction period by which means the wheels of vehicles may be cleaned before leaving the site;
 - viii. a scheme for recycling/disposing of waste resulting from construction work (there shall be no burning on site);
 - ix. a Management Plan to identify potential ground and water contaminants;
 - x. details for their storage and how water courses will be protected against spillage incidents and pollution during the course of construction;
 - xi. a scheme to control noise during the construction phase,
 - xii. the routing of construction vehicles and deliveries to site including the direction of construction traffic away Old Houses Lane.

The development shall then proceed in full accordance with this approved plan.

Reason: In order to safeguard the biodiversity of the site, protect the water environment and public drinking water supplies, and to maintain the operation and safety of the local highway network, and to minimise the risk of pollution to occupiers of nearby buildings during site preparation and construction, in accordance with the provisions of the NPPF and Policy GD7 of the Local Plan to 2032.

17. The development hereby approved shall not be commenced until a details are submitted that set out the proposals for the management and operation of Old Houses Lane and how access for existing properties served of Old Houses Lane will be maintained/facilitated.

Reason: To ensure that a satisfactory Management Strategy is implemented for the maintenance and operation of Old Houses Lane both during construction and post development.

18. There shall not at any time in connection with the development hereby permitted be planted hedges, trees or shrubs over 1m above the road level within any visibility splay required to maintain safe operation for all users.

Reason: To ensure adequate visibility splays are maintained at all time.

19. Prior to the commencement of any of the commercial development hereby approved, a fully detailed Parking Management Strategy for that commercial development shall be submitted to and approved in writing by the Local Planning Authority. The management of the car parking and cycle parking at the site shall be fully implemented in accordance with the approved strategy, unless otherwise agreed in writing by the Local Planning Authority. The Parking Management Strategy will include an assessment and strategy to ensure adequate parking provision is delivered for all proposed site uses for both car parking and cycle parking.

Reason: To ensure that a satisfactory Parking Management Strategy is implemented for the development. This in turn will ensure adequate parking is provided for all uses so that the access to the site is not restricted, resulting in safety and capacity issues.

20. Notwithstanding the approved plans prior to the commencement of development a phasing plan for the completion of the road within the site to be built up to and contiguous with the southern boundary as shown by the red edge on the submitted site location plan and to be connected to the road known as Pankhurst Way, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: So as to not prejudice the future development of the adjacent land in accordance with Policy M1 of the Fylde Local Plan to 2032.

21. The car parking provision for each commercial unit as identified in the Parking Management Strategy for that unit shall be surfaced, demarcated and made available for use prior to the that unit being first occupied unless otherwise agreed in writing with the Local Planning Authority. The car parking shall then be available at all times whilst that part of the development is occupied.

Reason - To ensure that there is adequate parking for the development proposed when the buildings are occupied and the site is built out.

22. No commercial unit shall be occupied until space and facilities for bicycle parking have been provided in accordance with the Parking Management Strategy for that unit. The approved space and facilities shall then be retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport

23. No phase of the development hereby approved shall commence until a pedestrian and cycle signing strategy for that phase has first been submitted to, and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The scheme shall satisfy the needs of all elements of the site and be constructed in accordance with the approved details in a timescale agreed in line with the phasing set out in condition 3, and thereafter retained. The Strategy to also provide details of the following:
- how those footpaths and cycle ways not adjacent to the highway are to be managed by a site management/maintenance strategy and not the local highway authority; and
 - details regarding provision for PROW FP4 through the site.

Reason: In order to satisfy the Local Planning Authority and the Highway Authority that the final details of the pedestrian and cycle network are acceptable before work commences on site and that these will be maintained thereafter.

24. Construction/demolition shall be limited to the following hours - 08.00 - 18.00 Mondays to Fridays; 08.00 -13.00 Saturdays and no activity on Sundays and Bank Holidays
- Reason: To protect neighbouring residential amenity
25. No removal of or works to any hedgerows, trees or shrubs shall take place during the main bird breeding season 1st March and 31st July inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.
- Reason: In order to protect habitats which have the potential to support breeding birds in accordance with Policy ENV2 of the Local Plan to 2032.
26. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 18 February 2015, including the following plans:
- Proposed site location plan 14012 LP00
 - Illustrative structure plan Option 4 Revision A
- Reason: For the avoidance of doubt and so that the local planning authority shall be satisfied as to the details.
27. Any application which seeks approval for the reserved matters of layout, scale or appearance pursuant to condition 2 of this permission shall include details of the mix of type and size (including bedroom numbers) of the dwellings to be provided, which shall demonstrate compliance with the requirements of policy H2 of the Fylde Local Plan to 2032. The development shall thereafter be carried out in accordance with the duly approved details.
- Reason: To ensure that the development delivers an appropriate mix of types and sizes of housing suitable for a broad range of age groups to reflect the demographics and housing requirements of the Borough as set out in the Fylde Coast Strategic Housing Market Assessment in accordance with the requirements of policy H2 of the Fylde Council Local Plan to 2032 and the National Planning Policy Framework.

Informative notes:

Date of Decision: 11/03/2020

Signed:



Mr P. Walker

Director of Development Services
Fylde Borough Council
Town Hall
Lytham St Annes, FY8 1LW

Mr Murphy
Eric Wright Group
Sceptre House
Sceptre Way
Bamber Bridge
Preston
PR5 6AW

**IMPORTANT – PLEASE CAREFULLY READ THE NOTES BELOW AS FAILURE TO COMPLY COULD
MAKE THE DEVELOPMENT UNAUTHORISED**

- 1) These notes should be read in conjunction with the decision notice issued by the Local Planning Authority in respect of the application which you have recently submitted to the Council.

IN CASES WHERE PERMISSION/CONSENT HAS BEEN GRANTED

- 2) Any permission/consent is granted on the basis of the approved plans listed in the decision notice. The development should be undertaken in strict accordance with the approved plans, as any deviation will constitute unauthorised development which may be liable to enforcement action. Any amendments to the approved plans are likely to require the submission of a further application to the Council. Should such changes be desired, you are advised to contact the Development Management Service to determine the most appropriate means by which any revisions could be considered.
- 3) Any permission/consent granted is subject to the conditions set out in the decision notice and it is the responsibility of the developer to ensure that these conditions are fully complied with. Any conditions that require work to be carried out or details to be approved before any development can take place form a “condition precedent”. If a condition precedent is not complied with, the whole of the development will be unauthorised and may result in enforcement action being taken by the Council.
- 4) The applicant is reminded of the need to obtain formal approval of those details required by the conditions of any planning permission/consent before development may lawfully commence on the site (or any other relevant trigger as set out in each condition). Formal applications for the approval of matters reserved by condition are currently subject to fees (per request) of £34 for householder applications and £116 in all other cases. Any breach of the imposed conditions may leave you liable to enforcement action or may require you to submit a new application in order to regularise any unauthorised works.
- 5) If the applicant is aggrieved by any of the conditions imposed as part of the planning permission, they may appeal to the Planning Inspectorate. Any appeal against the grant of permission subject to conditions to which the applicant objects needs to be made within 6 months of the date on the decision notice.
- 6) In undertaking any development you should ensure that you have also secured any necessary approval under the Building Regulations or any other approvals or consents required including consent from the landlord or obligations under the Party Wall Act.
- 7) For developments that need a new address or address change, please contact addresses@fylde.gov.uk or 01253 658515. New addresses need to be made as early as possible to arrange for Utility connections.

IN CASES WHERE PERMISSION/CONSENT HAS BEEN REFUSED

- 8) If the applicant is aggrieved by the decision of the Local Planning Authority to refuse planning permission/consent, they may appeal to the Planning Inspectorate. The relevant time limits to lodge an appeal

following the Local Planning Authority's refusal of permission/consent are as follows:

- a) For **householder** planning applications – **12 weeks** from the date on the decision notice.
- b) For **advertisement** consent applications – **8 weeks** from the date on the decision notice.
- c) For **minor commercial** development applications – **12 weeks** from the date on the decision notice.
- d) For **any other** types of planning application – **6 months** from the date on the decision notice.

SAVE THAT in circumstances **where an enforcement notice has been served** for the same or very similar development, the time limit to lodge an appeal (in all cases) is:

- within **28 days** from the date of the Local Planning Authority's decision if the enforcement notice was served before the decision was made, yet not longer than 2 years before the application was made.
- within **28 days** from the date the enforcement notice was served if served on or after the date the decision was made (unless this extends the normal appeal period).

Appeals must be made directly to the Planning Inspectorate and can be dealt with by exchange of written statements or heard before an Inspector at an Informal Hearing or at a Public Inquiry. Further information regarding the appeals process (including application forms) can be obtained from the Planning Inspectorate via their website - <https://www.gov.uk/planning-inspectorate>.

HLS7

Fylde Local Plan Examination

Matter 5

Housing – Site Allocations and Delivery

Hearing Statement

On behalf of Oyston Estates

1.0 INTRODUCTION

- 1.1 Cassidy + Ashton are retained by Oyston Estates [OE] in respect to a number of sites within Fylde Borough including Whyndyke Garden Village, the largest development site within the Borough, and land at North Houses Lane, Lytham St Annes which is the subject of a current planning application [ref. 17/1025].
- 1.2 In respect to the Local Plan, OE are promoting the allocation of the application site at Lytham St Annes, the identified most sustainable settlement within the Borough.
- 1.3 Comments made should be read in conjunction with our previous submissions to the Local Plan process, in particular in respect to the Submission Version of the Local Plan.
- 1.4 The format of this statement follows the Inspector's own Matters Issues and Questions dated 15th May 2017.

Matter 5 – Housing – Site Allocations and Delivery

Issue 9 – Does the Plan set out a positively prepared strategy for the supply and delivery of housing that is justified, effective and consistent with national policy?

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

OE has no specific comments to make.

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

OE has no specific comments to make.

Site Allocations - Policies SL1-SL5

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

Allocations should reflect the most recent consents but also identify other sites in accordance with the site selection and settlement hierarchy criteria.

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

Strategic Locations for Development have a specific role to play that is closely aligned with the Council's Settlement Hierarchy and the goal of sustainable development. By including other sites within the SLD section these policies and goals are undermined.

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

Given the extensive work undertaken to progress the Borough's largest strategic site at Whyndyke Garden Village, OE are supportive of the need for the preparation of masterplans and design codes for strategic sites. However, it should be recognised that this may have an impact upon delivery in respect to adding an additional hurdle to the planning process.

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

The methodology for site assessment and selection is flawed and the Council's approach is at odds with the achievement of sustainable development.

Despite establishing a Settlement Hierarchy that relates closely to key factors that influence sustainable development, the Council has been inconsistent in its application. Indeed, the Council has not worked to overcome any planning hurdles or constraints and rather has taken an easy approach by pushing large numbers of new homes away from the principal settlement of Lytham St Annes.

Lytham St Annes has constraints as does any other large settlement but it is a planning authority's role to seek to overcome such constraints where possible.

In the case of Lytham St Annes, the Council has in particular failed to take into account changing circumstances that are directly related to the determination of planning applications. Such decisions can fundamentally alter the context within which a site is located, effectively removing the very constraints that have previously been applied.

Failure to take such changing circumstances into account, fundamentally undermines the Council's own methodology for site assessment and selection.

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

There are a number of concerns in respect to the proposed delivery rates for the largest site allocations.

In particular Queensway and Whyndyke Garden Village have each taken many years to progress to a reserved matters/outline application stage with no certainty of when delivery is likely to commence. Both are subject to s106 agreements of some complexity with the former reliant upon the delivery of a link road for which funding is not yet guaranteed and the latter the subject of ongoing negotiations of a cross boundary nature which has hindered progress for many years.

At the time of preparing this statement, the s106 agreement for Whyndyke Farm remained incomplete despite first being supported by Committee in June 2015. The delay is not due to the developer, rather it relates to ongoing discussions between the other interested parties.

It is therefore not clear when either site will commence.

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

OE has no specific comment to make on this matter. However, it is noted that the St Annes Neighbourhood Plan specifically did not consider housing need or allocations and we are not clear as to what certainty there is that Elswick will be able to take a different approach, given it has only reached the stage of having a plan area identified.

Policy H1

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

OE has no specific comments to make on this matter.

Policy H2 - Density and mix of new residential development

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

Although as a broad principle there is no objection to the minimum density, the policy should take account of the fact that there are certain instances where the character or setting of an area dictates that a lower density is appropriate such as in a conservation area, historic park and garden or in the setting of a listed building.

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

OE considers that there is insufficient data available to fulfil the requirements of para. 50 of the NPPF.

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

OE considers that there is insufficient data available to fulfil the requirements of para. 50 of the NPPF.

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

OE considers that there is insufficient data available to fulfil the requirements of para. 50 of the NPPF.

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

OE considers that there is insufficient data available to fulfil the requirements of para. 50 of the NPPF.

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

OE has no comments to make on this matter.

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

OE has no comments to make on this matter.

Policy H4 - Affordable housing

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

Such an approach has been applied at Whyndyke Garden Village but only in respect to that part of the site lying within Blackpool itself.

As developers, OE would support such an approach which could be regarded as representing positive planning, enabling the provision of affordable housing to be targeted where it is most needed, that is Blackpool town centre, where commuted sums are used to upgrade existing housing stock. However, it is recognised that this requires substantial cross-boundary co-operation.

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

OE has no specific comments to make on this matter.

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

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

OE has no specific comments to make on this matter.

Policies H6 and H7 – Homes in the Countryside

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

OE has no specific comments to make on this matter.

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

OE has no specific comments to make on this matter.

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

The increase of only 33% is an approach more akin to Green Belt areas where extensions should not materially increase the scale of the dwelling. It is overly restrictive for non-green belt areas and a similar approach to the neighbouring authority of Preston which allows up to 50%, should be taken.

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Fylde Local Plan Examination

Stage 3

Hearing Statement

On behalf of Oyston Estates

1.0 INTRODUCTION

- 1.1 Cassidy + Ashton are retained by Oyston Estates [OE] in respect to a number of sites within Fylde Borough including Whyndyke Garden Village, the largest development site within the Borough.
- 1.2 In respect to the Local Plan, OE are promoting the allocation of additional land at Lytham St Annes, the identified most sustainable settlement within the Borough.
- 1.3 Comments made should be read in conjunction with our previous submissions to the Local Plan process, in particular in respect to the Submission Version of the Local Plan.
- 1.4 The format of this statement follows the Inspector's own Questions dated 6th November 2017.

Session 1

Objectively assessed housing and economic development needs

- 1.5 OE refer to previous submissions on this matter, although it is noted that the Blackpool Airport Enterprise Zone Masterplan is out for Public Consultation until 21st December 2017 and should be taken into account by the Council in assessing housing and economic development needs. In particular regard should be had to:

"the aim of increasing the number of jobs on the site by 3,000 over the 25-year lifespan of the Enterprise Zone, in addition to the 1,800 jobs already on the site. There will be over 260,000 sq m of potential floor space available on the site for development, conversion or repurposing."

Session 2

Housing requirement

- 1.6 OE refer to previous submissions on this matter.

Session 3

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

- 1.7 Given the ongoing failure of the respective local planning authorities, namely Fylde and Blackpool to agree to the terms of the s106 agreement for Whyndyke Farm, questions must begin to be asked about the extent to which this site will make a full contribution to the housing land supply of Fylde over the plan period.

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Fylde Borough Council
Development Control
Town Hall
Lytham St. Annes
Lancashire
FY8 1LW

Our ref: NO/2017/110173/02-L02
Your ref: 17/0779
Date: 02 August 2018

Dear Sir/Madam

**OUTLINE APPLICATION WITH ALL MATTERS RESERVED FOR THE
PROPOSED DEMOLITION OF EXISTING BUILDINGS AND STRUCTURES AND
RESIDENTIAL DEVELOPMENT FOR UPTO 350 DWELLINGS TOGETHER WITH
ASSOCIATED WORKS AND INFRASTRUCTURE**

LAND NORTH OF CROPPER ROAD, WESTBY WITH PLUMPTONS

Further to our previous response dated 20 October 2017, we wish to make the following comments:

Environment Agency position

Due to a change in circumstances in relation to flood risk, we now wish to object to the application until a satisfactory FRA has been submitted to address this issue.

Reasons

At the time of your previous consultation with us on the above application, the site was entirely in Flood Zone 1 (low probability of flooding) on the Environment Agency Flood Map for Planning, and this was correctly identified and assessed as such in the submitted Flood Risk Assessment (FRA) prepared by Weetwood (dated July 2017).

However, since then, we have carried out new hydraulic modelling to better understand the fluvial flood risks in the area, which has been taken into account in the recent update to our Flood Map for Planning. As a result, the application site is now almost entirely in Flood Zone 3 (high probability of flooding) and Flood Zone 2 (medium probability of flooding). This can be viewed on the GOV.UK website:

<https://flood-map-for-planning.service.gov.uk/summary?eastng=334360&northing=432489>

Environment Agency
Lutra House Walton Summit, Bamber Bridge, Preston, PR5 8BX.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

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Therefore, in order to comply with the requirements of the National Planning Policy Framework (NPPF), the application should now be accompanied by a FRA which is appropriate to the nature and scale of the development as proposed in Flood Zone 3 and Flood Zone 2.

Overcoming our objection

It may be possible to overcome our objection if FRA is submitted by the applicant to satisfactorily demonstrate that the development is safe for its lifetime (including climate change impacts) without increasing risk elsewhere and where possible reduces flood risk overall. If this cannot be achieved we are likely to maintain our objection to the application.

We ask to be re-consulted with the results of the FRA. We will provide you with bespoke comments within 21 days of receiving formal re-consultation. Our objection will be maintained until an adequate FRA has been submitted.

Advice to LPA

Fylde Local Plan to 2032

We are aware that this site has been allocated for housing in the LPA's emerging Local Plan, which is currently going through examination. As such, we would advise that the LPA discusses the issue raised with the Planning Inspector as to the best way forward at this late stage.

Sequential Test

In accordance with the NPPF paragraph 101, development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. It is for the local planning authority to determine if the Sequential Test has to be applied and whether or not there are other sites available at lower flood risk as required by the Sequential Test in the NPPF. Our flood risk standing advice reminds you of this and provides advice on how to do this.

If the LPA determines that the Sequential Test has not been met then the Environment Agency would not support this application. The Sequential Test is applied to ensure that development is firstly placed in areas at lowest risk of flooding. If the Test is not met then the application will not be in compliance with the NPPF.

Advice to applicant

Flood risk information (flood levels)

We advise that the applicant obtains our flood risk information (e.g. a Product 4 package) to inform their FRA by submitting a request to our Customers and Engagement team at inforequests.cmbinc@environment-agency.gov.uk. This service is now available free of charge.

For further information on what flood risk information packages we offer please refer to the GOV.UK website: <https://www.gov.uk/guidance/flood-risk-assessment-for-planning-applications#get-information-to-complete-an-assessment>

Climate change allowances

Where our flood risk data including climate change does not exist, it is the responsibility of developers to undertake this assessment using guidance in 'Flood risk assessments: climate change allowances'. Assessment of future flood risk can be undertaken using:

- Freeboard allowances
- Interpolation based on current flood risk models
- New detailed modelling.

Deciding which approach applies depends on the size, vulnerability and location of the development. It is envisaged that large scale developments (e.g. sustainable urban extensions, retail parks, large commercial developments) will need to adopt the detailed approach. Consult us to discuss this on a case by case basis. Please note we may charge for this advice.

The latest guidance on how to apply the correct, up to date climate change allowance for FRAs is available on the GOV.UK website at <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>.

Environment Agency planning advice

If the applicant requires further detailed planning advice from us following our response to this application, we may be able to provide this through our voluntary charged for service. Any request for planning advice should be submitted to clplanning@environment-agency.gov.uk. We will review the request and where appropriate, we will provide a written offer based on our planning advice charges of £100 per person per hour (plus VAT). We will not undertake any additional work until an offer has been accepted.

We will be unable to offer this service where we consider that a request is unreasonable, goes beyond what we can advise on through our planning remit or where other operational activities and issues prevent us from doing so.

Yours faithfully

Mr Alex Hazel
Planning Advisor - Sustainable Places Team

E-mail: CLPlanning@environment-agency.gov.uk

cc Emery Planning Partnership Ltd

Fylde Borough Council
Development Control
Town Hall
Lytham St. Annes
Lancashire
FY8 1LW

Our ref: NO/2017/110173/04-L04
Your ref: 17/0779
Date: 02 July 2019

Dear Sir/Madam

**OUTLINE APPLICATION WITH ALL MATTERS RESERVED FOR THE PROPOSED
DEMOLITION OF EXISTING BUILDINGS AND STRUCTURES AND RESIDENTIAL
DEVELOPMENT FOR UPTO 350 DWELLINGS TOGETHER WITH ASSOCIATED
WORKS AND INFRASTRUCTURE**

LAND NORTH OF CROPPER ROAD, WESTBY WITH PLUMPTONS

Thank you for re-consulting us on the above application following the submission of the additional hydraulic modelling information.

The applicant has submitted a letter (Ref: 2019-05-15/3203/L1; dated 15 May 2019), prepared by Weetwood, to provide further clarification on the technical issues we identified with their hydraulic model. The updated hydraulic model data has been provided to us directly.

Environment Agency position

Following our review of the applicant's updated hydraulic model and accompanying letter, we maintain our objection to the application.

We have identified a number of issues that the updated hydraulic model has not satisfactorily addressed to enable us make any changes to the Flood Map for Planning in this location. We have provided a technical model review report detailing the issues to the applicant's flood risk consultant (Weetwood).

If the applicant cannot address the deficiencies we have identified with their hydraulic model, any FRA submitted in relation to development on this site should be based on the current Flood Map for Planning and modelling which underpins it as the best available data.

Environment Agency
Lutra House Walton Summit, Bamber Bridge, Preston, PR5 8BX.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

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Overcoming our objection

The applicant can overcome our objection by demonstrating through a satisfactory flood risk assessment (FRA), and supporting evidence where applicable, that the proposed development would be safe for its lifetime (including climate change impacts) without increasing risk elsewhere and where possible reduces flood risk overall.

Yours faithfully

Mr Alex Hazel
Planning Advisor – Sustainable Places

E-mail: CLPlanning@environment-agency.gov.uk

Fylde Borough Council
Development Control
Town Hall
Lytham St. Annes
Lancashire
FY8 1LW

Our ref: NO/2019/111667/01-L01
Your ref: 19/0284
Date: 03 May 2019

Dear Sir/Madam

**RESIDENTIAL DEVELOPMENT OF 142 DWELLINGS WITH ASSOCIATED
LANDSCAPING AND INFRASTRUCTURE**

**LAND AT JUNCTION OF SCHOOL LANE & BAMBERS LANE, WESTBY WITH
PLUMPTONS**

Thank you for consulting us on the above application.

Environment Agency position

We object to this application and recommend refusal of planning permission for the reasons set out below in relation to flood risk.

Environment Agency position – flood risk assessment

In the absence of an acceptable flood risk assessment (FRA) we object to this application and recommend that planning permission is refused.

Reasons

The application site is located within Flood Zone 3 and Flood Zone 2 on the Environment Agency Flood Map for Planning. In the Planning Practice Guidance (PPG) to the National Planning Policy Framework (NPPF), Flood Zone 3 is defined as having high probability of flooding and Flood Zone 2 as having a medium probability of flooding. In accordance with the NPPF (paragraph 163, footnote 50), development proposed in Flood Zone 3 or 2 should be accompanied by an FRA which appropriate to the nature and scale of the proposed development.

The proposal is for a residential development, which is classed as 'more vulnerable' in Table 2: Flood Risk Vulnerability Classification of the PPG: Flood Risk and Coastal Change.

The FRA (Ref: 881700-R1(01)-FRA; dated 3 April 2019), prepared by RSK Land and Development Engineering Ltd (RSK), submitted with the application does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the PPG. The submitted FRA

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does not therefore provide a suitable basis for assessment to be made of the flood risks arising from the proposed development.

In particular, the FRA is informed by a recent hydraulic modelling study carried out by Weetwood, as part of application 17/0779 and a separate flood map challenge, which we have not accepted at this current time and therefore it cannot be used to substantiate the flood hazards or the flood zoning on site.

As such, this is fundamental to the validity of the submitted FRA as it considers the site to not be within Flood Zone 3 and proposes flood risk mitigation measures on the basis of the model being accepted. We consider this site to remain in Flood Zone 3 and 2 as currently mapped and our model data to be the best available information at this time, until we are in a position to accept a model which we consider more accurately defines the flood risk to the site.

Finished floor levels

The FRA (in section 5.3) discusses the proposed finished floor levels of the dwellings in relation to the flood levels which result from the output of the Weetwood model. Given the issues identified above, we are unable to comment on whether or not they are acceptable at this time.

Ground raising

The application proposes to raise ground levels across the site, as indicated on the 'Preliminary Finished Level plan' (Ref: SCH-AJP-ZZ-00-DR-C-1400 Rev p1; dated 16 April 2019). As the site is currently mapped as being in the fluvial floodplain the ground level on the site must not be raised without providing compensatory flood storage on a like for like basis, otherwise flood risk elsewhere will be increased.

Surface water discharge

The FRA proposes to discharge surface water run-off to the adjacent watercourses, which are designated main rivers. These main rivers drain through Red Bridge Pumping Station into the down-stream catchment. The FRA should be revised to demonstrate that the pumping regime of Red Bridge Pumping station will not be unduly altered by the development. We would be looking to hold discussions with the developer regarding the affordability of Red Bridge Pumping Station.

Overcoming our objection

The applicant can overcome our objection by submitting a revised FRA to address the issues identified above and satisfactorily demonstrate that the proposed development would be safe for its lifetime (including climate change impacts) without increasing risk elsewhere and where possible reduces flood risk overall.

The FRA will need to be revised on the basis of either the current Flood Map for Planning and Environment Agency modelled data, or a suitable hydraulic model which we have considered to more accurately reflect the flood risk to the site.

If the ground level on site is to be raised within the fluvial floodplain compensatory flood storage must be provided on a like for like basis.

If this cannot be achieved we are likely to maintain our objection to the application. We ask to be re-consulted on the revised FRA and we will provide you with bespoke comments within 21 days of receiving formal re-consultation.

FRA informatives

Section 2.1.13 of the FRA discusses the hydrology within the area of the site. It should be updated to note that there is an error on the main river mapping layer and the watercourse between the northern boundary of the site and the property known as 'The Meadows' is a designated main river, and not the watercourse between 'Lynwood Piggeries' and 'The Meadows'.

The FRA (section 5.4) identifies the requirement for Environmental Permits in relation to flood risk activities within 8 metres of non-tidal main rivers. However, we wish to highlight that a Flood Risk Activity Permit is required for excavations within 16 metres of any main river. This is likely to affect any proposed attenuation ponds within this distance.

Sequential Test – advice to LPA

In accordance with the revised NPPF paragraph 158, development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. It is for the local planning authority to determine if the Sequential Test has to be applied and whether or not there are other sites available at lower flood risk as required by the Sequential Test in the NPPF. Our flood risk standing advice reminds you of this and provides advice on how to do this.

The Sequential Test is applied to ensure that development is firstly placed in areas at lowest risk of flooding. If the Test is not met then the application will not be in compliance with the NPPF

Environment Agency position – development next to a main river

We object to this application as submitted because it involves development and landscaping within 8 metres of the main rivers adjoining the site, and we would be unlikely to grant a permit for the flood risk activities proposed as part of this application for the following reasons:-

Reasons

Based on the details submitted, the development will restrict essential maintenance and emergency access to Bambers Lane Watercourse and Marton Moss watercourse, which are designated main rivers. The permanent retention of a continuous unobstructed area is an essential requirement for future maintenance and improvement works. Consequently, based on the information available it is likely that the development cannot proceed in its present format.

Alongside the adjoining watercourses, a hatched area is indicated on the Planning Layout drawing (Ref: 1656BAK/SRB/PL01; dated 21 March 2019) as an '8m Drainage Easement to South and West'. However, it is not clear whether this has been measured from the top of the bank of the main rivers. In the absence of a clearly defined bank top based on the site specific topographic data, it is not possible to confirm that the 8 metre buffer has been accurately identified. Additionally, the watercourse along the northern

boundary of the site does not include an 8 metre buffer strip. This watercourse is actually a main river (Marton Moss) and has been incorrectly plotted on the main river mapping layer (as mentioned above under 'FRA informatives').

In particular, several surface water attenuation ponds and other water features are proposed within 8 metres of Bambers Lane Watercourse and Marton Moss watercourse along the western and northern boundaries of the site. There are also proposed trees and hedgerows within the 8 metre buffer strip which may restrict our access and should be removed or relocated.

Additionally, it is not clear whether any structures are proposed within the 8 metre buffer as part of the proposed Potential Activity Zones. Any play equipment or other such structures would require a Flood Risk Activity Permit which would not be forthcoming where our access is restricted.

Overcoming our objection

A clear 8 metre buffer strip free from development and landscaping (which may restrict our access) should be provided alongside Bambers Lane Watercourse and Marton Moss Watercourse. The 8 metre buffer should be measured from the top of the bank of the main rivers based on topographical survey data and shown on all applicable revised plans. Several cross-section drawings along the main rivers should also be submitted to demonstrate where the 8 metre buffer is measured from.

A Flood Risk Activity Permit is required for excavations within 16 metres of any main river. As such, a 16 metre margin should also be shown on the plans in relation to any proposed attenuation ponds. We would not permit any ponds within 8 metres of the main river watercourses adjoining the site.

If this cannot be achieved we are likely to maintain our objection to the application. We ask to be re-consulted on any revised/additional plans and we will provide you with bespoke comments within 21 days of receiving formal re-consultation.

Environmental permit (flood risk activities) – advice to applicant

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

As part of any permit application for excavation flood risk activities we would be looking for assurance that any proposed wildlife or surface water attenuation ponds would not result in damage to or endanger the stability of the banks of the watercourse before any permit could be issued.

Any proposed access crossings over the main rivers will require Flood Risk Activity Permit. We would recommend, where practicable, this is a bridge rather than a culvert. Bridges should be clear-span with the abutments set back from the watercourse on the bank tops and allow for an appropriate margin underneath. This will reduce flood risk and allow a continuous buffer strip and corridor of broadly natural character which is available for wildlife passage.

Any surface water outfalls in to the main rivers will require Flood Risk Activity Permit.

The applicant should note that the Environment Agency has a period of two months to determine a valid Flood Risk Activity Permit application. We would advise that this period is taken into account when planning works which require such a permit.

We recommend applicant considers the following guidance on the rights and responsibilities of riverside ownership:

<https://www.gov.uk/government/publications/riverside-ownership-rights-and-responsibilities>

Note to applicant

Should you wish us to review any technical documents or want further advice to address the issues raised, we may do this as part of our charged for planning advice service.

Further engagement will provide you with the opportunity to discuss and gain our views on potential options to overcome our objection with us, before formally submitting further information as part of your planning application.

As part of our charged for service we will provide a dedicated project manager to act as a single point of contact to help resolve any problems. We currently charge £100 per hour, plus VAT. We will provide you with an estimated cost for any further discussions or review of documents. The terms and conditions of our charged for service are available [here](#).

We will be unable to offer this service where we consider that a request is unreasonable, goes beyond what we can advise on through our planning remit or where other operational activities and issues prevent us from doing so.

If you would like more information on our planning advice service, including a cost estimate, please contact us at the email address below.

Yours faithfully

Mr Alex Hazel
Planning Advisor – Sustainable Places

E-mail: CLPlanning@environment-agency.gov.uk

End

HLS9



Fylde Borough Council,
Development Management Team,
Town Hall,
St Annes Road East,
St Annes.
FY8 1LW

Phone: 0300 123 6780
Email: lhscustomerservice@lancashire.gov
Your ref:
Our ref: LHS/CS/05/20/0042
Date:

For the attention of Matthew Taylor.

Proposal:	Application for approval of the reserved matters of appearance, landscaping, layout and scale pursuant to outline planning permission 17/0851 for a residential development of 350 dwellings and associated infrastructure
Location:	Land to the north of Freckleton Bypass / East of Warton, Bryning With Warton
Grid Ref:	341957 - 428880

With regard to your letter dated the 29th January 2020.

(LCC) Highways recommends a refusal to the proposed 350 dwellings unless the scheme is modified as recommended in this report and are of the opinion that the scheme, as presented, will have severe impact on highway safety and the development fails to adequately promote safe access for all users and sustainable travel by modes other than car as detailed within this report.

The planning department are also advised to consider the impact on highway amenity regarding emergency vehicle access and car parking provision, as detailed in this report.

(LCC) Highways understands the current reserved matters planning application is concerned with the internal layout of the site only and the site access and impact on the surrounding highway infrastructure was approved by planning application 17/085. This application was approved by the planning inspectorate as part of appeal Ref: APP/M2325/W/19/3221605. The comments within this report are therefore based on the proposed internal highway issues only.

This report has also been based on the revised layout being proposed as part of planning application 20/0057 for 14 dwellings and it is also understood the applicant is looking to discharge conditions 1 and 15 of planning application 17/0851.

(LCC) Highways have based this report on the details shown on drawings:-

- SK668-PL-RM-01 rev A "Planning Layout Reserved Matters Application"
- SK668-PL-FUL-01 rev B "Planning Layout Full Application"

Discharge of conditions

(LCC) Highways has made the following comments regarding the discharge of conditions Condition 1 – Phasing Details and condition 15 – Pedestrian and cycle links to north west and south west -

Condition 1 – Phasing Details

This condition can be discharged

Condition 15 – Pedestrian and cycle links to north west and south west

This condition should not be discharged as detailed in the "sustainable Links" comments below.

Sustainable Links

(LCC) Highways are of the proposed Pedestrian and cycle links to north west and south west are not to an acceptable layout.

It is recommended:-

1. The links to be 3.5m wide shared surface routes.
2. The routes to be overlooked to provide security for users and reduce the likely hood of unsocial behaviour.
3. Cyclists should be able to pass pedestrians at the corners without causing a collision to provide security for all users.
4. The forward visibility along the shared surface cycle route to be suitable for 15mph speeds, this will also increase a desire to use the route where blind corners are removed and reduce unsocial behaviour.
5. Signing and lining is also required along the routes to provide security for users and reduce the likely hood of unsocial behaviour.
6. The routes to be illuminated to provide security for users and reduce the likely hood of unsocial behaviour.

(LCC) Highways are of the opinion that the proposed pedestrian cycle routes as presented do not provide an acceptable route that is inclusive and safe place for all users or promotes social interaction; encourages walking and cycling; provides a high quality walking and cycling networks; a safe and suitable for all users; the needs of people with disabilities and reduced mobility in relation to all modes of transport have not been addressed; have not created a places that is safe secure and attractive to use or minimises the scope for conflicts between pedestrians, cyclists; the routes will not function well and do not add to the overall quality; or create places that are safe, inclusive and accessible. Where the recommended improvements are not provided as detailed above (LCC) Highways would recommend a refusal.

Internal Highway Layout

(LCC) Highways are of the opinion that the highway layout and car parking dose not conform to current guidelines; recommendations; the philosophy of Manual for Streets;

Creating Civilised Streets; the National Planning Policy Framework; the Joint Lancashire Structure Plan or the Fylde Local Plan.

In addition the shown highway layout would not meet with the standards expected for the estate road to be adopted by Lancashire County Council as the Highway Authority and the applicant is advised to consider the highway adoption comments within this report as part of the planning process for this development where they wish to offer the road for adoption. The following changes are recommended to bring the highway layout and car parking up to acceptable standards:-

1. The internal spine and access roads are to be designed as a self-policing 20mph road with better use of horizontal deflection, vertical deflection such as road humps and cushions should be limited and will not be permitted where the route is to be used by buses. Typically the speed reducing features to be at a maximum of 75m centres. To allow safer pedestrian movements within the estate by reducing vehicle speeds and also aid vehicles reversing in and out of drives.
2. Trees have been shown on the grass verge fronting the main spine road entering the site and an access road. These trees are obstructing sight lines from drives and junctions at the detriment to highway safety prove the sight lines from all drives and junctions based on a "X" distance of 2m from drives and 2.4m at the junctions the "Y" distance on the main spine road to be based on an estimated 85th percentile speed of 30mph and the "Y" distance on the short access road to be based on an estimated 85th percentile speed of 20mph.
3. A turning head is required to allow refuse vehicle and emergency vehicles to turn within the site for the following reasons: -
 - The maximum distance a refuse vehicle should reverse is 12m, from Manual for streets and BS5930: 2005.
 - Fire and rescue Services Section should not have to reverse more than 20m from the end of an access road. From Manual for streets and diagram 24 of Approved Document B (Fire Safety).

Additional considerations when locating the turning head are:-

- 25m is the maximum distance a two wheeled refuse container is to be transported to the refuse wagon. From Manual for streets and BS5930: 2005.
- A resident should not be required to carry the waste more than 30m to the refuse storage point. From Manual for streets and BS5930: 2005.
- A fire appliance needs to be able to approach to a point within 45m of a suitable entrance to any dwelling. From Manual for Streets and section 11.2 of Approved Document B (Fire Safety).

The turning head to be either a prescribed "Access Way" turning head from Lancashire County Council Residential Design Guide or the applicant to prove the turning head layout by swept path analysis a rear twin axel refuse vehicle (11.2m long). The applicant should provide accurate details of the required turning head before determining the application and the turning head protected under condition, for perpetuity. The reversing distance is to be measured from the main kerb line of the access road and not the end of the turning head. See plots 218, 235, 246 and 247.

4. The main spine road entering the site is adjacent to a brook without details a structure may be required to support the highway additional issues regarding the future maintenance to be considered as the brook will not be adopted as part of the highway.

5. The 150% car parking provision for plots 56-63; 129-132 147-150; 185-188; 190-192, 214-217; 229-231; 234-235; 257-260, 286, 293-295, 296-298, this is acceptable providing the spaces are not designated to an individual property
6. The recommended minimum internal single garage size to be 6x3m and this includes integral garages.
 - The Joint Lancashire Structure Plan "Car Parking Standards" page 5 recommends the minimum internal dimension for all single garages to be a minimum of 6x3m and page 17 clause F.4.3 states "Individual garages, of minimum dimensions of 6 x 3m, count as one parking space. The Joint Lancashire Structure Plan "SPG access and parking" page 29 also states for residential parking "A garage is counted as one parking space. Where constructed garages should have minimum dimensions of 6 x 3 metres". Where garages are smaller than the recommended minimum internal dimension of 6 x 3m they should not be counted as a parking space and the applicant should provide an additional parking space for each garage affected.
 - Clause 8.3.41 on page 109 from Manual for Streets also recognises the many authorities now recommend a minimum garage size of 6 x 3m, where garages are smaller than the recommended minimum internal dimension of 6 x 3m they should not be counted as a parking space and the applicant should provide an additional parking space for each garage affected.
 - The recommended length of 6m is based on the length of a large family car (Ford Mondeo Estate 4.58m long), clearance between the car and the garage door, with room to open and close the garage door (600mm), room at the front of the car (800mm) for possible access to the dwelling, work bench, storage, storage of cycles, bins gardening equipment etc.
 - The recommended width of 3m is based on the width of a large family car (Ford Mondeo Estate 2.09m wide), clearance at the passenger side to the wall (200mm), clearance at the drive side of the car and the garage (700mm), with room to open car door for less able bodied.

Affects house types Ashbourne (22no) Baybridge (12 No) Lymington (13 No), New Walton (12 No) and Oakham (13No)
7. Single vehicle wide drives to have a minimum width of 3.2m where they are used for vehicular access and pedestrian access to the property. From Approved Document M (Access to and use of buildings). Clause 6.15-b and 6.17-a, recommends an unobstructed widths of at least 900mm to access the property.
8. The double vehicle wide drives to have a minimum width of 5.6m where they are used for vehicular access and pedestrian access to the property. From Approved Document M (Access to and use of buildings). Clause 6.15-b and 6.17-a, recommends an unobstructed widths of at least 900mm to access the property.
9. Under part M of the Approved Documents a level access is required into new properties and generally a mobility ramp is associated with the level access. Ensure the mobility ramp and level access does not encroach into the parking bays.
10. Where the private drives are sandwiched between walls and fences, the Wyre Local Plan(adopted 28th February 2019), Appendix B, page 184 it is recommended that the drives to have a minimum clear width of 3.0m, to provide additional room to open the doors. The recommended width of 3m is based on the width of a large family car (Ford Mondeo Estate 2.09m wide), clearance at the passenger side to the garage (200mm), clearance at the drive side of the car and the garage (700mm), with room to open car door for less able bodied.

11. Where the parking bays are adjacent to walls and fences on one side, it is recommended that the drives to have a minimum clear width of 2.6m, to provide additional room to open the doors.
12. Where 2 parking bays are parallel and are adjacent to walls and fences on both sides, it is recommended that the drives to have a minimum clear width of 2.6m each, to provide additional room to open the doors.

(LCC) Highways are of the opinion that the proposed development as presented does not provide an inclusive and safe place where patterns of movement, streets, parking have been considered; a safe and suitable access to the site can be achieved for all users; an unacceptable impact on highway safety and does not give priority first to pedestrian and cycle movements or address the needs of people with disabilities and reduced mobility in relation to all modes of transport; the scheme does not create places that are safe, secure and attractive or minimise the scope for conflicts between pedestrians, cyclists and vehicles or allow for the efficient delivery of goods, and access by service and emergency vehicles. Where the recommended improvements are not provided as detailed above (LCC) Highways would recommend a refusal.

Future highway adoption considerations

(LCC) Highways are of the opinion that the shown internal highway layout is to an acceptable adoptable layout for adoption under section 38 of the 1980 Highways Act.

The guide lines within Manual for Streets and Lancashire County Council's "Creating Civilised Streets" do not provide specific highway adoption requirements to cover future highway risks, maintenance and access to properties and statutory undertaker's equipment etc. Further guidelines regarding acceptable highway adoptable layouts can be found in the "Lancashire County Council Residential Road Design Guide" and the construction of the highway to be found in the "Lancashire County Council Specification for Estate Roads 2011 edition".

(LCC) Highways are of the opinion that the shown internal highway layout is not to an acceptable adoptable layout for adoption. The applicant is advised to consider the recommendations below as part of this application, where they wish to offer the road for adoption under section 38 of the 1980 Highways Act: -

1. The internal access roads are to be designed as a self-policing 20mph road with better use of horizontal deflection, vertical deflection such as road humps and cushions should be limited and will not be permitted where the route is to be used by buses. Typically the speed reducing features to be at a maximum of 75m centres. To allow safer pedestrian movements within the estate by reducing vehicle speeds and also aid vehicle reversing in and out of drives.
2. All trees should be removed from the service verge, as they are not performing a highway function and they are a highway maintenance and safety issue which the highway authority is not willing to accept and additional issues with street lighting provision and safe levels. The trees would only be permitted within the adoptable highway if a section 96 agreement of the 1980 Highways Act is entered with the district authority and they accept full liability for the trees for perpetuity. The section 96 agreement would need to be entered with the district authority before the section 38 agreement is entered. Where the district authority is willing to accept liability for

the trees the sight lines to be provided as recommended in the Internal Highway Layout comments.

3. Remove the grass service verge from the site access road and relocate at the back of the footpath, the grass verge is not performing a highway function and is a highway maintenance issue the highway authority is not willing to accept in this location. Consider relocating the grass verge to the back of the footpath could then be deeded to the appropriate house owner or Management Company to maintain. Private ownership of the verge adjacent to the highway would not be considered as this restricts access for maintenance of the segregated footpath and over running / parking on the verge.
4. The car parking levels and standards to be provided as recommended within this report, due to the impact on amenity and highway safety this is a future liability the Highway Authority would not want to manage, as a solution would not be achievable after construction works have finished.

Where the recommendations above are not implemented the highways may not be considered suitable for highway adoption by Lancashire County Council and they will remain private, this may have a long term detrimental impact on highway safety and maintenance of the roads unless an acceptable Private Management and Maintenance Company can be established by the applicant.

(LCC) Highways are of the opinion that the below standard highway would have a detrimental impact on future highway maintenance; highway safety and amenity which the Highway Authority would not want to manage as a solution to rectify the layout / car parking would not be achievable after construction works have finished and/or at a cost to the highway authority.

(LCC) Highways recommends the local planning authority attaches conditions requiring an agreement between the applicant and the local highway authority under Section 38 of the Highways Act 1980 or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes. To ensure that the estate streets serving the development are completed and thereafter maintained to an acceptable standard in the interest of residential / highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway.

The reasoning for the above recommendations and conditions at the end of this report are based on the Department of Transport Advice Note "Highway Adoptions" The adoption of roads into the public highway (1980 Highways Act). Which was published in April 2017

Any proposed sustainable drainage systems under the adoptable highway will only be considered acceptable where they are adopted by United Utilities under the powers of the Water Industry Act 1991 or they only retain highway surface water.

The applicant is also advised that the adoptable highway surface water drainage system must not be used for the attenuation or storage of any flood waters from the adoptable United Utility surface water system or any private surface water drainage system etc.

To allow early discussions between all parties, to achieve a more seamless planning and future section 38 agreement process (LCC) Highways are offering a pre application

highway advice service and further advices can be found at www.lancashire.gov.uk/business/business-services/pre-planning-application-advice-service/pre-planning-application-highways-advice-service . In addition to this service we are also offering a pre application flood risk and Land Drainage advice service at www.lancashire.gov.uk/business/business-services/pre-planning-application-advice-service/pre-planning-application-flood-risk-and-land-drainage-advice-service .

The applicant is advised to begin early discussions between the Highway Authority's section 38 officers at Lancashire County Council, the Lead Local Flood Authority at Lancashire County Council and United Utilities as advised in the Department of Transport Advice Note "Highway Adoptions" "The adoption of roads into the public highway (1980 Highways Act)", published in April 2017.

The National Planning Policy Framework (2019) paragraphs 39 to 42 encourage take-up of the pre-application services offered above.

Conclusion

(LCC) Highways recommends a refusal to the proposed 350 dwellings unless the scheme is modified as recommended in this report and are of the opinion that the scheme, as presented, will have severe impact on highway safety and the development fails to adequately promote safe access for all users and sustainable travel by modes other than car as detailed within this report.

The planning department are also advised to consider the impact on highway amenity regarding emergency vehicle access and car parking provision, as detailed in this report.

Conditions

Should you be minded to grant planning permission, (LCC) Highways would like to be re-consulted and given the opportunity to suggest a number of highway related planning conditions for this development.

If you have any questions please do not hesitate to contact me.

Yours sincerely

Stewart Gailey
Highway Development Control

Matthew Taylor

From: SM-Defra-Cheshire2 Lancashire <Cheshire2.Lancashire@defra.gov.uk>
Sent: 06 May 2020 17:33
To: Matthew Taylor
Cc: SM-Defra-Cheshire2 Lancashire
Subject: Re 20/0042 & 20/0057 - Warton - Natural England Response correction

Dear Matthew

Re 20/0042 & 20/0057 - Warton - Natural England Response

Thank you for your email of 15 April 2020.

Natural England has noted that a shadow HRA has been produced by TEP (Ecological Assessment Report Appendix H HRA Scoping Report) and submitted by the applicants, and I can confirm that we have reviewed the details of this HRA.

Our previous advice to you in our response dated 18 March 2020 still stands, however we provide the following clarification on the further information that should be provided in order to fully assess the proposals, and we provide this advice to your authority on the assumption that you intend to adopt the shadow HRA by TEP to fulfil your duty as competent authority.

In summary, at the current time Natural England advises your authority not to adopt the shadow HRA as there is insufficient information to rule out impacts on the designated sites and their features.

The shadow HRA lacks up to date information on non-breeding bird data and we consider that further details are needed on the proposed mitigation measures for recreational pressure, therefore we advise the following:

1. A check is required for up to date non-breeding bird data to inform the HRA. Natural England ruled out impacts in 2016 based on survey evidence available at the time, however this is now considered out of date. The HRA needs to be supported by updated evidence and we advise in this instance contacting [The Fylde Bird Club](#) to check for additional relevant data for the site and the surrounding fields. We advise this includes the fields surrounding the site as this is where SPA birds were recorded previously.
2. Consideration has been given to the in-combination impacts of recreational pressure but the HRA should also consider the alone impacts of recreational pressure on the surrounding fields that may be functionally linked to the Ribble & Alt Estuary SPA and Ramsar site, which are within 2km of the development site.
3. We note that in Part 2 of the assessment (11. Proposed Mitigation) it is stated that '*at the time of writing this report the proposed mitigation is not known*' and would advise that in order for the assessment to comply with the Habitats Regulations (2017) certainty is required for all mitigation measures and therefore must be detailed within the Appropriate Assessment.
4. A number of mitigation measures for recreational pressure have been mentioned within the HRA however more detail is required including information on the GI network, what additional footpaths are to be provided including route lengths and connectivity, and where links to alternative green space will be created. At the current time there is insufficient clarity and a lack of certainty on the measures being provided.

If you have any further queries please do let me know.

Yours sincerely

Helen

Helen Rogers
Cheshire, Greater Manchester, Merseyside & Lancashire
Natural England, Hornbeam House, Electra Way
Crewe, CW1 6GJ

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- Stay at home, protect the NHS, save lives



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HLS10



Health

Former Wesham Park Hospital set for demolition

Demolition of the former Wesham Park Hospital is due to start on Monday and expected to take five months.

By Tony Durkin

Friday, 5th June 2020, 7:00 am



The former Wesham Park Hospital

After the hospital closed in 2011, the site continued to be used as offices by NHS Fylde and Wyre Clinical Commissioning Group (CCG) and other tenants but has been vacant since November last year.

NHS Property Services, which has been tasked with the demolition, says the repurposing of the vacant site, in Derby Road, will help the NHS make significant savings on running costs and better use of the space.

After the site has been cleared, it is proposed that half of the land will be developed for new clinical use, with the local CCG having already indicated its aim to develop a new state of the art health centre, which would provide capacity for the two GP practices in Kirkham as well as a variety of community services.

The other half of the site has been determined to not be of use for clinical purposes and looks set to be made available for sale.

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Phillip Potter, senior transaction manager at NHS Property Services, said: “Parts of the site have been unoccupied for a significant period.

“The repurposing of the site will now enable the local health community to achieve their objectives as well as putting redundant public land back into economic use. The money generated from this part disposal will be reinvested straight back into the NHS.”

A CCG spokesman said the building is not to be confused with Wesham Rehabilitation Unit in Mowbreck Lane, which is entirely separate and has been unoccupied for a lot longer.



Promoted Stories

HLS11

Title Number : LA653097

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The following extract contains information taken from the register of the above title number. A full copy of the register accompanies this document and you should read that in order to be sure that these brief details are complete.

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This extract shows information current on 2 JUL 2020 at 14:33:05 and so does not take account of any application made after that time even if pending in HM Land Registry when this extract was issued.

REGISTER EXTRACT

Title Number	: LA653097
Address of Property	: Valentines Turkey Farm & Kennels, Wildings Lane, Lytham St Annes (FY8 3RJ)
Price Stated	: £1,100,000
Registered Owner(s)	: DAS LIMITED (incorporated in Isle of Man) of 14 Athol Street, Douglas, Isle of Man, IM1 1JA.
Lender(s)	: Keith Alexander Strachan Keith Alexander Strachan Tynwald Pensions Limited Tynwald Pensions Limited

Title number LA653097

This is a copy of the register of the title number set out immediately below, showing the entries in the register on 2 JUL 2020 at 14:33:05. This copy does not take account of any application made after that time even if still pending in HM Land Registry when this copy was issued.

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A: Property Register

This register describes the land and estate comprised in the title.

LANCASHIRE : FYLDE

- 1 (03.09.1990) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being Valentines Turkey Farm & Kennels, Wildings Lane, Lytham St Annes (FY8 3RJ).

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (19.11.2019) PROPRIETOR: DAS LIMITED (incorporated in Isle of Man) of 14 Athol Street, Douglas, Isle of Man, IM1 1JA.
- 2 (19.11.2019) The price stated to have been paid on 8 November 2019 was £1,100,000.
- 3 (19.11.2019) RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate is to be registered without a written consent signed by the proprietor for the time being of the Charge dated 8 November 2019 in favour of Keith Alexander Strachan and Tynwald Pensions Limited referred to in the Charges Register or their conveyancer.

C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 The land is subject to the following rights reserved by a Conveyance of the land in this title dated 31 May 1963 made between (1) Henry Talbot De Vere Clifton and Leonard Harry Urry (Vendors) and (2) Guardian Land Holdings (Lytham) Limited (Purchaser):-

EXCEPT AND RESERVING to the Vendors and to all persons now entitled thereto rights of drainage and sewerage through the sewers drains and watercourses in upon or under the said plots of land AND ALSO EXCEPT AND RESERVING to such persons as are at the date hereof entitled thereto rights to maintain drains and pipes over and along some parts of the said plots of land as exist at the date hereof.
- 2 A Conveyance of the land in this title dated 2 March 1990 made between (1) Guardian Land Holdings (Lytham) Limited (Vendor) and (2) Joseph Brian Valentine and James Patrick Valentine (Purchasers) contains covenants details of which are set out in the schedule of restrictive covenants hereto.
- 3 (19.11.2019) REGISTERED CHARGE dated 8 November 2019.
- 4 (19.11.2019) Proprietor: KEITH ALEXANDER STRACHAN of Glion Yea, Orrisdale Road, Kirk Michael, Isle of Man, IM6 2HL and TYNWALD PENSIONS

C: Charges Register continued

LIMITED (incorporated in Isle of Man) of 29/31 Athol Street, Douglas, Isle of Man, IM1 1LB the trustees of Strachan Personal Pension Scheme.

Schedule of restrictive covenants

- 1 The following are details of the covenants contained in the Conveyance dated 2 March 1990 referred to in the Charges Register:-

THE Purchasers HEREBY COVENANTS with the Vendor so as to benefit the Vendors adjoining land and each and every part thereof and so as bind the Property hereby conveyed and each and every part thereof into whosoever hands the same may come (but not so as to render the Purchasers shall have parted with all interest in the Property hereby transferred) in the terms of the covenant set out in the Schedule hereto

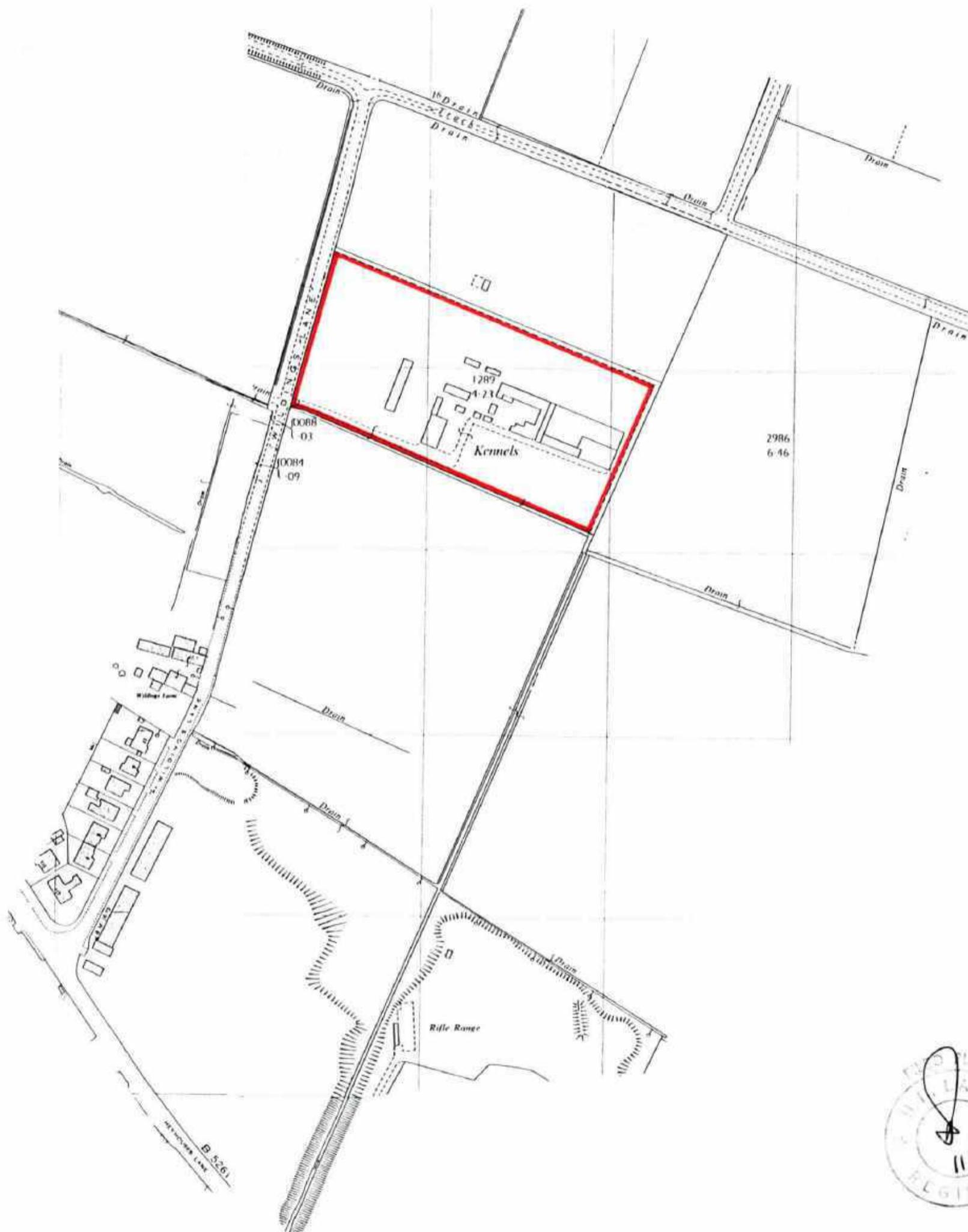
THE SCHEDULE

1. Not to erect on any part of the Property hereby conveyed any buildings erections or fixtures other than those intended to be used and in fact used in connection with the use of the land for the carrying on of the business of a market gardener poultry keeper kennel keeper or grazier
2. Not to erect any private dwellinghouse on the Property
3. Not to keep any poultry on the land shown coloured blue on the plan attached hereto and to ensure that any poultry kept on the Property is suitably penned
4. Not to do or permit or suffer to be done anything in or upon the Property or any part thereon which may be or become a nuisance annoyance or inconvenience to the Vendor or the lessees owners occupiers of any of the Vendord adjoining or neighbouring land
5. To put and keep in good repair and condition all fences hedges walls cops gates gate posts stiles roads dams pumps wells water troughs ponds watercourses ditches drains and platts and without prejudice to the generality of the forgoing as and when necessary to hang new gate and set up new gate posts and to keep the hedges plashed and to lay such hedges as required to be laid such plashing and laying to be done at the proper season of the year and to keep all ditches and watercourses on the Property or adjoining the boundaries thereof open and free from obstruction and where there are crossings by footpaths bridlepaths roads or other ways of the watercourses to ensure that such crossings are constructed and maintained so that the watercourses are suitable pipes or culverted so as to be capable of taking all water in such watercourses at flood level
6. To keep the property in a neat and tidy condition and free from thistles nettles docks and other noxious weeds and free from vermin."

NOTE: Copy plan filed.

End of register

H.M. LAND REGISTRY		TITLE NUMBER		
		LA 653097		
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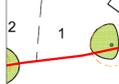
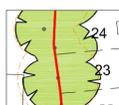
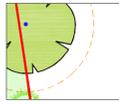
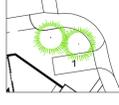
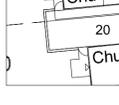
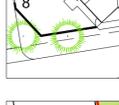
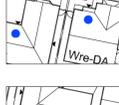
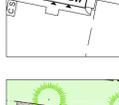
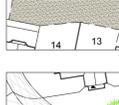
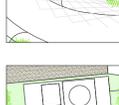
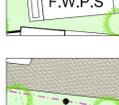
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EP4

EP5

BRYNING LANE, WREA GREEN

Legend

-  Site Boundary (Red Edge)
-  Existing Trees & Hedges Retained
-  Orange Dashed Lines illustrate the Root Protection Zones for Associated Trees to be retained
-  Indicative New Tree Planting
-  1.8m High Timber Screen Fencing (Double Line)
-  900mm High Brick Wall with Brick Piers and Timber Infill Panels (Solid Line)
-  1.8m High Timber Close Boarded Plot Divisional Fencing (Dashed Line)
-  Gated Access to Rears of Properties (Lockable)
-  Arrows Denote Door Entry Positions into Dwellings
-  Shared Private Drive Areas (Bitmac)
-  Forward visibility around bend in front of plot 41 and associated widening of the adoptable footpath
-  Proposed New Foul Water Pumping Station
-  Line of 5m standoff, North and South of the existing watercourse

SITE LAYOUT

Rev.	Date	Revision Description	Drawn
H	26-3-19	Plots 27 to 29 amended (moved away from No.8 Bryning Lane) + Roof to Plot 29 Hipped	DGL
G	13-3-18	Plots 37/38 changed from Trevithicks to Churchills	DGL
F	7-3-18	Road to TH (Plots 4/7) changed to 6m Wth and 6m Sm + Extra PS added to plots 3, 4, 34 to 36 Inc	DGL
Ev3	7-3-18	LDC Highways Comments addressed + 4 Bal (30ks) changed to Chu (20ks) - Cycle Stores added	DGL
D	19-12-17	Plot 15 changed to Hav+Bay / Plots 25 to 29 reviewed and amended	DGL
C2	10-4-17	Foul Water Pumping Station added and 5m stand-off from existing watercourse clarified	DGL
B	30-3-17	Plots 13-18 & 30-34 amended to accommodate a stand-off to WC, Attenuation Pond Illustrated	DGL
A	13-3-17	Amendments made to the scheme following Planning Consultation Response	DGL

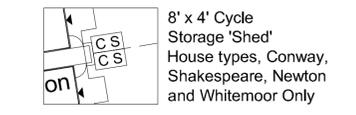


● Plots Opposite Hand to Planning Drawing



Mix Schedule

CHURCHILL	(Chu)	14no
TREVITHICK	(Tre)	4no
BRANCASTER	(Bra)	1no
CONWAY	(Con)	3no
NEWTON	(New)	5no
WREN	(Wre)	1no
WREN-DA	(Wre-DA)	2no
SHAKESPEARE	(Sha)	1no
HAVERSHAM	(Hav)	1no
HAVERSHAM-SA	(Hav-SA)	3no
HAVERSHAM+Bay	(Hav+B)	1no
WHITMOOR	(Whi)	2no
OXFORD	(Oxf)	3no
Total		41no



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WAINHOMES

BRYNING LANE, WREA GREEN

Drawing Title
SITE LAYOUT

Drawing No.
1539WHD/BWG/SL01

Revision	Checked
H	Approved
Drawn	13th Dec 2016
Scale	1:500 @ A1 1:1000 @ A3
Drawn	
E-mail	darren.dgla@gmail.com
	A1

EP6

Fylde Borough Local Plan to 2032
Partial Review Regulation 19 Consultation



September 2020

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Appendix 1 - Development Framework Plan, Land at Bryning Lane, Warton

1 INTRODUCTION

1.1 Introduction

- 1.1.1 These representations are submitted by Gladman in response to the current Regulation 19 consultation for the Fylde Borough Council Local Plan Partial Review. Gladman specialise in the promotion of strategic land for residential development with associated community infrastructure.
- 1.1.2 Gladman has considerable experience in the development industry across a number of sectors, including residential and employment development. From that experience, we understand the need for the planning system to provide local communities with the homes and jobs that are needed to ensure that residents have access to a decent home and employment opportunities.
- 1.1.3 Gladman also has a wealth of experience in contributing to the Development Plan preparation process, having made representations on numerous local planning documents throughout the UK and having participated in many Local Plan public examinations. It is on the basis of that experience that the comments are made in this representation.
- 1.1.4 During the course of this consultation the Government published the Planning for the Future White Paper setting out proposals for how it wants to 'radically reform' the planning system. Central to the proposals will be a simpler, more streamlined Local Plan making process. Consultation on the proposals is currently ongoing and subject to the outcomes of this process the Government has signalled its intent to make rapid progress toward this new planning system through the swift introduction of new legislation to implement the changes.
- 1.1.5 Gladman previously participated in the preparation and Examination of the Fylde Local Plan to 2032. During this process it became apparent that Fylde's neighbour, Wyre Borough Council, would be unable to meet their full housing needs within their authority area, prompting a requirement to fulfil these needs elsewhere within the Fylde Coast Housing Market Area under the Duty to Cooperate.
- 1.1.6 Due to timing, Fylde Borough Council committed to addressing these unmet needs through a full or partial Local Plan review, once the extent of any housing shortfall arising from Wyre had been identified through the authority's own examination process. This issue is therefore a key focus of Fylde's current Partial Review exercise. At the same time, the Council have taken the opportunity to review the current Local Plan to ensure it remains consistent and up to date with the National Planning Policy Framework (February 2019).
- 1.1.7 Through these representations Gladman have raised a number of concerns with the Partial Review process and the changes that the Council are now seeking to make to their current planning policies.
- 1.1.8 In the first instance and a general observation, we question the process by which the Local Plan review has been undertaken. Whilst we accept that the Council's previous Regulation 18 Scoping

Consultation provided an opportunity for respondents (including Gladman) to make representations on the remit of the Local Plan Partial Review, the current Regulation 19 consultation is the first occasion that respondents have been able to fully review and comment on the Council's proposals. We have some reservations that the authority are seeking to progress a Partial Review without exploring important issues in the level of detail they deserve. We query whether this an appropriate and transparent way to progress policy proposals that are likely to have significant implications for the future development of the Fylde borough area.

- 1.1.9 We further question the timing of the Local Plan Partial Review in the context of Wyre Borough Council's own Partial Review process, and the wider reforms to the planning system that are currently being considered by the Government. In seeking to advance the Partial Review before Wyre Borough Council have progressed their own proposals to the Regulation 19 stage, there is still no clarity on the issue of unmet housing needs. The Council risks repeating the same situation that led to the requirement to commence the Local Plan Partial Review, and the need to undertake a further review of the Local Plan in the very near future.
- 1.1.10 Gladman also have significant concerns over the proposal to amend the Council's adopted housing requirement. The Government's Standard Method provides the minimum starting point for assessing the Council's local housing need, with evidence provided by the previous Fylde Coast Strategic Housing Market Assessment and subsequent addendums, recent housing completions and the Government's proposed Standard Method amendments highlighting that there are compelling reasons to suggest that the authority should be seeking to plan for a higher housing target. The Council's approach appears to be the antithesis of the national imperative to boost significantly the supply of housing.
- 1.1.11 To prevent the need to revisit the Council's proposals through a further review and in light of the potential requirement to accommodate unmet needs from neighboring authorities, Gladman submit the Council should be looking to identify further sustainable housing sites that could come forward and deliver flexibility in the authority's land supply. These should be in addition to sites that have already been identified for development within the authority's adopted Local Plan, and on the basis that the Council should not be seeking to reduce its adopted housing target.
- 1.1.12 Due to the significant issues that have been raised through these representations, Gladman request the right to appear at any subsequent Examination in Public for the Council's Local Plan Partial Review proposals.

2 NATIONAL PLANNING POLICY

2.1 National Planning Policy Framework

2.1.1 On 24th July 2018, the Ministry of Housing, Communities and Local Government (MHCLG) published the Revised National Planning Policy Framework which was subsequently updated in February 2019. These publications form the first revisions of the Framework since 2012 and implement changes that have been informed through the Housing White Paper, The Planning for the Right Homes in the Right Places consultation and the draft Revised Framework consultation.

2.1.2 The Framework (2019) introduces a number of major changes to national policy and provides further clarification to national planning policy as well as new measures on a range of matters. Crucially, the changes to national policy reaffirms the Government's commitment to ensuring up-to-date plans are in place which provide a positive vision for the areas which they are responsible for to address the housing, economic, social and environmental priorities to help shape future local communities for future generations. Paragraph 16 of the Framework (2019) states that Plans should:

- a) *Be prepared with the objective of contributing to the achievement of sustainable development;*
- b) *Be prepared positively, in a way that is aspirational but deliverable;*
- c) *Be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;*
- d) *Contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;*
- e) *Be accessible through the use of digital tools to assist public involvement and policy presentation; and*
- f) *Serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).*

2.1.3 To support the Government's continued objective of significantly boosting the supply of homes, it is important that the Local Plan provides a sufficient amount and variety of land that can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay¹.

2.1.4 At paragraph 60, the Framework sets out that in order to meet this objective, strategic policies should be informed by a local housing needs assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the

¹ NPPF – Paragraph 59

local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for

2.1.5 To be considered sound at Examination the emerging Local Plan will need to meet all four of the soundness tests set out in paragraph 35 of the Framework (2019).

2.2 Planning Practice Guidance

2.2.1 The Government published updates to its Planning Practice Guidance (PPG) on 13th September 2018. The updated PPG provides further clarity on how specific elements of the revised Framework should be interpreted when preparing Local Plans, including the methodology for assessing local housing needs using the standard methodology, as set out in the PPG on Housing and Economic Needs Assessment.

2.2.2 In this respect, PPG ID: 2a-002 describes how the National Planning Policy Framework expects strategic policy making authorities to follow the standard method for assessing local need as currently prescribed within national planning practice guidance (ID: 2a-004), and that this will identify a **minimum** annual housing need figure (our emphasis).

2.2.3 PPG ID: 2a-010 further outlines that there may be circumstances in which it may be appropriate to plan for a higher level of housing need, where actual housing need is higher than the standard method indicates.

2.2.4 In this respect, the PPG sets out how the standard method provides a minimum starting point in determining the number of homes needed in an area, and does not attempt to predict the impact that future Government policies, changing economic circumstances or other factors might have on demographic behaviour. The PPG then lists some examples of the factors that may justify planning for a higher level of housing. These include, but are not limited to:

- Growth strategies for the area that are likely to be deliverable, for example where funding is in place to promote and facilitate additional growth;
- Strategic infrastructure improvements that are likely to drive an increase in the homes needed locally; or
- An authority agreeing to take on unmet need from neighbouring authorities, as set out in a statement of common ground;

2.2.5 The same section of the PPG also advises that there may occasionally be situations where previous levels of housing delivery in an area, or previous assessments of need (such as a recently-produced Strategic Housing Market Assessment) are significantly greater than the outcome from the standard method.

2.2.6 It describes how authorities will also need to take these latter factors into account when considering whether it is appropriate to plan for a higher level of need than the standard method suggests.

2.3 Planning for the Future White Paper

- 2.3.1 On the 6th August, Government published the Planning for the Future White Paper setting out proposals for how it is seeking to 'radically reform' the planning system. The proposals are seeking to streamline and modernise the planning process.
- 2.3.2 Consultation is currently underway on these proposals and it will be important that the Council keeps up to date with the implementation of these changes and the implications this will in turn have on the preparation of the Local Plan. Timescales remain uncertain, however subject to the outcomes of this process the Government has signalled its intent to make rapid progress toward this new planning system through the swift introduction of new legislation to implement the changes.
- 2.3.3 More importantly alongside this consultation, a consultation is also running on immediate changes to the current planning system. Of significant note is a proposed revised standard method for calculating local housing need, which when implemented will be used as the basis for plans created prior to any changes outlined in the White Paper. Introduction of the revised methodology, which proposes to incorporate a percentage of existing stock as the baseline of the calculation, is likely to see an increase in the housing requirement for Fylde.
- 2.3.4 The Council should be mindful of these changes and the potential impact on the Local Plan when progressing its Partial Review proposals.

3 LEGAL REQUIREMENTS

3.1 Duty to Cooperate

- 3.1.1 The Duty to Cooperate (DtC) is a legal requirement established through section 33(A) of the Planning and Compulsory Purchase Act 2004, as amended by Section 110 of the Localism Act. The DtC requires local planning authorities to engage constructively, actively and on an ongoing basis with neighbouring authorities on cross-boundary strategic issues through the process of ongoing engagement and collaboration.²
- 3.1.2 The Framework (2019) has introduced a number of significant changes to how local planning authorities are expected to cooperate including the preparation of Statement(s) of Common Ground (SOCG) which are required to demonstrate that a plan is based on effective cooperation and has been based on agreements made by neighbouring authorities where cross boundary strategic issues are likely to exist.
- 3.1.3 The Framework (2019) sets out that local planning authorities should produce, maintain, and update one or more Statement(s) of Common Ground (SOCG), throughout the plan making process³. The SOCG(s) should provide a written record of the progress made by the strategic planning authorities during the process of planning for strategic cross-boundary matters and will need to demonstrate the measures local authorities have taken to ensure cross boundary matters have been considered and what actions are required to ensure issues are proactively dealt with e.g. unmet housing needs.
- 3.1.4 As demonstrated through the outcome of the Coventry, Mid Sussex, Castle Point and St Albans examinations, if a Council fails to satisfactorily discharge its DtC a Planning Inspector must recommend non-adoption of the Plan. This cannot be rectified through modifications.

3.2 Duty to Cooperate – Fylde Coast

- 3.2.1 As described in the Introduction to these submission and discussed further below, a key driver for progressing a Partial Review of the Fylde Local Plan to 2032 (FLP32) was to assess any unmet housing needs arising in the Fylde Coast Housing Market Area (HMA), and specifically those from Wyre Borough Council.
- 3.2.2 During the course of the FLP32 Examination in Public (EIP), it became clear that Wyre Borough Council would be unable to meet their full objectively assessed housing needs within their own authority area. A main modification was therefore proposed that would commit the Council to undertaking a full or Partial Review of the FLP32 (FLP32 paragraph 1.27) to examine the issue of any shortfall, once this had been correctly quantified through the Wyre Local Plan Examination process.

² PPG Reference ID: 61-021-20180913

³ PPG Reference ID: 61-001-20180913

- 3.2.3 It has since been identified that the level of unmet needs arising from Wyre would equate to 380 dwellings per year based on the findings of the Fylde Coast Strategic Housing Market Assessment (SHMA), thus prompting a Partial Review of the FLP32. At the same time, Wyre Borough Council have commenced a Partial Review of their own Local Plan with the objective of meeting their housing needs in full, as required by Wyre Local Plan Policy LPR1.
- 3.2.4 Whilst Gladman welcome the willingness to address the issue of unmet housing needs through the Council's respective Partial Review processes, we have significant concerns about how this matter is being dealt with in practice.
- 3.2.5 Firstly, we question whether it is appropriate to undertake a Partial Review of the Fylde Local Plan before any unmet needs arising from Wyre's concurrent review exercise have been correctly identified. Progressing with the FLP32 Partial Review before Wyre have fully examined any shortfall that could arise within their own authority area risks leading to the same situation that arose during the preparation and examination of the authorities' current Local Plans, and pre-empting decisions on how best to meet any housing shortfall.
- 3.2.6 The Council have sought to explore this issue in Section 3 of their March 2020 Housing Needs and Requirement Background Paper, making the assumption in Table 3 that Wyre Borough Council will be planning for a local housing need figure of 308 dpa through their own Partial Review exercise, and that as this figure is lower than the authority's adopted housing target of 460 dpa, there will be no unmet need that must be accommodated in the Fylde Borough area.
- 3.2.7 However, this assumption is made on the basis that Wyre will be planning for a housing target that aligns with their current local housing need figure, which is yet to be clarified or confirmed. Although the Council have indicated a willingness to accommodate any unmet needs arising from Wyre within the Fylde borough area, this appears to be on the assumption that that it will be appropriate to reduce the Council's own housing target, and any need can be met through existing Local Plan allocations⁴. For the reasons explained further in Section 4 below, we object to this proposal.
- 3.2.8 With the above in mind, we question whether it is currently the correct time to proceed with the Fylde Local Plan Partial Review, given the significant uncertainties that are potentially at play. A key reason for commencing the Local Plan Partial Review process was to address the issue of unmet housing needs, yet it still appears that there is no clarity on this important matter.
- 3.2.9 Should the Council advance the Partial Review with a reduced housing requirement, before Wyre and other adjoining authorities have advanced their own Local Plan review exercises, there also is a risk that these Councils will need to assess their own housing requirements and those of Fylde in light of the Government's revised Standard Method. The proposed revisions to the Standard Method would result in a need to plan for 488 dwellings per annum in the Fylde borough area.

⁴ March 2020 Housing Needs and Requirement Background Paper, paragraph 4.5

- 3.2.10 The timescales for progressing the Wyre Local Plan Partial Review currently envisage submission to the Secretary of State by early 2022, by which time the proposed changes to the Standard Method are likely to have come into effect. This could lead to further inconsistencies when planning for the supply and delivery of homes across the Fylde Coast area, should the Fylde Local Plan Partial Review proceed as currently proposed.
- 3.2.11 To avoid these potential complications and the need to undertake a further review of the Fylde Local Plan in the very near future, we submit that the Council should now be looking to allocate additional housing sites, over and above those identified in the current FLP32, and on the basis of no reduction in the Council's own housing target. This will ensure that the Local Plan can respond to any unmet housing needs arising from neighbouring authority areas and future changes in Fylde's own housing requirements associated with the revised Standard Method, and provide greater flexibility in the authority's housing land supply.

3.3 Sustainability Appraisal

- 3.3.1 In accordance with Section 19 of the Planning and Compulsory Purchase Act 2004, policies set out in Local Plans must be subject to a Sustainability Appraisal (SA), and also incorporate the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 (the SEA Regulations).
- 3.3.2 The SA/SEA is a systematic process that should be undertaken at each stage of the Plan's preparation, assessing the effects of the emerging Local Plan proposals on sustainable development when judged against all reasonable alternatives.
- 3.3.3 The Council should ensure that the future results of the SA clearly justify its policy choices. In meeting the development needs of the area, it should be clear from the results of this assessment why some policy options have progressed, and others have been rejected. This must be undertaken through a comparative and equal assessment of each reasonable alternative, in the same level of detail for both chosen and rejected alternatives. The Council's decision-making and scoring should be robust, justified and transparent.
- 3.3.4 Gladman have reviewed the findings of the Council's Partial Review of the Fylde Local Plan to 2032 Sustainability Appraisal and Strategic Environmental Assessment document. In this respect, we note the contents of paragraph 3.3.2.3 from the SA/SEA report, which states that:

"Each of the proposed revisions to policies are considered to be necessary for the Plan to be legally sound in light of the latest version of the NPPF, whilst also being necessary to ensure that the Council works effectively with neighbouring authorities. The Council, therefore, considers that any alternative approach to this, such as to not review the Plan and revise policies, or to revise the policies in a different way such that they may not be legally sound or contribute towards effective co-operation with neighbouring authorities, would not be a reasonable approach. As such, there are no reasonable alternatives to the proposed revisions to policies and so no reasonable alternatives have been appraised in this SA Report."

- 3.3.5 Whilst Gladman recognise that it is not always necessary to test all possible alternative approaches, instead focusing on those that considered to be 'reasonable alternatives', we question the basis on which the above conclusions have been reached.
- 3.3.6 In particular, we submit that it would have been a reasonable alternative to consider an increased level of housing provision as part of the SA/SEA process. For the reasons that are explored further in Section 4 of our representations below, we submit that an increased housing target and the identification of additional housing allocations would conform with the requirements of national planning policy and guidance, be legally sound and would assist neighbouring authorities in meeting their potential unmet housing needs under the Duty to Cooperate.
- 3.3.7 For these reasons, we consider that it would have been appropriate and consistent with the legal requirements of the Planning and Compulsory Purchase Act 2004 and SEA Regulations to consider this as a reasonable alternative through the authority's SA/SEA work.

4 LOCAL PLAN PARTIAL REVIEW – PROPOSED CHANGES

4.1 Introduction

4.1.1 The following section of the representations has been structured to comment on specific changes identified in the Schedule of Revisions to the Fylde Local Plan to 2032. It also comments on other elements of the Council's supporting work where relevant.

4.2 Duty to Cooperate (Paragraphs 1.26 and 1.27)

4.2.1 As identified in Section 3 above, Gladman have significant concerns over the lack of clarity regarding the issue of unmet needs from Wyre Borough Council, and how these will be addressed through the FLP32 Partial Review.

4.2.2 This is highlighted through the proposed changes to FLP32 paragraphs 1.26 and 1.27, which state that *“Whether the unmet need of 380 dwellings from the Wyre Local Plan (2011-2031) cannot be met in Wyre is a matter for the Partial Review of the Wyre Local Plan’s reassessment of housing need in Wyre and how it is to be met”*, supported by the assumption that when based on the current Standard Method a) Wyre will be able to meet its housing needs in full, and b) any potential unmet need arising from Wyre could be accommodated in Fylde's revised housing target of 275 – 415 dpa.

4.2.3 However, there is currently no clarity on this matter, or what the potential level of unmet need from arising from Wyre will be. This will only be confirmed once the Council's own Partial Review proposals are more advanced. Furthermore, the assumption that any unmet could be accommodated within the Fylde's revised housing requirement of 275 – 415 dpa is dependent on this figure being found sound. For the reasons given below, we have significant concerns over this proposal.

4.2.4 Given that there is still so much uncertainty over the planning and delivery of housing within the Fylde Coast area, and no clarity over the issue of unmet housing needs, Gladman question whether it is currently the correct time to proceed with the Fylde Local Plan Partial Review process. This matter could be further complicated in due course by the introduction of proposed changes to the revised Standard Method, which suggests a need to plan for 488 dpa within the Fylde borough area.

4.2.5 To ensure that the Local Plan is able to respond to any housing shortfalls arising from adjoining authorities and can accommodate future increases in Fylde's own housing needs, we believe that the Council should now be looking to allocate additional housing sites, over and above those identified in the authority's adopted proposals. This should be on the basis of no reduction in the Council's own housing target, and will help to provide greater flexibility in the authority's housing land supply.

4.3 Housing Requirement (Paragraphs 9.11 – 9.19 & Policy H1)

4.3.1 The proposed amendments to Policy H1 and supporting paragraphs 9.11 – 9.19 detail the Council's intention to change its Local Plan housing target to a range of 275 – 415 dpa. It is intended that the

- lower of these two figures would provide the minimum housing target to be delivered in the borough from the current year (2020), whilst the upper figure would allow still allow for the delivery of existing sites that benefit from an allocation in the FLP32, and help to meet unmet needs from neighbouring authority areas.
- 4.3.2 Further justification for the Council's amended housing target is contained within the authority's March 2020 Housing Needs and Requirement Background Paper. This describes how the figure of 275 dpa is based on the current Government Standard Method, when utilising the 2014-based household projections and the 2018 median workplace-based affordability ratios.
- 4.3.3 Having considered the Council's evidence base, Gladman consider this revised housing target to be arbitrarily low and at odds with the national imperative to significantly boost the supply of housing.
- 4.3.4 Whilst Gladman note that the Council's proposed housing target of 275 dpa has been derived from the current Standard Method, this is the **minimum** level of housing that the authority would need to accommodate to fulfil the requirements of national planning policy, and is considerably less than the adopted housing requirement of 415 dpa contained within the Council's current Local Plan (Policy H1).
- 4.3.5 In paragraphs 2.14 – 2.16 of the March 2020 Housing Needs and Requirement Background Paper, the Council explore whether there would be any factors to justify a higher local housing need figure in accordance with PPG ID: 2a-010. In this respect, paragraphs 2.14 – 2.16 Background Paper seek to argue that there are no grounds for deviating from the Standard Method or increasing the Council's housing needs above 275 dpa.
- 4.3.6 However, Gladman take issue with the reasoning that has been provided for reaching this conclusion. In the first instance, the affordability ratio element of the current Standard Method largely replaces the market signals uplift contained within previous guidance on assessing a Council's objectively assessed housing needs, and does not remove the ability or need to plan for a higher level of housing where this would support economic growth proposals.
- 4.3.7 In this respect, the Background Paper reports how the baseline demographic target that underpins the Council's adopted housing target of 415 dpa was 253 dpa, and very similar to the 256 dpa figure that now underpins the Council's Standard Method calculation. However, as detailed in the Fylde Coast SHMA: Fylde Addendum 3 (May 2017), an important factor in increasing this baseline demographic figure to 415 dpa was the need to plan for additional job growth, yet no consideration appears to have been given to issue when advancing the authority's revised housing target.
- 4.3.8 The PPG makes clear that it may be appropriate to increase an authority's local housing need figure where this would help to support local growth strategies, or where previous assessments of housing need (such as those contained in a SHMA) are significantly greater than the Standard Method. In this regard, Gladman believe that the Council should not be seeking to deviate from the evidence base that underpinned its current adopted housing target unless it has compelling evidence to do so.

- 4.3.9 With this in mind, Gladman further note that under the Government’s proposed revisions to the Standard Method, Fylde would be required to plan for **a minimum of 488 dpa**, before taking into account any factors that could suggest the need to plan for a higher level of housing in the borough. We are also aware that housing completions in the authority totalled **463, 490 and 634 dwellings per year in 2017/18, 2018/19 and 2019/20⁵ respectively**, which also supports the need to plan for more than the minimum 275 dwelling per year requirement that the authority are now seeking to adopt, as in indication of actual housing demand and need in the borough.
- 4.3.10 Gladman are therefore concerned that the Council’s attempt to reduce their housing target is inconsistent with the authority’s previous economic aspirations and will only serve to unjustifiably frustrate and prevent the delivery of much needed housing within the borough. It is also questionable why the Council are now seeking to advance such a change in housing target, having already sought to identify sufficient sites to meet their higher adopted housing requirement as part of the authority’s adopted FLP32 proposals.
- 4.3.11 For the above reasons, we therefore believe that there are no grounds for departing from or amending the authority’s current adopted housing target as part of the Partial Review process. Rather, we believe that the Council should now be looking to allocate additional sites, over and above those allocated in the existing Local Plan, and plan for a higher level of housing, to ensure the Council’s strategy can respond to any unmet needs arising from neighbouring authorities, and any increase in Fylde’s own housing needs.

4.4 Five Year Housing Land Supply

- 4.4.1 Whilst not specifically referenced within the Schedule of Revisions to the Fylde Local Plan to 2032 document, the March 2020 Housing Needs and Requirement Background Paper discusses how the authority’s proposed housing target of 275 dpa, or range of 275 – 415 dpa, would affect the Council’s five-year housing land supply calculation.
- 4.4.2 In this respect, the Background Paper references the PPG, which states at ID: 68-027 that
- “Where strategic policy-makers have successfully argued through plan-making and examination for a requirement set out as a range, the 5 year land supply will be measured against the lower end of the range.”*
- 4.4.3 For the reasons set out above, Gladman believe that the Council’s decision to progress a reduced housing requirement would not be justified, and therefore that the figure of 275 dpa should not be used to calculate the authority’s five year housing land supply position. Seeking to monitor the Council’s performance against such a low target will only serve to restrict the supply of much needed housing within the authority.
- 4.4.4 The effects of this restraint on housing delivery will be further compounded by the Council’s continued reliance on the ‘Liverpool’ method for addressing any backlog in the authority’s housing

⁵ Fylde 2020 Submission Annual Position Statement, paragraph 4.5

land supply calculation. As explained by Inspector Baird in the authority's now quashed 15th January 2020 Annual Position Statement Report:

"The objective of national planning policy is to "...significantly boost the supply of homes..." and a 5-year HLS is regarded as a minimum position. The shortfall in delivery is not a mathematical exercise, it is real households that require homes now. In this context and given the declining supply of housing land (in Fylde), the continued use of the Liverpool Approach to determine the annual requirement cannot be justified"

- 4.4.5 In accordance with PPG ID: 68-031, Gladman therefore believe that the authority should now be looking to address any shortfall via the 'Sedgefield' method, unless there are clear and compelling reasons for continuing to make good any under-supply over the remainder of the Local Plan period. This should be examined through the Partial Review process.
- 4.4.6 Notwithstanding the above comments and our views on the adequacy of the Council's proposed housing target, we also have some concerns with the way in which the Council has assessed the residual housing requirement that is to be met over the remainder of the Local Plan period to 2032.
- 4.4.7 This is discussed further in paragraphs 4.8 of the authority's March 2020 Housing Needs and Requirement Background Paper, which explains how the residual housing requirement from 2017 – 2032 would be 5,357 – 7,177 dwellings, taking account of actual completions between 2011 and 2017.
- 4.4.8 However, given that there have now been three additional years of housing completions within the authority, we would suggest that it would now be sensible to update these figures to reflect the latest position (i.e. as of 1st April 2020). We also submit that the Council should ensure that it is using its baseline housing target (e.g. 415 dpa) for the purposes of any five-year housing land supply calculations, with performance monitored against this target on a rolling annual basis.
- 4.4.9 This was a point raised in our recent representations on the Council's Draft 2020 Annual Position Statement, as the authority's current approach seeks to over-inflate the authority's housing land supply position and incorrectly factors in any undersupply or oversupply against the Council's adopted housing target. We therefore submit that this should be made clear as part of the Partial Review process.

5 SITE SUBMISSION

5.1 Land at Bryning Lane, Warton

5.1.1 As explained in Sections 3 and 4 above, to ensure that the FLP32 is able to respond to any unmet needs from adjoining authorities and future increases in the Council's own housing requirements, Gladman believe that the Council should now be looking to identify further allocations through the Partial Review process.

5.1.2 In this respect, Gladman have an interest in Land at Bryning Lane, Warton. The site extends to a total area of 6.84 ha and is shown in Figure 1 below.



Figure 1 Land at Bryning Lane, Warton

5.1.3 Land at Bryning Lane, Warton is well positioned to deliver a sustainable residential development to meet the area's housing needs. Situated within the Warton Strategic Location and a recognised location for further growth within the Fylde Borough area, the site could accommodate a deliverable housing scheme of up to 155 market and affordable dwellings (30% affordable housing).

5.1.4 As demonstrated below and on the Development Framework Plan provided as Appendix 1 to these submissions, there are no infrastructure, technical or environmental constraints that would prevent the site's delivery or preclude a sustainable proposal from coming forward in this location. The entirety of the site is located outside of the Green Belt, which currently defines the extent of Warton to the east and west.

- The site is situated immediately adjacent to the existing settlement edge, the recently consented and under-construction Blackfield Green development, and within walking and cycling distance of Warton's existing services and amenities. Any development proposals would also be accompanied by enhancements to pedestrian and cycling infrastructure,

including connections to the existing footway situated along Church Road and National Cycle Route 62 along Hillock Lane.

- Any development would be set within a comprehensive framework of new green infrastructure and landscape planting. New tree and hedgerow planting along the site's boundaries would help to filter views of the development from the surrounding landscape and help to integrate the site into its setting.
- Ecological surveys have identified that with proposed mitigation, the development of the site would not result in any residual significant negative effects to important ecological features and species, including bats and birds. The site does not offer feeding or foraging opportunities for species associated with the Ribble and Alt Estuaries European Protected Sites. Overall, the development proposals have the ability to deliver net biodiversity gains through measures that include the retention and strengthening of linear boundary features, attenuation basins and new bird and bat nesting opportunities.
- The site could be safely accessed via a new priority-controlled junction of Hillock Lane and the proposed site access road, with Hillock Lane forming the minor arm of the junction. Further highway enhancements that could be provided as part of any development proposals include the introduction of a pedestrian crossing along Hillock Lane, adjacent the proposed pedestrian access to the Blackfield Green development, to further enhance the site's permeability.
- The site is situated within Flood Zone 1 and is therefore at low risk of fluvial flooding. The site could be served by existing or enhanced utilities infrastructure, including water, gas, electric and telecommunications, and is not constrained by the presence of any utilities within the site area.

5.1.5 Gladman and the site's owners would now welcome further discussions with the Council's officers, as we look to realise Land at Bryning Lane's development potential and the role that the site could play in meeting the area's housing needs. The site is deliverable, as it is available now, offers a suitable location for development, and is achievable.

6 CONCLUSION

6.1 Soundness Tests

6.1.1 Gladman welcome the opportunity to comment on the Regulation 19 Fylde Local Plan to 2032 Partial Review consultation.

6.1.2 For the FLP32 Partial Review to be found sound at examination it must be able to meet the four tests of soundness as required by paragraph 35 of the Framework. These tests are outlined as follows:

- **Positively prepared** – provide a strategy which, as a minimum seeks to meet the area’s objectively assessed needs and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- **Justified** – an appropriate strategy, taking account of the reasonable alternatives based on proportionate evidence;
- **Effective** – deliverable over the plan period, and based on effective joint working on cross boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in the Framework.

6.2 Key Conclusions

6.2.1 For the reasons stated within these representations, Gladman have a number of important concerns with the revisions to the FLP32 that have been put forward through the current consultation, and question the soundness of authority’s proposals:

- As a general observation, we question the process by which the Local Plan review has been undertaken, with the current Regulation 19 consultation the first occasion that respondents have been able to fully review and comment on the Council’s proposals. We query whether this an appropriate and transparent way to progress policy proposals that are likely to have significant implications for the future development of the Fylde borough area.
- We question the timing of the Local Plan Partial Review in the context of Wyre Borough Council’s own Partial Review process, and the wider reforms to the planning system that are currently being considered by the Government. In seeking to advance the Partial Review before Wyre Borough Council have progressed their own proposals to the Regulation 19 stage, there is no clarity on the issue of unmet housing needs. The Council risks repeating the same situation that led to the requirement to commence the FLP32

Partial Revision, and the need to undertake a further review of the Local Plan in the very near future.

- Gladman have significant concerns over the proposal to amend the Council's adopted housing requirement. The Government's Standard Method provides the minimum starting point for assessing the Council's local housing need, with evidence provided by the previous Fylde Coast Strategic Housing Market Assessment and subsequent addendums, recent housing completions and the Government's proposed Standard Method amendments highlighting that there are compelling reasons to suggest that the authority should be seeking to plan for a higher housing target. The Council's approach appears to be the antithesis of the national imperative to boost significantly the supply of housing.
- To prevent the need to revisit the Council's proposals through a further review and in light of the potential requirement to accommodate unmet needs from neighboring authorities, Gladman submit the Council should be looking to identify further sustainable housing sites that could come forward and deliver flexibility in the authority's land supply. These should be in addition to sites that have already been identified for development within the authority's adopted Local Plan, and on the basis that the Council should not be seeking to reduce its adopted housing target.

6.2.2 Due to the issues raised in these representations, Gladman request the right to appear at any subsequent Examination in Public hearing sessions to discuss these matters in more detail.

Appendix 1

Development Framework Plan, Land at Bryning Lane, Warton



- Site Boundary: **6.84ha**
- DEVELOPABLE AREA**
- Proposed developable area: **Approx. 4.37 ha (Up to 155 units @ 35 dph)**
- ACCESS AND MOVEMENT**
- ↔ Proposed vehicular access point
- ↔ Proposed emergency vehicular access point
- ↔ Proposed internal emergency access road
- Proposed spine road through the development
- Proposed secondary streets
- Proposed private drives and lanes
- Proposed shared/focal space
- Proposed recreational routes
- Proposed new pedestrian/cycle link
- GREEN INFRASTRUCTURE**
- Existing vegetation
- Proposed public open space with new thicket and tree planting
- * Proposed children's play area (Local Equipped Area for Play - LEAP)
- * Proposed SuDS features (attenuation basins)
- Proposed location for foul pumping station (15m easement)
- SURROUNDING CONTEXT**
- Main vehicular routes
- Existing public footpaths
- Existing Sustrans National Cycle Route
- Existing sports and recreation facilities
- Existing waterbodies
- Existing foul rising main (15m easement: 5m either side)

H	02-03-2020	RC	New access added and layout amended
G	12-02-2020	RC	New access added and layout amended
Rev	Date	By	Description

CSA environmental

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Project	Land off Bryning Lane, Warton
Title	Development Framework Plan
Client	Gladman Developments Ltd
Scale	1:2500 @ A3
Date	May 2019
Drawing No.	CSA/3280/110
Drawn	PM
Checked	SM
Rev	H



DE POL

CHARTERED TOWN PLANNERS

established 1986

**REPRESENTATION TO THE
PARTIAL REVIEW OF THE
FYLDE LOCAL PLAN TO 2032**

Concert Living
September 2020

1. INTRODUCTION

1.1 This representation is made for and on behalf of Concert Living to the Partial Review of the Fylde Local Plan to 2032. It objects to the proposed amendments on the basis that the amended policies are unsound due conflict with the National Planning Policy Framework (2019) (hereafter Framework 2019).

1.2 The representation specifically relates to the revision to Policy H1, and in particular:

- The introduction of a housing requirement range of 275-415 net dwellings per annum for the period 2019-2032 (policy H1a) and the alteration of the housing requirement to a range of 6,895 – 8,715 homes (policy H1d); and
- The continued use of the ‘Liverpool’ method for the purpose of calculating the 5 year housing land supply (policy H1c).

1.3 For reasons set out in this representation it is considered that these revisions do not meet the test of soundness, as set out in Framework 2019 paragraph 35, which requires development plans to be:

- a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- c) Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

- 1.4 For reasons set out in this representation it is considered that the housing requirement stipulated in Policy H1 a) and d) should either remain as per the current adopted policy or should be increased. It is also considered that the reference to the 5YR housing supply being assessed using the “Liverpool” method in Policy H1 c) should be deleted.
- 1.5 Whilst this representation relates to Policy H1, it also affects other associated policies, explanatory paragraphs and performance monitoring indicators in the Local Plan which refer to the housing requirement.

2. POLICY H1 HOUSING REQUIREMENT

Framework and National Planning Practice Guidance

- 2.1 As highlighted, for the partial review of the Local Plan to pass the test of soundness it must be consistent with national policy and enable the delivery of sustainable development in accordance with the policies in the Framework. It must also be positively prepared, providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs.
- 2.2 These representations relate to Local Plan Policy H1, which is a strategic policy setting the housing requirement for the Borough and the following policies of the Framework are therefore particularly relevant.
- 2.3 Framework paragraph 11 requires plans and decisions to apply a presumption in favour of sustainable development, which for plan-making means:
- a) plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;
 - b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole

2.4 Paragraph 20 states that strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for housing (including affordable housing).

2.5 Paragraph 59 confirms that a Government objective is to significantly boost the supply of homes and as part of this it is important that a sufficient amount and variety of land can come forward where it is needed and that the needs of groups with specific housing requirements are addressed.

2.6 Paragraph 65 states that strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period.

2.7 Paragraph 73 requires strategic policies to include a trajectory illustrating the expected rate of housing delivery over the plan period and requires all plans to consider whether it is appropriate to set out the anticipated rate of development for specific sites. It requires local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing (5YR supply) against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.

2.8 Paragraph 75 states that to maintain the supply of housing, local planning authorities should monitor progress in building out sites which have permission. Where the Housing Delivery Test indicates that delivery has fallen below 95% of the local planning authority's housing requirement over the previous three years, the authority should prepare an action

plan in line with national planning guidance, to assess the causes of under delivery and identify actions to increase delivery in future years.

- 2.9 The importance of ensuring that housing needs are being delivered is demonstrated by the fact that Framework footnote 7 states that for planning applications involving the provision of housing, if the LPA cannot demonstrate a deliverable 5YR housing supply, or where the Housing Delivery Test indicates that the delivery of housing was less than 75% of the housing requirement over the previous three years, the development plan policies which are most important for determining the application are to be considered out-of-date for the purposes of Framework paragraph 11 d). This engages what is commonly referred to as the 'tilted balance' in decision-taking, where permission is to be granted unless the application of policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
- 2.10 To determine the minimum number of homes needed, Framework paragraph 60 states that strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance (NPPG), unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure (LHN), any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.
- 2.11 Framework paragraph 212 states that plans may need to be revised to reflect policy changes which the Framework 2019 has made and that this should be progressed as quickly as possible, either through a partial revision or by preparing a new plan. However, paragraph 213 confirms that existing development plan policies should not be considered out-of-date simply because they were adopted or made prior to the publication of Framework 2019. In these instances, due weight should be given to them according to their degree of consistency with the Framework. In this context, it is relevant to note that paragraph 214 provides a transitional period where the policies in the previous 2012 Framework still applied for the purpose of examining development plans, where those plans were submitted on or before 24 January 2019. This is the case for the current

adopted Fylde Local Plan, which was considered against the previous 2012 Framework under this transitional arrangement.

2.12 NPPG paragraph 062 Reference ID: 61-062-20190315, under the heading ‘How often should a plan or policies be reviewed?’ states that where a review of a Local Plan was undertaken prior to publication of the Framework (27 July 2018) but within the last 5 years, then that plan will continue to constitute the up-to-date plan policies. Framework paragraph 33 and NPPG also state that policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years.

2.13 Whilst both Framework paragraph 33 and the NPPG state that relevant strategic policies will need updating at least once every five years if their applicable local housing need figure has changed significantly; and they are likely to require earlier reviews if local housing need is expected to change significantly in the near future. NPPG Paragraph: 062 Reference ID: 61-062-20190315 adds further clarification by stating that:

“Local housing need will be considered to have changed significantly where a plan has been adopted prior to the standard method being implemented, on the basis of a number that is significantly below the number generated using the standard method, or has been subject to a cap where the plan has been adopted using the standard method. This is to ensure that all housing need is planned for as quickly as reasonably possible”

2.14 When considering Framework paragraphs 212, 213, 214, 33 and 73, together with NPPG, it is evident that there is no requirement under the terms of the Framework to undertake a review the housing requirement set in strategic Policy H1 at this time. In this respect, whilst the Fylde Local Plan housing requirement was not based on a LHN using the standard method, this was clearly considered acceptable through the Framework transitional arrangement. Furthermore, the policy was adopted less than two years ago and whilst the Framework refers to relevant strategic policies potentially needing a review earlier than five years if the applicable LHN figure has changed significantly, NPPG clarifies that this is when the adopted housing requirement is based on a number that is significantly below the number generated using the standard method. As highlighted later,

this is not the case in Fylde as the LHN based on the standard method is lower than the current adopted Local Plan requirement.

- 2.15 It is also relevant to note that the standard method is under review and the current proposed amendments, if applied in their current form, would result in a LHN which is not just significantly higher than the LHN based on the current standard method, but is also higher than the current Local Plan housing requirement. This is expanded upon below.

Standard Method

- 2.16 As highlighted, the housing requirement set in Policy H1 of the current adopted Local Plan is based on the LPA's objectively assessed need (OAN), established through the Fylde Coast Strategic Housing Market Assessment (SHMA). This identified the OAN as being between 410-430 dpa, although despite the SHMA recommending that it should be towards the upper end due to support economic growth in the area, the adopted Local Plan requirement is towards the lower end, i.e. 415dpa. This is the Borough's recently confirmed objectively assessed need.
- 2.17 The 2008 version of the Framework introduced the standard method as the new means of calculating local housing need (LHN), but whilst this was published prior to the adoption of the Fylde Local Plan, the Plan was examined against the former version of the Framework due to the aforementioned transitional arrangement.
- 2.18 Framework 2019 now states that to determine the minimum number of homes needed strategic policies should be informed by a LHN assessment conducted using the standard method in Planning Practice Guidance (NPPG). This is unless exceptional circumstances justify an alternative approach.
- 2.19 The NPPG on housing needs assessments provides local authorities with a guide on how to approach the standard method for assessing LHN and it provides an overview of the formula. In summary, this involves:

- Step 1: establishing the demographic baseline of household growth. This is based on the 10-year projected annual average growth in the 2014-based national household growth projections using the current year as the starting point.
- Step 2: apply an affordability adjustment on the demographic baseline using the following formula.

$$\text{Adjustment factor} = \left(\frac{\text{Local affordability ratio} - 4}{4} \right) \times 0.25 + 1$$

- Step 3: consider the application of a cap on any increase and ensure that the figure which arises through the first two steps does not exceed a level which can be delivered.

2.20 The LPA’s Housing Needs and Requirement Background Paper (HNRBP) refers to the LHN being 275 dpa based on the above methodology.

2.21 However, NPPG states under the heading ‘*When might it be appropriate to plan for a higher housing need figure than the standard method indicates?*’ (paragraph: 010 Reference ID: 2a-010-20190220) that the standard method provides “*a minimum starting point*” in determining the number of home needed and does not attempt to predict the impact that future Government policies, changing economic circumstances or other factors might have on demographic behaviour. It confirms that there may be circumstances where it is appropriate to consider whether “*actual housing need is higher than the standard method indicates*”. The NPPG goes on to identify the sort of circumstances where this may be the case and these are considered to apply to Fylde, i.e.

- Situations where increases in housing need are likely to exceed past trends because of growth strategies for the area, such as where funding is in place to promote and facilitate additional growth and where strategic infrastructure improvements are likely to drive an increase in the homes needed. Investment and initiatives such as the Warton Enterprise Zone have the potential to boost the demand for housing within

the Fylde, over and above the levels that may be suggested by the Standard Method. Indeed, the evidence base for the authority's recent adopted Local Plan Examination suggested that the LPA's future housing requirement should be set at the upper end of the OAN range of 410-430 dpa to support economic growth in the area.

- Situations where previous levels of housing delivery in an area are significantly greater than the outcome from the standard method. The LPA's net annual completions over the last 3 years since 2016/17 have been 455 dwellings, 470 dwellings and 490 dwellings. It is noted that completions prior to 2016/17 were lower, but as highlighted later this was in the context of the previous Local Plan being significantly time expired, not having any housing allocations or a development strategy in place to deliver the Borough's housing need, and the Borough being entirely reliant on windfall development but constrained by defined settlement boundaries which had been drawn in a restrictive manner on the basis that new housing was to be strictly regulated. Moreover, the LPA had imposed a housing moratorium and even once lifted continually refused large housing developments, forcing applicants to obtain permission via s.78 appeals.

2.22 The NPPG is clear that authorities will need to take the above into account when considering whether it is appropriate to plan for a higher level of need than the standard method suggests. There is a clear steer from NPPG that the standard method figure of 275dpa should only be treated as the minimum starting point and when considering the above factors the housing requirement for Fylde should be increased. To simply treat the minimum starting point as the new housing requirement, despite it being substantially below a recently adopted Local Plan figure and actual annual completions over the last 3 years, contradicts the Government's commitment to significantly boost the supply of housing (paragraph 59) and the requirement to address potential barriers to investment, such as inadequate housing, which is part of the objective to build a strong a competitive economy (paragraph 81c). This is particularly the case given the current Government review of the standard method.

2.23 In this respect, in August 2020 the Government published the consultation document ‘Changes to the current planning system: Consultation on changes to planning policy and regulations’. Part of the proposed changes relate to the standard method.

2.24 The proposals relate to a revised standard method for calculating local housing need which will be used as the basis for plans created prior to any changes outlined in Planning for the Future being introduced. Under the heading ‘Boosting Supply’ the consultation document refers to the Government aspiration to create a housing market that is capable of delivering 300,000 homes annually, yet Adopted local plans, where they are in place, provide for just 187,000 homes per year across England – *“not just significantly below our ambition for 300,000 new homes annually, but also lower than the number of homes delivered last year (241,000)”*. It is in this context that the revisions to the standard method are being proposed. Paragraph 10 states that *“The overall level of need identified by the standard method therefore needs to be sufficient to ensure that land supply does not become a limiter in achieving national supply aspirations.”*

2.25 The consultation document reaffirms that the standard method only provides the starting point for planning for housing and does not establish the housing requirement. It also reaffirms in paragraph 8 that after identifying the minimum number of homes using the standard method, local areas should consider whether local circumstances mean that actual need is higher than that minimum.

2.26 Paragraph 13 states that:

“Household projections, used in the current method, have attracted criticism for their volatility and the way in which they can result in artificially low projections in some places, where overcrowding and concealed households suppress the numbers. Crucially, they cannot in isolation forecast housing need – they project past trends forward. Despite this, we have seen many progress arguments that recent reductions in projected growth should lead to less homes being built. This should not be the logical conclusion, as the Office for National Statistics (ONS) has clarified.”

2.27 Paragraph 14 sets out what the improvements on the revised standard method are designed to achieve, which includes achieving a better distribution of homes where homes

are identified in more high-demand areas and in emerging demand areas across the country such as the Northern Powerhouse. This will help avoid issues where unaffordable areas in high demand are planning for low numbers of homes due to past trends of suppressed household formation.

2.28 The proposed changes to the standard method are as follows:

- Stage 1: the baseline would either be the latest projected average annual household growth over a 10-year period based on the latest ONS national household growth projections, or 0.5% of the existing stock in the local authority, whichever is the higher.
- Stage 2: the following amended affordability adjustment would be applied:

$$\begin{aligned}
 & \textit{Adjustment Factor} \\
 & = \left[\left(\left(\frac{\textit{Local affordability ratio}_{t=0} - 4}{4} \right) \times 0.25 \right) \right. \\
 & \quad \left. + \left((\textit{Local affordability ratio}_{t=0} - \textit{Local affordability ratio}_{t=-10}) \times 0.25 \right) \right] \\
 & \quad + 1 \\
 & \textit{Where } t = 0 \textit{ is current year and } t = -10 \textit{ is 10 years back.}
 \end{aligned}$$

- Stage 3: the former cap has been removed

2.29 The implication of this for Fylde is that the minimum LHN based on this revised standard method (SM version 2) would be 488 dpa. This is not just higher than the current SM version 1 (275 dpa) but is also higher than the current Local Plan Policy H1 requirement (415 dpa).

Implication of the Proposed Revisions to Policy H1 a) and d)

2.30 Policy H1a) of the adopted Local Plan identifies the housing requirement as 415 dpa, which H1d) confirms equates to a minimum of 8,715 homes over the plan period 2011-2032. The amendment to Policy H1 in the partial review is to change the annual requirement post 2019 to a range of 275-415 dpa, equating to a new housing requirement of between 6,895-8,715 dwellings over the plan period.

- 2.31 There are no proposed alterations to the existing housing allocations, no proposed changes to any phasing of the allocations, nor any introduction of new housing allocations either to meet the needs of Fylde, Wyre or any other neighbouring authority. Consequently, the proposed amendments will do nothing to help the Framework objective to boost the supply of homes, but they will:
- a) Strengthen the LPA's position with regards to avoiding the Framework paragraph 11d 'titled balance', which is a Government measure partly aimed at helping address under delivery of housing, which is clearly evident from footnote 7; and
 - b) Remove the opportunity to allocate additional land in the Local Plan review to meet any needs for Fylde or neighbouring authorities which may arise based on the proposed amendments to the standard method.
- 2.32 With regards to the 5YR supply, PPG paragraph 027 Reference ID: 68-027-20190722 states that where strategic policy-makers have successfully argued through plan-making and examination for a requirement set out as a range, the 5YR supply will be measured against the lower end of the range. Accordingly, in Fylde the 5YR housing supply would switch from being considered against the current adopted Local Plan requirement of 415dpa to the much lower 275dpa figure, i.e. the bottom of the range which would be introduced as part of the partial review. Under terms of Framework paragraph 73 this would be the case for a period of five years following the adoption of the partial review Local Plan, irrespective of whether the standard method is subsequently amended resulting in a much higher LHN figure. This could result in a scenario where the LPA does not have a deliverable 5YR housing supply based on the current adopted Local Plan requirement and the LHN based on standard method version 2, but is deemed to have a deliverable 5YR supply due to the lower figure in the Local Plan. The housing delivery test would also continue to be measured against the much lower figure of 275 dpa.
- 2.33 With regards to missing the opportunity to allocate land to address housing need, it is relevant to note that if SM version 2 were introduced in its current form and resulted in a LHN of 488 dpa, this would equate to a minimum additional need of 949 homes over the remaining plan period of 2019 to 2032 when compared with the current adopted Policy

H1. It is also unknown as to what implication the new SM will have on the housing requirement of neighbouring authorities such as Wyre and Blackpool, who are also currently reviewing their housing requirement. In this respect, whilst the Wyre Local Plan was adopted in February 2019 it did not result in a clear quantification of unmet housing need (to be met elsewhere) and this matter still requires further examination through its own immediate partial review. As such the question of how much housing remains in Wyre is still unanswered. Undertaking a partial review of the Fylde Local Plan at this stage therefore prevents the opportunity to consider whether additional housing land ought to be allocated for housing in the Local Plan should the revised SM indicate a significantly increased LHN. Indeed it makes no logical sense for the LPA to use Framework paragraph 212 and paragraph 1.27 of the current Local Plan and to try and justify a partial review now, rather than waiting to assess the outcome of the standard method review. This is particularly the case given paragraphs 2.11 to 2.16 of this representation.

- 2.34 Whilst the LPA would have the option to undertake another review of the Local Plan in due course to reflect any changes to the standard method, their historical actions in this regard do not suggest this is likely to occur.
- 2.35 In this respect, prior to the current Local Plan being adopted in 2018 Fylde were reliant on the 1996-2006 Fylde Local Plan which was adopted in May 2003 and did not identify any housing allocations. The defined settlement limits in this previous Plan were drawn in a restrictive manner as the strategic housing requirement over the remaining plan period had already been met by existing commitments. Whilst the Council subsequently adopted the 2004-2016 Local Plan Alterations Review in 2005, this was only a partial review and made no housing allocations and instead introduced an effective moratorium on new residential development.
- 2.36 The advent of the former Regional Spatial Strategy for the North West (RSS) changed the housing position in Fylde. The RSS identified a higher annual housing requirement for Fylde between 2003-2021. Consequently, the former Local Plan not only had no housing allocations or a development strategy in place to deliver the RSS housing requirement, with there being a complete reliance on windfall development, but the defined settlement boundaries had been drawn in a restrictive manner on the basis that new housing was to be strictly regulated. Ever since the publication of the RSS in 2008 it was evident that

significant edge of settlement greenfield development was required if the Borough's housing needs were to be delivered. This was the clear opinion of the Council's own Planning Policy Team and had been accepted in numerous s.78 appeals.

- 2.37 Despite having a clearly out of date Local Plan and a continually rising housing shortfall, Fylde did not make any noticeable progress on a review of the Local Plan for a number of years, not adopting a replacement plan until 10 years later in 2018. In the meantime, they continued to refuse large housing developments, forcing applicants to obtain permission via s.78 appeals. At Appendix 1 is a table showing those housing sites which had to be granted on appeal, which total 2,685 dwellings. Most of these sites ended up being identified as housing allocations in the current Local Plan adopted in 2018.
- 2.38 It is noted that the LPA have undertaken a quick partial review of the 2018 Local Plan, but this is evidently on the basis that it provides them with an opportunity to introduce a lower housing requirement figure. For reasons previously highlighted, it is considered that if the partial review is approved the LPA are unlikely to undertake another quick review of the Plan to reflect an increase in the LHN based on a subsequent change to the standard method. They are more likely to rely on Framework paragraph 73 to protect themselves from having to address a housing shortfall for the next five years.

Conclusion

- 2.39 The proposed amendment to Policy H1 in the form of introducing a housing requirement range, by adding a lower annual requirement of 275 dpa into the policy, is unsound for the following reasons.
- 2.40 It is not *positively prepared*. Framework paragraph 35 confirms that to be sound Local Plans must provide a strategy which, as a minimum, seeks to meet the area's objectively assessed needs. The standard method is only intended to provide a minimum starting point in determining the number of homes required and as highlighted in paragraphs 2.22 to 2.23 of this representation the LPA have failed to take into account factors which indicate that a higher requirement than the standard method is appropriate. Using a partial review of the Local Plan to reduce the housing requirement in a recently adopted Local Plan, based solely on a standard method which itself is currently under review and

likely to result in an increase in the LHN, cannot reasonably be considered to pass the test of being 'positively prepared'.

2.41 It is not *Justified*. Framework paragraph 35 confirms that development plans must be an appropriate strategy, taking into account the reasonable alternatives. The strategy of inserting a housing requirement range into the recently adopted Local Plan by adding a lower housing requirement figure is not justified when considering the alternatives. One alternative could be to simply leave the housing requirement as per the adopted Local Plan and not insert the lower 215dpa figure. For reasons highlighted, the proposed amendment offers nothing positive in terms of meeting the Framework objective to significantly boost the supply of housing. Another alternative could be to amend the housing requirement upwards to reflect the revised version of the standard method and allocate additional housing land. This would reflect the Framework objective of significantly boosting the supply of housing. Either alternative is preferable and more in line with Framework policy than the proposal in the partial review.

2.42 It is not *consistent with national policy*. A reduction in the annual housing requirement to a figure which is just 58% of the average completion rate over the last 3 years and just 66% of the recently adopted Local Plan requirement, is not consistent with the Framework objective to significantly boost the supply of housing and ensure that the housing requirement of the Borough is delivered. This is particularly the case in the context of the reduced housing requirement being based on a standard method approach which is under review and likely to result in a minimum LHN which is even higher than the current Local Plan requirement. The partial review is a blatant attempt by the LPA to try and introduce a safeguard against the Framework 'tilted balance', thereby removing a core element of the Framework's approach to helping address housing under delivery and boost significantly the supply of housing.

3. **POLICY H1C) LIVERPOOL APPROACH**

3.1 As the LPA are reviewing Policy H1 it is appropriate to consider the entirety of the policy and it is considered that the reference in criterion c) to the 5YR supply being based on the "Liverpool approach" should be removed.

3.2 This relates to the manner in which any shortfall in housing delivery is addressed within the 5YR supply. The Liverpool method spreads this shortfall over the remaining plan period, whereas the Sedgfield method requires the entirety of the shortfall to be delivered within the 5YR period.

3.3 When the LPA's Annual Position Statement was published in January 2020, the Inspector acknowledged that the Local Plan referred to the past shortfall in delivery being addressed across the remaining Plan period (Liverpool) and that this had been found sound. However, the APS Inspector stated in paragraphs 12 to 14 of the report that:

12. In July 2017, the LP examination was advised that the Council had a 5-year housing land supply (HLS) whether the Sedgfield (5.1-years) or the Liverpool Approaches (6.4-years) were used. However, in September 2017, the Council indicated that the 5-year HLS had dropped to 4.9-years using the Sedgfield Approach or 6.2-years using the Liverpool Approach. The Examining Inspector accepted that the past shortfall could be addressed over the remainder of the plan period in order that the Local Plan delivered a 5-year HLS at the adoption of the LP. To do otherwise would have resulted in the LP being found unsound

13. Notwithstanding the recent adoption of the LP, the APS, continuing to adopt the Council's approach to determining the components of the requirement and supply, shows that the HLS supply has reduced from 6.2 years to 5.3 years. Despite this material reduction, the Council does not appear to have taken any particular action to address the decline.

14. The objective of national housing policy⁶ is to "...significantly boost the supply of homes..." and a 5-year HLS is regarded as a minimum position. The shortfall in delivery is not a mathematical exercise, it is real households that require homes now. In this context and given the declining supply of housing land, the continued use of the Liverpool Approach to determine the annual requirement cannot be justified".

3.4 The APS Inspector's report therefore applied the Sedgfield method. This report was subsequently quashed and reconsidered, but this was on the basis that APS Inspectors are not entitled to reconsider strategic policies in recently adopted plans or to re-assess the approach to past under-delivery. This partial review of the Local Plan now provides an opportunity to reconsider this matter.

3.5 For the reasons highlighted by the APS Inspector in the original report, it is considered that the Sedgefield approach is more consistent with the Framework and that the Liverpool method is contrary to the objectives of the Framework. This is particularly the case where the LPA are proposing to insert a lower housing requirement figure and where the review of the standard method could indicate an even higher Local Housing need than the current adopted Local Plan.



Appendix 1

Local Plan Ref.	Site	No. of dwellings	Comments
HS21	11-63 Westgate Road	70	Approved on appeal. Subject application has an officer recommendation for approval
HS29	Crossacres, Wesham	106	Original outline permission approved on appeal following non-determination by Council
HSS1	Land south of Queensway	1,150	Outline permission originally approved on appeal following Council's non-determination
HSS2	Blackfield End Farm, Warton	360	Approved on appeal following Council's non-determination
HSS7	Land at Brookfarm, Dowbridge	170	Outline approval 15/0547 granted on appeal.
HSS8	The Pastures, Wesham	262	Granted on appeal. Subject application has officer recommendation for approval
HSS9	Land north of Blackpool Road, Kirkham	117	Granted on appeal
HSS9	Land north of Blackpool Road, Kirkham	180	Granted on appeal after Council's non-determination
HSS11	Willow Drive, Wrea Green	100	Granted on appeal
HSS13	Clifton House Farm, Lytham Road, Warton	115	Outline approval 15/0562 granted on appeal
HS45	54 Bryning Lane, Wrea Green	25	Granted on appeal. Subject application had recommendation for approval
HS40	Kings Close, Staining	30	Granted on appeal. Subject application has recommendation for approval
	Total	2,685	



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3 September 2020



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Dear Sir / Madam

**Written Representation on behalf of Fylde Coast Care Village Limited
Lytham Care Village, Lytham Road, Warton
Representations on the Partial Review of the Fylde Local Plan to 2032 (FLP32)**

Introduction

Thank you for the opportunity to comment on the Partial Review of the Fylde Local Plan. We provide the following response to the consultation on behalf of our client, Fylde Coast Care Village Limited, in relation to the above site.

The purpose of this representation is to assist Fylde Council (the Council) in its consideration of its Partial Review of the Local Plan. Silence on other parts of the Plan does not necessarily imply support or objection to those parts of the Plan.

The Site and Relevant Planning History

The application site is shown in detail on attached Existing Site Layout Plan (ref. 05553 MP 00 0202).

The site measures approximately 8 hectares. It is currently an established leisure destination located just outside Lytham, occupied as a caravan park comprising static caravans and buildings associated with the use such including a former restaurant, workshops and internal site infrastructure. The buildings however are now redundant and are becoming dilapidated. The site is therefore previously developed land.

The site is located on the A584, Lytham Road which links Lytham St Annes to Warton, Freckleton and Preston. There is a bus service along that route with a stop adjacent to the site entrance which provides access to the surrounding towns and villages of Warton, Lytham, Preston and Blackpool.

In the adopted Fylde Local Plan the site is designated as Green Belt under Policy GD2. The site is therefore an existing developed site within the Green Belt.



Relevant Planning History

Application Reference	Description	Decision / Date
16/0992	Outline application with all matters reserved except for means of access for the redevelopment of the site as a mixed use scheme comprising: (1) up to 33 single storey assisted living units (use class c2) with a maximum overall volume of 10,400 cubic metres; (2) a two storey care home (use class c2) with a maximum overall volume of 14,700 cubic metres; (3) replacement of two single storey dwellings with two 1.5 storey dwellings (use class c3) with a maximum overall volume of 800 cubic metres; (4) a single storey mixed use building including a public leisure/café facility (use class d2/a3) and ancillary retail shop (use class a1) with a combined maximum overall volume of 2,600 cubic metres; (5) a bowling green; and (6) associated revisions to internal access routes and landscaping	Approved 05 September 2018
09/0587	Extension and reorganisation of existing touring / static caravan park. Resultant site to provide 49 touring caravan plots and 46 static caravan plots along with amended parking arrangement & internal access roads and additional landscaping	Approved 15 January 2010

The key planning permission is the outline planning permission granted for a mixed use care village scheme, comprising a mixture of 33 assisted living units, two storey care home, two 1.5 storey dwellings and supporting food retail and leisure uses was granted in 2018 and remains extant (ref. 16/0992).

Policy GD2 of the adopted Fylde Local plan relates to Green Belt and states: ‘*The Green Belt within Fylde is shown on the Policies Map. Within that area national policy for development in the Green Belt will be applied.*’ The National Planning Policy Framework (NPPF) states that new development in the Green belt should be approved in Very Special Circumstances (paragraph 144). In its consideration of the above outline planning application the Council concluded that Very Special Circumstances for the proposal existed and therefore approved. Further details are included within the Planning Officers Report to Committee dated 1 August 2018.

In light of the above, the site is considered to be suitable and deliverable for the development of new housing. Accordingly, we are currently in the process of engaging in pre-application discussions with the Council for proposal to redevelop the site for housing.

Representations

The consultation on the Partial Review of the Fylde Local Plan to 2032 (PRFLP32) relates to the proposed revisions to the Local Plan to deal with two principal issues:

- *The need to ensure that the Local Plan remains in accordance with national planning policy, following the publication of the new National Planning Policy Framework in February 2019;*
- *The need to examine the issue of unmet housing need in Wyre, in line with the commitment in paragraph 1.27 of the Local Plan, and following the adoption in February 2019 of the Wyre Local Plan (2011-2031) with unmet housing need.*

It is widely accepted that there is a chronic shortage of housing in the UK. The revised NPPF seeks to address the housing crisis, focusing policies on increasing housing provision in all areas. The NPPF has a strong emphasis on the need to significantly boost the supply of housing across the UK.

In relation to housing requirements, the Partial Review of the Local Plan (paragraph 9.17) states that:

'1,538 dwellings have been completed in Fylde from 2011-2017, an average of 256 dwellings per annum. When this figure is subtracted from the overall plan period requirement of 6,895-8,715, it gives a residual requirement of 5,357-7,177 dwellings to be completed from 2017 to 2032. This figure (5,357-7,177) includes the shortfall which has accrued during the early years of the plan when large sites were in the planning process. This equates to 357-479 dwellings per annum for the remaining years of the plan period. This is the 'Liverpool' method, for the purpose of calculating the 5 year housing land supply and is necessary in order to provide the most effective strategy to facilitate the delivery of housing during the plan period.'

The reason for the change is confirmed as follows: *'To accord with the requirements of NPPF 2019 paragraphs 60 and 65. Housing numbers edited due to revised housing requirement figure resulting from change to housing needs methodology in NPPF 2019.'*

We broadly agree with the revised housing requirement. However, the Council should focus on the higher figures to ensure that housing needs are met.

On 6 August 2020 the Planning for the Future White Paper was published for consultation until 29 October, which aims to reform the planning system to streamline the planning process and accelerate delivery of new homes. It sets out a series of reforms to the planning system announced in recent months as part of the Government's drive to *'Build Build Build.'* Whilst still in its early stages, it proposes long-term structural changes to the planning system the seek to encourage the delivery of new homes. There is a clear emphasis on the need to deliver new homes.

The consultation paper 'Changes to the current planning system' proposes a revised Standard Method for calculating Local Housing Need (LHN) that will remain the starting point for the calculation of the Local Plan housing requirement and should result in the country as a whole delivering the target of at least 300,000 homes a year. From an initial review, the revised Standard Method set out in the White Paper shows an increase in housing requirement for Fylde, although this will be subject to further detailed review. With this in mind, the revised Standard Method indicates that the Council should certainly retain the requirement identified in the Partial Review of the Local Plan, as a minimum.

In light of the above, the site is considered to be entirely suitable for redevelopment for new housing to assist the Council in meeting its requirement. Accordingly, this should be reflected in the Local Plan under the relevant policies relating to housing development, namely Policy DLF1: 'Development Locations for Fylde'.

Summary and Conclusion

In summary:

1. The site is an existing developed site in the Green Belt.
2. It has an extant outline planning permission for redevelopment for a mixed-use care village scheme.
3. It should therefore be identified in the Local Plan as an acceptable housing site.

Overall, we trust that these representations will be taken into consideration and that the information provided within this letter is of assistance. We would be grateful if you could acknowledge receipt of these representations and keep us informed of any further consultations in relation to the Fylde Local Plan.



If you have any queries please feel free to contact either Peter Whittingham or Olivia Pemberton at these offices in the first instance.

Yours faithfully

A handwritten signature in grey ink that reads "Savills".

Savills
Planning

cc. C. Campbell (Bellair)

Encs. Existing Site Layout Plan (ref. 05553 MP 00 0202)

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CONSTRUCTION - It is considered that the proposed works are within the scope of a competent Contractor and no such or unusual hazards have been identified, other than those noted on the Construction Design Risk Assessment.



KEY:

All building heights indicated below are above finished floor levels.

- Application Boundary
- Existing Water Bodies
- Existing and lawful development consisting of a mixture of lodges, static caravans and touring caravans in place and occupied when the site was purchased by the Client.



- C 17/01/2018 Updated annotation.
- B 24/08/2017 Updated areas to C1, C2 and C3 uses
- A 15/05/2017 Updated areas to C1, C2 and C3 uses

REV:	DATE:	DETAILS:

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PROJECT: Great Birchwood Country park
Warton, Fylde

TITLE: Occupants Plan

SCALE: 1:1000@A1 ORIGIN DATE: Aug 2017 DRAWN: EC CHECKED: JC

STATUS: Information

PROJECT: 05553 DRAWING NO: _MP_00_0202 REV: C

Architecture | Masterplanning | Interiors | Graphics | Branding



Representations to the Partial Review of the Fylde Local Plan

for Hollins Strategic Land



Project : 19-318
Site address : Fylde Local Plan
Client : Hollins Strategic Land

Date : September 2020
Authors : Jill Paton/Stephen Harris

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1. Introduction

- 1.1 These representations are submitted to the Partial Review of the Fylde Local Plan on behalf of Hollins Strategic Land. Their specific land interest is land at Fleetwood Road, Wesham.
- 1.2 Fylde Council is undertaking a Partial Review of the Fylde Local Plan (adopted 22 October 2018), which is subject to consultation until 3rd September 2020. The Schedule of Revisions consultation document, published 23 July 2020, states that this Partial Review is being undertaken on the basis that:
1. The Local Plan was examined in accordance with the National Planning Policy Framework 2012, which was subsequently revised in July 2018 and February 2019, and revisions are required to ensure conformity with the updated Framework.
 2. The Local Plan was adopted with the commitment that an early review would be undertaken due to Wyre Council's difficulties in meeting its objectively assessed need for housing.
- 1.3 For the reasons we set out in this statement, neither of these two reasons justify the Partial Review as drafted and it should therefore be withdrawn.
- 1.4 We address each in turn.

2. Reason 1 – Conformity with the 2019 Framework

Proposed revision to Fylde’s housing requirement

2.1 Policy DLF1 of the adopted Fylde Local Plan sets out the housing requirement for Fylde of 8,715 over the plan period. This equates to a requirement of 415 dwellings per annum. The Schedule of Revisions proposes to amend this requirement to a range of between 6,895 – 8,715 dwellings over the plan period, which equates to a range of between 275 – 415 dwellings per annum. The justification for this is cited as being due to a revised housing requirement figure resulting from the change to housing needs methodology in the Framework (2019).

2.2 We object to the changes and justification provided for the revised housing requirement on three grounds, as follows.

1. National policy does not support a plan review based on a lower Local Housing Need identified by the standard method to that in the adopted Local Plan.
2. The Partial Review does not comply with the Duty to Cooperate.
3. The revised housing requirement conflicts with up-to-date evidence of housing need based on the emerging methodology for calculating local housing need.
4. The application of the revised requirement for 5 year supply.

2.3 We address each point in turn.

1. National Planning Policy Framework (The Framework) and National Planning Practice Guidance (PPG)

2.4 Reason 1 states that the revisions are required to ensure conformity with the updated Framework.

2.5 The Government does advise when there are significant changes in circumstances which may mean it is necessary to review the relevant strategic policies of a development plan earlier than the statutory minimum of 5 years. Paragraph 33 of the Framework states that:

“Relevant strategic policies will need updating at least once every five years if their applicable local housing need figure has changed significantly.”

2.6 The PPG provides clarification on when local housing need will be considered to have changed significantly. It states:

“How often should a plan or policies be reviewed?”

To be effective plans need to be kept up-to-date. The National Planning Policy Framework states policies in local plans and spatial development strategies, should be reviewed to assess whether they need updating at least once every 5 years, and should then be updated as necessary.

Under regulation 10A of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) local planning authorities must review local plans, and Statements of Community Involvement at least once every 5 years from their adoption date to ensure that policies remain relevant and effectively address the needs of the local community. Most plans are likely to require updating in whole or in part at least every 5 years. Reviews should be proportionate to the issues in hand. Plans may be found sound conditional upon a plan update in whole or in part within 5 years of the date of adoption. Where a review was undertaken prior to publication of the Framework (27 July 2018) but within the last 5 years, then that plan will continue to constitute the up-to-date plan policies unless there have been significant changes as outlined below.

*There will be occasions where there are significant changes in circumstances which may mean it is necessary to review the relevant strategic policies earlier than the statutory minimum of 5 years, for example, where new cross-boundary matters arise. **Local housing need will be considered to have changed significantly where a plan has been adopted prior to the standard method being implemented, on the basis of a number that is significantly below the number generated using the standard method, or has been subject to a cap where the plan has been adopted using the standard method. This is to ensure that all housing need is planned for as quickly as reasonably possible.**¹" (our emphasis)*

- 2.7 There is no justification in the Framework or the PPG for an early plan review based on the adopted housing requirement being higher than the requirement generated by the standard method. In that context a revision through this Partial Review to reduce the housing requirement of 415 dwellings per annum to 275 dwellings per annum has no support in the Framework or PPG. Therefore, on this reason alone the Partial Review is not entitled to review the requirement in Policy H1. It also runs contrary to the key objective of the Framework which is to boost housing delivery.
- 2.8 Paragraph: 039 Reference ID: 61-039-20190315 of the PPG sets out what the steps are for preparing evidence. It states:

What are the steps in gathering evidence to plan for housing?

Strategic policy-making authorities will need a clear understanding of housing needs in their area. The steps in building up this evidence include:

¹ Paragraph ID: 61-062-20190315

- *establishing the overall housing need (conducted using the standard methodology unless exceptional circumstances justify an alternative - see [local housing need guidance](#));*
- *identifying the housing need of specific groups;*
- *working with neighbouring authorities and key stakeholders to establish the housing market area, or geography which is the most appropriate to prepare policies for meeting housing need across local authority boundaries;*

Authorities can use this evidence to:

- *prepare or update their Strategic Housing Land Availability Assessment jointly with the authorities within the defined area or individually to establish realistic assumptions about the suitability, availability, and achievability (including economic viability) of land to meet the identified need for housing over the plan period, including robust evidence of deliverability for those sites identified for the first 5 years of the Plan*
- *prepare a viability assessment in accordance with guidance to ensure that policies are realistic and the total cost of all relevant policies is not of a scale that will make the plan undeliverable.*

2.9 With regard to the first and second bullet points, to establish the overall housing need it is necessary to apply the standard method unless exceptional circumstances justify an alternative. A hyperlink then takes the reader to the section titled "*Housing and economic needs assessment - Guides councils in how to assess their housing needs*". The LPA has undertaken the standard method as set out in the PPG.

2.10 However paragraph: 010 Reference ID: 2a-010-20190220 states:

"Circumstances where this may be appropriate include, but are not limited to situations where increases in housing need are likely to exceed past trends because of:

- *growth strategies for the area that are likely to be deliverable, for example where funding is in place to promote and facilitate additional growth (e.g. Housing Deals);*
- *strategic infrastructure improvements that are likely to drive an increase in the homes needed locally; or*
- *an authority agreeing to take on unmet need from neighbouring authorities, as set out in a statement of common ground;*

There may, occasionally, also be situations where previous levels of housing delivery in an area, or previous assessments of need (such as a recently-produced Strategic Housing Market Assessment) are significantly greater than the outcome from the standard method. Authorities will need to take this into account when considering whether it is appropriate to plan for a higher level of need than the standard model suggests. (our emphasis)

2.11 In the case of Wyre the SHMA identified an annual net need of 207 affordable homes per annum. Using the standard method after applying the affordability ratio the housing figure increased from 253 to 275 dwellings, an increase of 22 dwellings. This is some 10% of the actual affordable need identified in the SHMA. Therefore, in the context of the PPG, the LPA cannot simply dismiss the findings of the SHMA as they do in EDPR04.

2.12 The Local Plan Inspectors Report states:

“Affordable housing needs

59. The 2013 SHMA identified a need for 207 affordable homes per annum. This was updated to 249 dpa in the Addendum 1 report.

60. Whilst it has been suggested that the needs identified are too high, this has not been convincingly evidenced in detail. Indeed as the definitions and method for assessing affordable housing needs as used within the SHMA and its addendum follow those set out within the PPG, the resultant need identified is robust.

61. It has also been suggested that an uplift should be applied to the OAN to reflect the need for affordable housing. It is unlikely that the full identified need will be delivered through provisions set out within the Plan. Based on the Council's proposed affordable housing target of 30% for relevant new residential developments, this would require more than 800 dwellings per annum to be delivered to achieve the affordable housing figure in full. I agree with the Council that this is completely unrealistic, bearing in mind that the OAN is based on a robust assessment of the number of people likely to want or need to live in the Borough and that between 1991 and 2017 the highest number of dwellings constructed was 502 in 1992/93.

62. Moreover, provision against the revised OAN would in itself represent a significant uplift on historic rates of affordable housing completions, noting that in 2015/16 fewer than 40 affordable dwellings were delivered. Providing 410-430 dpa would contribute towards meeting a significant proportion of the affordable housing need identified, providing around 120-130 dwellings per annum.”

2.13 Therefore, whilst there was not a specific uplift above the proposed OAN for affordable, the Inspector was clear that the affordable housing that would be delivered using the OAN would

represent a significant uplift on historic rates of affordable homes which was necessary. By using the standard method, the Council is ignoring the Inspector's conclusion on this issue and will have a significantly detrimental impact on the provision of affordable homes.

- 2.14 The draft standard method would reflect and assist in delivering the affordable housing in the SHMA. As a minimum the LPA should have undertaken an affordable housing update to understand the local circumstances as to whether the affordability ratio is appropriate. It must be remembered that providing homes for those in affordable housing need is a crucial part of the planning process and a simple application of the standard method will not meet their needs. Therefore, the Plan Review should not progress on this basis.
- 2.15 We examine bullet 3 in the next section titled Duty to Co-operate.

2. Duty to Cooperate

- 2.16 Paragraph 26 of the Framework states that:

“Effective and ongoing joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere.”

- 2.17 As noted in the 'Reason 1' section above, the Schedule of Revisions states that the Partial Review of the Fylde Local Plan has not needed to incorporate alterations to its housing needs or requirement figures following consideration of the issue of housing need in Wyre.
- 2.18 However, Wyre Council sent a letter to Fylde Council regarding the Partial Review and the Duty to Cooperate, dated 6 March 2020 (**Appendix EP1**), which does not support Fylde's assessment of its housing need as a standalone issue. This letter states that matters of housing need would most comprehensively be dealt with jointly between the respective authorities, and it is the view of Wyre Council that the authorities should work together to identify where unmet housing need should be accommodated. Wyre Council's letter states that the plan processes of the two councils need to be properly aligned in order to accommodate this. The letter states:

“I would therefore like to propose that we agree to jointly review the above matters to further inform the partial review of both our plans, providing the opportunity to achieve a consistency of approach between our two authorities and their plans. In my view this is the best way to review our respective plans for

our shared housing market area, and to ensure that housing needs are properly planned for and met across the HMA."

2.19 In order for the Plan Review to produce an effective and long-term housing strategy, and ensure that housing needs of the HMA are met in full, Fylde Council should undertake a joint plan review with Wyre Council. It is not sufficient for Fylde Council to undertake a standalone review of its housing requirement without a comprehensive study of the housing needs of the wider HMA. This should also include Blackpool Council who form the other LPA in the Housing Market Area.

2.20 In proceeding with the Partial Review despite the written request of Wyre Council to align their respective plan-making timescales and undertake a cross-boundary assessment of housing need, Fylde Council has not complied with the Duty to Cooperate.

3. Local Housing Need

2.21 The revised housing requirement proposed by the Fylde Local Plan Review is based on the change to housing needs methodology in the 2019 Framework. The current standard method results in the following local housing need for Fylde.

2019-2019 household projections per annum	Affordability ratio	Adjustment factor	Minimum annual local housing need
253.30	5.36	1.09	274.83

2.22 It is on this basis that Fylde's housing requirement is proposed to be revised to a minimum of 275 dwellings per annum.

2.23 However, the Government published a revised standard method for calculating local housing need in their 'Changes to the current planning system' consultation document, dated August 2020. The new method results in the following local housing need for Fylde.

0.5% of existing housing stock	2018 household projections	Affordability ratio	Adjustment factor	Minimum annual local housing need
199.10	428	5.43	1.14	487.65

2.24 The revised standard method results in a housing requirement for Fylde of 488 dwellings per annum. Whilst still in draft, this is significantly higher than both the minimum requirement proposed (275 dwellings per annum) and the adopted housing requirement (415 dwellings per annum).

2.25 With regard to local planning, paragraph 31 of the Framework states that:

“the preparation and review of all policies should be underpinned by relevant and up-to-date evidence.”

2.26 Adoption of the revised housing requirement as proposed would be to dismiss the draft methodology which is undoubtedly a crucial piece of relevant and up-to-date evidence. We note that the Inspectors wrote to the LPA on 8th July 2020. It is enclosed as **Appendix EP2a**. For ease of reference they state:

“2. Where assessing housing and economic development needs, the PPG advises that “Wherever possible, local needs assessments should be informed by the latest available information. The National Planning Policy Framework is clear that Local Plans should be kept up-to-date. A meaningful change in the housing situation should be considered in this context, but this does not automatically mean that housing assessments are rendered outdated every time new projections are issued.”(Paragraph:016, Reference ID: 2a-016-20150227)

3. On Monday 29 June 2020 the ONS published the 2018-based household projections. They represent the latest available information. In response to the data released by the ONS, please can you provide the following information.

4. Firstly, please can you individually, provide an assessment of the objectively assessed need for housing for both Central Bedfordshire and North Hertfordshire based on the most up-to-date household projections. This should include details of how you have arrived at each figure. Secondly, please can you advise whether or not you consider this represents a meaningful change for the purposes of the PPG and provide reasons for your conclusions. If the latest household projections do represent a meaningful change, what are the implications for the housing requirement figures in each Plan?”

2.27 The LPA's response (**Appendix EP2b**) states:

“(i)The Council's response is set out in the enclosed note(Note 1)which has been prepared for the Council by Opinion Research Services(ORS),including how the figure has been arrived at. In summary, based on the latest up to date 2018 household projections, the change to the Council's OAN is less than 1% and therefore not material and does not represent a “meaningful change”.

2.28 In the case of Fylde, the 2014 based projections estimated an increase of 2,499 new households between 2020 and 2030, whereas the 2018 based projections estimate an increase of 4,280 households. This is a meaningful and significant change and one which requires the Partial Review to address. If it does not, then the proposed housing requirement in the Partial Review is in contravention of the Framework and PPG.

- 2.29 Further, paragraph 33 of the Framework states that development plans are likely to require earlier review than the statutory minimum where “local housing need is expected to change significantly in the near future.” To progress the Partial Review with a housing requirement based on the current standard method would be to act prematurely given the proposed revisions to the standard method and the resulting implications for Fylde’s housing need. To adopt the Schedule of Revisions now would be to do so on the basis that the Plan would likely require an immediate review. This would be contrary to the aims of the Framework to plan positively and anticipate long-term strategic requirements (paragraphs 16b and 22).
- 2.30 As stated in the ‘Background’ section above, the Schedule of Revisions states that the objective of the Plan Review is to ensure that any unmet need is met within the Fylde Coast Housing Market Area (HMA).
- 2.31 It is unclear how this objective could be achieved on the basis of a housing requirement that would be almost immediately out of date upon adoption.
- 2.32 The table below shows the local housing need for the HMA based on the current and draft revised standard method.

Fylde Coast Housing Market Area Authorities	Annual Local Housing Need based on current standard method	Annual Local Housing Need based on draft revised methodology
Fylde	275	488
Wyre	308	383
Blackpool	114	303
HMA total annual housing need	697	1,174

- 2.33 As demonstrated above, the draft revised methodology results in a significantly higher housing requirement for the HMA. The Council cannot expect to ensure that the needs of the HMA are met through a plan review which disregards the most up-to-date evidence of housing need in favour of a lower housing requirement. This is particularly the case when the draft Standard Method is a key part of the Planning White Paper, which states:

“The white paper proposes to retain the Housing Delivery Test and the standard method, which is also included in the concurrent consultation – discussed later – about amending the current planning system. The standard method would

be a means of distributing the national housebuilding target of 300, 000 new homes a year and would make LPAs responsible for allocating land suitable for housing to meet the requirement, perhaps through densification or better use of brownfield land."

2.34 Housebuilding is a key part of the Government's policy. The White Paper states:

"One of the white paper's aims is to support SME builders and developers, who will (the Government says) be key players in economic recovery following the pandemic. The press release accompanying the white paper argued that its proposals could provide a "major boost" to SME builders:

The changes will be a major boost to SME builders currently cut off by the planning process. They will be key players in getting the country building on the scale needed to drive our economic recovery, while leading housebuilding that is beautiful and builds on local heritage and character.

(...)

Recent studies show smaller firms feel the complexities of the planning process and its associated risks, delays and costs are the key challenges they face in homebuilding.

Planning for the Future makes several references to the role and the needs of the SME sector. It suggests (for example) that the new Infrastructure Levy would reduce cashflow difficulties for SME developers:

4.11. As a value-based charge across all use classes, we believe it would be both more effective at capturing increases in value and would be more sensitive to economic downturns. It would reduce risk for developers, and would reduce cashflow difficulties, particularly for SME developers."

2.35 Housebuilding is therefore a key sector and meeting the homes of those in need is a priority. The Partial Review is contrary to both those aims.

2.36 Given the ongoing consultation on the standard method, we consider that it is premature for Fylde Council to seek to revise its housing requirement at this stage. An effective and justified strategy would be to await the outcome of the Government's draft revised methodology for calculating local housing need, to ensure that the plan is effective in its delivery of housing for Fylde and the wider HMA. The LPA would then be entitled under Paragraph ID: 61-062-20190315 of the PPG as the Fylde Local Plan was adopted prior to the standard method being implemented, on the basis of a number that is significantly below (415 dwellings) the number

generated using the standard method (488 dwellings) on the basis the draft method is adopted. However, that must also be done in co-operation with both Wyre and Blackpool.

4. The application of the revised requirement for 5-year supply.

2.37 In light of the adopted requirement in Policy H1 and the draft Local Housing Need figure of 488, it is clear that a figure of 275 dwellings is a suppression of actual housing need in the Borough. The application of a requirement of 275 dwellings per annum for calculating 5-year land supply would be a direct conflict with the Framework's policy to boost housing supply. Paragraph 73 of the Framework states:

"Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies³⁶, or against their local housing need where the strategic policies are more than five years old³⁷."

2.38 The application of a reduced housing requirement within 5 years of adoption through this Partial Review which has no support in the Framework or the PPG is wholly unjustified. The figure of 415 dwellings per annum must be used for the calculation of the 5 year supply, as that is what the Local Plan allocated land to meet, and if there is a shortfall in achieving that requirement, then unallocated sites must be considered. With the 2018 household projections stating an annual increase of 428 households per annum and the draft Local Housing Need of 488 per annum, then as a minimum the 5-year supply must be calculated on 415 dwellings.

2.39 In response to EDPR05 we append (**Appendix EP3**) our representations to the draft APS which includes our assessment of the sites in the supply. If the Partial Review progresses, then we would update this as part of the Examination.

2.40 For these reasons, there is no support in the Framework or PPG for Reason 1 for the Partial Review as being consulted upon.

3. Reason 2 – Meeting Wyre’s Unmet Needs

- 3.1 The adopted Fylde Local Plan sets out that Wyre Council wrote to Fylde Council in May 2016, under the Duty to Cooperate, to request that Fylde Council assist Wyre Council in meeting its objectively assessed housing need. The Objectively Assessed Need (OAN) figures for the three Fylde Coast Authorities originate from the ranges set out in the original SHMA 2014 and its updates which considered revised population and household formation data.
- 3.2 The adopted Fylde Local Plan states that Fylde Council recognises that Wyre Council have identified difficulties in planning to meet its objectively assessed need for housing. The Plan states that any need that remains unmet following the adoption of Wyre’s Local Plan will need to be addressed. As such, Fylde Council committed to undertake an early review of its Local Plan to examine this issue, working with other authorities adjoining Wyre under the Duty to Cooperate. The Fylde Local Plan states that:

“The objective of this process would be to ensure that any unmet need is met within the Housing Market Area and/or in other appropriate locations, where consistent with the achievement of sustainable development.”

- 3.3 The Wyre Local Plan was adopted on 28 February 2019 and identifies the OAN for Wyre to be 479 dwellings per annum, equating to 9,580 over the plan period to 2031. Policy SP1 of the Plan states that it will deliver a minimum of 9,200 dwellings, which equates to 460 dwellings per annum. This results in a shortfall of 380 dwellings. The adoption of the Wyre Local Plan with this shortfall triggers the early review mechanism contained within paragraph 1.27 of the adopted Fylde Local Plan.
- 3.4 Wyre Local Plan Policy LP21 commits Wyre Council to a partial review of its Local Plan with the objective of meeting the full OAN. Paragraph 1.26 of the Fylde Local Plan Partial Review Schedule of Revisions states that whether the unmet need of 380 dwellings from the Wyre Local Plan cannot be met in Wyre is a matter for the Partial Review of the Wyre Local Plan and its reassessment of housing need. The local housing need for Wyre calculated using the standard method in the PPG gives a figure of 308 dwellings per annum, which is significantly below the 460 dwellings per annum that the Wyre Local Plan provides for. The Schedule of Revisions therefore states that the housing needs in Wyre, under an assessment using the standard method, will be met in full by the Wyre Local Plan. Any housing need that cannot be met in Wyre, established through Wyre’s Partial Review, is provided for through the new housing requirement range of 275-415 in the Partial Review of the Fylde Local Plan.

3.5 Paragraph 1.27 of the Schedule of Revisions therefore states that the Partial Review of the Fylde Local Plan has not needed to incorporate alterations to its housing needs or requirement figures following consideration of the issue of housing need in Wyre. Therefore, at present, there is no need for Reason 2 (above) of the plan review.

4. Land east of Fleetwood Road, Wesham

4.1 Whilst the Partial Review is not considering existing or proposed allocations, the draft revised standard method results in a significantly higher local housing need for both Fylde and the wider HMA. As result, the plan review will need to identify additional sites in order to meet the new minimum local housing need, once adopted. We therefore propose the site east of Fleetwood Road for allocation, edged red on the map below.



4.2 The site is 8.5ha in area and is located to the east of Fleetwood Road, Wesham. The site has capacity to accommodate approximately 175 dwellings. Enclosed as **Appendix EP4** is a concept Plan for the site.

4.3 The site comprises three agricultural fields which encircle a number of existing commercial buildings. To the north of the site is a lane and public right of way, to the east is Medlar Brook, and to the south is residential development. Beyond Fleetwood Road to the west is a substantial

mixed-use development which comprises a 6,000-seat football stadium, multi-use pitches, industrial units, a supermarket, restaurant and petrol station.

4.4 Along with the proximity to the mixed-use development at Mill Farm, a number of local services and facilities are also accessible by walking/cycling. The site is well located, adjacent to the Local Service Centre of Wesham and the neighbouring Key Service Centre of Kirkham. Kirkham and Wesham railway station is within walking distance of the site and regular bus services run along Fleetwood Road, connecting the site to the wider area. As such, the site is in a highly sustainable location.

4.5 The site has been the subject of the following reports:

Ecological Report

4.6 This confirms that a development at the site is feasible and acceptable in accordance with ecological considerations and the NPPF. Adverse effects on designated sites for nature conservation, ecologically valuable habitats and protected species are reasonably discounted and Reasonable Avoidance Measures and best practice actions to ensure compliance with wildlife legislation will be implemented.

4.7 Measures to achieve a net gain for biodiversity in accordance with the development proposals are specified and are entirely feasible to achieve compliance with the NPPF.

Flood Risk and Drainage Management Strategy

4.8 This confirms that the site is within Flood Zone 1 and that residential development is appropriate. There will be no increase in flood risk elsewhere due to the proposals.

Noise Impact Assessment

4.9 This has determined that the boundaries of the site with Fleetwood Road are subject to medium risk with the vast majority of the site subject to low/negligible risk during the daytime and night-time periods. Accordingly, areas along the boundaries with Fleetwood Road require good acoustic design but the development of the site entirely feasible.

Transport Assessment

- 4.10 This confirms that the location of the site provides a good context for journeys to be undertaken on foot and by cycle. A range of destinations are accessible to site residents by bus and rail, including amenity and employment locations.
- 4.11 Comprehensive junction analysis and modelling has been undertaken. It is concluded that the proposed residential development would not have a detrimental impact on the operational performance of the highway network.
- 4.12 It is concluded that the development is in accordance with national and local transport policies and there are no transport/highways reasons for refusal of planning permission.

Landscape Assessment

- 4.13 The Landscape Assessment confirms that the proposed development incorporates several elements which will facilitate its integration within the surrounding landscape context and which will help to ameliorate potential adverse landscape and visual effects associated with it.

Tree Survey

- 4.14 This identified a number of trees within and adjoining the site, none of which are Category A. The majority of trees within/adjoining the site are Category B or C.

Ground Desk Study Assessment Report

- 4.15 This Report identifies potential backfilling of a clay pit and associated potential ground gas as a potential risk but states that the lack of development and industrial use on-site indicate that there is unlikely to be a significant environmental legacy of contamination. The development of the site is feasible.

Utilities Statement

- 4.16 This demonstrates that the site can be serviced by utilities.

Delivery

- 4.17 As the LPA will be aware, Hollins Strategic Land has a proven track record of delivery of housing. It takes on average around 12 months to submit a reserved matters (RM) application from outline

consent, but in some instances only 2 or 5 months. On average, more recently, building is starting within 2 years from outline consent.

- 4.18 In addition, the Hollins Strategic Land can contractually oblige housebuilders to submit RM much quicker than would normally be the case if the housebuilder gained the outline consent themselves. This can be for several reasons: open marketing is a much more competitive process, with various housebuilders trying to outbid each other, as well as landowner seeking a return sooner. It is in the Hollins Strategic Land's interest to have reserved matters submitted as quickly as possible, either through their sister company Hollins Homes or a contractual arrangement to the housebuilder. Hollins Strategic Land will also oversee and input their expertise into any RM application so the process is smoother and faster.
- 4.19 The site represents a highly logical location for allocation and there are no site-specific constraints that would prevent development from coming forward on the site.

5. Summary

- 5.1 The Fylde Local Plan Partial Review is being undertaken on the basis that revisions are required to ensure conformity with the Framework (2019) and to examine Wyre Council's issues in meeting its housing need to ensure that the needs of the wider HMA are met.
- 5.2 However, neither of these justifications would be satisfied by the Partial Review. As demonstrated above, the revision of the housing requirement is in conflict with the Framework and would negatively impact the aim to ensure that the needs of the HMA are met.
- 5.3 There is no justification in the Framework or the PPG for an early plan review based on the adopted housing requirement (415 dwellings) being higher than the requirement generated by the standard method (275 dwellings), which is the case in Fylde. As such, the revised housing requirement proposed by the Partial Review is not in accordance with national planning policy or guidance.
- 5.4 Further, it is considered that in proceeding with the Partial Review despite the written request of Wyre Council to align their respective plan-making timescales and undertake a cross-boundary assessment of housing need, Fylde Council has not complied with the Duty to Cooperate.
- 5.5 Finally, we consider that it is premature for Fylde Council to seek to revise its housing requirement at this stage given the proposed revisions to the standard method and the resulting implications for Fylde's housing need. It is also necessary to engage the plan making process with Blackpool Council.
- 5.6 Based on the above considerations, the Partial Review of the Fylde Local Plan should not progress. The only justification for the Partial Review is if in accordance with Paragraph ID: 61-062-20190315 of the PPG where if the number generated using the standard method (488 dwellings) on the basis the draft method is adopted, it would be higher than the adopted requirement in Policy H1 (415 dwellings). Until then Policy H1 should remain as the requirement in the adopted development plan.

6. Appendices

- EP1. Letter from Wyre Borough Council
- EP2. Central Bedfordshire Documents
- EP3. HSL representations to APS
- EP4. Concept Plan

EP1

By Email Only:

Julie.glaister@fylde.gov.uk; and
Eddie.graves@fylde.gov.uk

Ask for: Steve Smith
Email: Steve.smith@wyre.gov.uk
Tel No: 01253 887243
Our Ref: DtC

Date: 6 March 2020

Dear Ms Glaister,

Duty to Cooperate and the Partial Review of the Fylde Local Plan to 2032

Thank you for providing Wyre Council, alongside other statutory consultees, with a pre-consultation version of a number of documents relating to the partial review of the Fylde Local Plan to 2032. I have been able to respond on a number of matters through a recent Duty to Cooperate (DtC) meeting, in addition to email exchanges and phone conversations between members of your team and my own. This cooperation has been positive, ongoing and constructive and has resulted in some changes to the documents concerned; particularly the Statement of Common Ground (SoCG).

Despite best endeavours there still remain matters where agreement has not been reached by Friday 28 February 2020. I have sought to respond as quickly as possible given your intention to present your proposed partial review to your Planning Committee on 11 March 2020 for a decision on further progress. It may be of benefit if the contents of this letter are put before your Planning Committee on 11 March 2020.

The Wyre Local Plan 2011 – 2031 (WLP31) contains Policy LPR1, the contents of which are incontestable common ground and the confirmation of un-met housing need within Wyre, again incontestable common ground. This un-met need provides (in part) the justification for the review of the Fylde Local Plan to 2032 and a strong link between our two plans and their subsequent review.

Policy LRP1 sets out the steps that need to be undertaken as part of Wyre's Local Plan review in order to ascertain what proportion (if any) of the unmet need can be accommodated in Wyre. As set out above, Fylde's Local Plan review is justified in part by a commitment by Fylde to assisting Wyre meet residual unmet need.

It is therefore my view that the matters to be addressed by Policy LPR1 would most comprehensively be dealt with jointly between our respective authorities. That is, it is my view that our authorities should to work together to identify where the unmet need should be accommodated, and our plan processes need to be properly aligned to accommodate this.

As you will be aware, policy LPR 1 indicates that Wyre's Local Plan Review will include an update of Objectively Assessed Housing Needs.

Since the adoption of Wyre's Local Plan, NPPF 2019 has introduced the Standard Methodology for the purpose of determining the minimum number of homes required in the

area for the purpose of strategic policy making. The adopted policy figure in Wyre's plan is higher than the standard methodology figure. Wyre is required, pursuant to policy LRP1, to update its housing needs assessment for the purpose of the review, and it is this process that will determine Wyre's housing need through the Local Plan Review.

Because the evidence base relating to the Objectively Assessed Need (OAN) that informed both our plans was/is shared and was jointly commissioned; namely the Strategic Housing Market Assessment (SHMA), and because Fylde is considering its own housing needs through its own review, I consider that housing need is an issue that should be jointly considered by our authorities.

Policy LPR1 also requires a review of transport and highway issues, taking into account the matters specified in the policy. Similarly any review of the transport and highways infrastructure matters affecting Wyre could be dealt with jointly given the cross-boundary nature of the road network (both local and strategic), and also given that the outcome of the assessment will assist in informing the authorities of the degree to which Fylde may need to assist Wyre in meeting any unmet needs that cannot be accommodated in Wyre.

I would therefore like to propose that we agree to jointly review the above matters to further inform the partial review of both our plans, providing the opportunity to achieve a consistency of approach between our two authorities and their plans. In my view this is the best way to review our respective plans for our shared housing market area, and to ensure that housing needs are properly planned for and met across the HMA.

I also consider that an alignment of plan making timescales with the potential to more effectively deal with the matter of un-met housing need should be considered.

In the coming weeks I will be seeking quotations from Turley and Lichfields who both provided evidence for the WLP31, and in the case of Turley the SHMA that we both share. I would very much like to include cross boundary assessments of need as part of this/these commission(s) and I await your response to my proposal so that this evidence gathering can begin expediently. I will also be happy to discuss a common plan making timetable with you.

For the avoidance of doubt the full OAN for housing in Wyre is 479 dpa, with the WLP31 providing only 460 dpa; thus establishing the un-met housing need as a matter of recently adopted policy. The housing requirement for Wyre can only be changed through the adoption of a reviewed local plan or through an entirely new local plan. Although the Government has introduced a Standard Method (SM) for the calculation of housing need, this is a starting point and it cannot be assumed that this will represent the final position for Wyre. Therefore we do not consider that reference to potential OANs or housing need figures for Wyre in any of the documents produced as part of your partial review can be accorded any weight at this stage. As set out above, we would however welcome the opportunity to work with you to undertake joint needs assessments for the purpose of our respective Local Plan reviews.

One final matter that I wish to draw your attention to is the fact that it cannot be assumed that Wyre Council, through the partial review process, will be able to meet housing needs in full within the Borough. The Inspector's Report into Wyre's Local Plan made it clear that further consideration needed to be given as to the extent to which any unmet need could be met in Wyre through a review of transport and highway issues. This is reflected in LRP1 (2). Until detailed consideration has been given to this issue through the review process, it has not been established that Wyre can meet any unmet needs within the Borough. Again, we would welcome the opportunity to work with you to undertake a joint review of transport and highway issues to ensure that housing needs are accounted for and met across the HMA.

Finally, I note that Wyre Council are currently consulting on the scope of a partial review. We will continue to seek to discuss any matters arising from that consultation with you in a positive and constructive way.

As always should you wish to discuss the content of this letter further, please do not hesitate to contact myself or indeed any other member of my team. I look forward to continuing the meaningful and ongoing engagement we have.

Regards

A handwritten signature in black ink, consisting of a stylized 'S' followed by a horizontal line.

Steve Smith
Planning Policy and Economic Development Manager

EP2

**EXAM 118:
Letter from Inspectors Berkeley,
Birkinshaw and Hockenhall
concerning the 2018 Household
Projections and Luton Borough
Council's unmet need**

8 July 2020

Central Bedfordshire Local Plan 2015-2035

A great place to live and work.

Examination of the Central Bedfordshire Local Plan

Inspectors: Matthew Birkinshaw BA(Hons) Msc MRTPI and

Helen Hockenhull BA(Hons) B.PI MRTPI

and

Examination of the North Hertfordshire Local Plan

Inspector: Simon Berkeley BA MA MRTPI

Programme Officer: Louise St John Howe

louise@poservices.co.uk

Andrew Davie
Assistant Director – Development and Infrastructure
Central Bedfordshire Council

Nigel Smith
Strategic Planning Manager
North Hertfordshire District Council

By email only

8 July 2020

Dear Mr Davie and Mr Smith,

Office for National Statistics ('ONS') 2018-Based Household Projections

1. We write further to the examinations of the Central Bedfordshire and North Hertfordshire Local Plans. As you will be aware, both Plans are subject to the transitional arrangements set out in paragraph 214 of the National Planning Policy Framework (2019) ('the Framework'). Under the transitional arrangements the policies in the 2012 Framework, and in previous versions of the national Planning Practice Guidance (the 'PPG'), continue to apply.
2. Where assessing housing and economic development needs, the PPG advises that *"Wherever possible, local needs assessments should be informed by the latest available information. The National Planning Policy Framework is clear that Local Plans should be kept up-to-date. A meaningful change in the housing situation should be considered in this context, but this does not automatically mean that housing assessments are rendered outdated every time new projections are issued."* (Paragraph:016, Reference ID: 2a-016-20150227)
3. On Monday 29 June 2020 the ONS published the 2018-based household projections. They represent the latest available information. In response to the data released by the ONS, please can you provide the following information.

4. Firstly, please can you individually, provide an assessment of the objectively assessed need for housing for both Central Bedfordshire and North Hertfordshire based on the most up-to-date household projections. This should include details of how you have arrived at each figure. Secondly, please can you advise whether or not you consider this represents a meaningful change for the purposes of the PPG and provide reasons for your conclusions. If the latest household projections do represent a meaningful change, what are the implications for the housing requirement figures in each Plan?
5. A fundamental part of the strategy in the Central Bedfordshire and North Hertfordshire Local Plans is to remove land from the Green Belt in order to contribute towards meeting the unmet housing needs from Luton. It is for this reason that we have written to you both in this joint letter.
6. In response, please can you also advise what implications the latest household projections have on housing needs in Luton? Specifically, are there any implications from the 2018-based projections on the need to release land from the Green Belt around Luton? Do the exceptional circumstances, as required by paragraphs 79-86 of the 2012 Framework, exist to justify the proposed revisions to Green Belt boundaries?
7. In answering the questions above it would greatly assist both examinations if the Councils could prepare a Statement of Common Ground with Luton Borough Council. This should set out the need for housing which cannot be accommodated in Luton based on the adopted *Luton Local Plan (2011-2031)*, provide comparative figures based on the most up-to-date information set out in the 2018-based projections and set out conclusions on what this means for both examinations going forward.
8. Finally, as part of the Councils response(s), we would also be grateful for any comments that you wish to make on *Aireborough Neighbourhood Development Forum v Leeds City Council [2020] EWHC 45 (Admin)*. In particular, if there has been a meaningful change in the housing situation, what implications, if any, the judgement has for both examinations.
9. So that the examinations are not unduly delayed, please can you provide a response to the above questions by **Friday 31 July 2020**. Should you require more time please let us know as soon as possible. In the meantime, if you have any questions please do not hesitate to contact us through the Programme Officer. Both Councils should upload this letter to the relevant examination websites. However, we are not seeking representations from any participants at this stage and any unsolicited correspondence will be returned.

Yours Sincerely,

Matthew Birkinshaw, Helen Hockenhull and Simon Berkeley

Inspectors

**EXAM 119:
CBC Response to Inspectors on
Household Projections**

05 August 2020

Central Bedfordshire Local Plan 2015-2035

A great place to live and work.



Via Email

Your ref: -
Our ref: EXAM 119
Date: 5 August 2020

Dear Inspectors Birkinshaw and Hockenull

Further to your letter dated 8 July 2020, I write to provide the Council's response to the matters you asked about following the publication by the ONS of the 2018-based household projections.

Objectively assessed need for housing for Central Bedfordshire Council based on the most up-to-date household projections

- (i) The Council's response is set out in the enclosed note (Note 1) which has been prepared for the Council by Opinion Research Services (ORS), including how the figure has been arrived at. In summary, based on the latest up to date 2018 household projections, the change to the Council's OAN is less than 1% and therefore not material and does not represent a "meaningful change".

Implications of the latest household projections on housing needs in Luton

- (ii) As a matter of principle, the latest household projections do not have any implications on the housing needs in Luton as its figures are part of its recently adopted plan. The OAN for Luton has been independently examined. Its OAN is not subject to the transitional arrangements in paragraph 214 of the 2019 National Planning Policy Framework. In contrast to the position in Central Bedfordshire therefore, the policies in the 2012 Framework and previous versions of the PPG do not continue to apply.
- (iii) It is not appropriate for the examination into CBC's plan to seek to update or compare the adopted OAN for Luton based on the "most up to date information set out in the 2018 based projections". Any update or revision to Luton's OAN would be undertaken in accordance with the present Government policy in respect of the Standard Methodology and the 2014 based projections. There is no basis in Government policy for the use of any other methodology or projections save where the transitional provisions apply.

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- (iv) Furthermore, it is the Council's view that it is in any event outside the remit of the examination into CBC's plan to seek to update Luton's objectively assessed need. This position is clearly supported by relevant case law (see for example CPRE Surrey v Waverley Borough Council [2019] EWCA Civ 1826).
- (v) However, in order to respond to the question asked in your letter, all three Councils CBC, NHDC and LBC have asked ORS to model the scenario were Luton's OAN to be updated under the provisions of the 2012 Framework. The details and outcome of this exercise are set out in the enclosed note (Note 2). Based on the methodology accepted and adopted by the inspector who examined the Luton Local Plan, the revised figure would be approximately 16,700 homes. This represents a 6% difference from the adopted OAN. This would not represent a "meaningful change."
- (vi) Accordingly, even if the OAN were to be updated in this manner, there would be no implications for the CBC examination, its strategy to contribute to the housing needs of Luton or the release of Green Belt land around Luton.
- (vii) A Statement of Common Ground on this point has been agreed by all three authorities (CBC, NHDC and LBC), which is also enclosed (Note 3).

Aireborough Neighbourhood Forum v Leeds City Council [2020] EWHC 45 (Admin)

- (viii) As set out above, there has not been a meaningful change in the housing need situation and therefore the judgment has no implications for the examination.
- (ix) In the Leeds case, there had been a material change in the housing requirement and the inspectors who examined the plan, failed to provide adequate reasoning why the Green Belt releases to meet housing need were still justified. It is worth noting that it was not the case that the Green Belt releases could not be made, but rather that adequate reasoning for so doing had not been provided.
- (x) None of the circumstances that arose in the Leeds case apply in respect of the CBC examination.

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In conclusion, there are no implications for the examination arising from either the up to date ONS 2018 based projections or from the Leeds case.

Yours sincerely

A handwritten signature in black ink that reads "A. Davie". The letters are cursive and slightly slanted.

Andrew Davie
Assistant Director – Development and Infrastructure

Note 1: ORS review of objectively assessed need for housing for Central Bedfordshire

Central Bedfordshire Local Plan EIP

Response to the Inspectors' questions on the ONS 2018-based population and household projections

1. The Inspectors examining the Central Bedfordshire and North Hertfordshire Local Plans have jointly written to both Councils following the publication of the ONS 2018-based household projections, asking about the implications of the new figures on the identified housing need for their respective local areas. In addition, the Inspectors have asked about the impact of the new figures on the housing need for Luton and the possible implications for unmet need that is included within their Plans.
2. Central Bedfordshire Council has asked Opinion Research Services (ORS) to prepare this note to consider the implications of the latest official projections on the OAN for Central Bedfordshire.
3. Luton Borough Council together with Central Bedfordshire Council and North Hertfordshire District Council have jointly asked ORS to prepare a separate note to consider the implications for Luton.

Population and household projections

4. Following the original hearing, a table was produced that provided the Inspectors with a comparison of the various housing needs that had been discussed during the hearing as summarised below. The ONS has now published the 2018-based household projections which include a number of variant scenarios, and the most relevant have now also been included in the summary table below.
5. For each projection, the table summarises the key assumptions (in terms of the migration period, the rates applied for fertility and mortality and the household formation method used) together with the total population and households resident in 2015, the equivalent projections for 2035 and the net change over the 20-year period 2015-2035.

Projection	Migration Period	Fertility/ Mortality	Household Formation	Total Population			Households		
				2015	2035	2015-35	2015	2035	2015-35
SHMA	10-yr trend 2005-15	ONS 2014-based SNPP rates	CLG method	271,529	325,061	53,532	112,435	140,173	27,738
CLG 2014	5-yr trend 2009-14			273,191	343,789	70,598	113,012	147,599	34,587
ONS 2016 sensitivity 2	5-yr trend 2011-16	ONS 2016-based SNPP rates	ONS method; constant rates from 2021	272,421	334,630	62,209	112,417	143,653	31,236
ONS 2016 principal scenario							111,357	142,198	30,841
ONS 2016 10-yr migration	10-yr trend 2006-16			272,421	326,954	54,533	111,357	139,886	28,529
ONS 2018 principal scenario	2-yr trend 2016-18			272,421	318,055	45,634	111,355	136,802	25,448
ONS 2018 5-yr migration	5-yr trend 2013-18			272,421	324,397	51,976	111,355	139,020	27,665
ONS 2018 10-yr migration	10-yr trend 2008-18	ONS 2018-based SNPP rates		272,421	323,203	50,782	111,355	138,837	27,482

6. The SHMA projects a total of 140,173 households resident in Central Bedfordshire by 2035 based on 10-year migration trends. This compares to a lower total of 138,837 households identified by the ONS 2018-based projections, based on their **10-year migration variant**. However, the latest ONS figures now estimate that there were slightly fewer households resident in 2015 than was estimated by the SHMA based on previous CLG projections; so the 20-year Local Plan period 2015-2035 has a lower starting point in the latest ONS projections than had been assumed by the SHMA. The growth identified by the SHMA for this period was 27,738 households compared to 27,482 households now identified by the ONS 2018-based 10-year migration variant; a difference of only 256 households, equivalent to less than 1%.
7. The other two scenarios presented from the ONS 2018-based projections show comparable levels of household growth:
 - » The **principal scenario** (based on 2-year migration trends) identifies a growth of 25,448 households; lower than both the SHMA projection and the 10-year migration variant, with differences of 2,290 households (8.3%) and 2,034 households (7.4%) respectively; and
 - » The **alternative internal migration variant** (based on 5-year migration trends) identifies a growth of 27,665 households; lower than the SHMA projection by 73 households (0.3%) but higher than the 10-year migration variant by 183 households (0.7%).
8. **In summary, we can conclude that there is no material difference between the SHMA and the ONS 2018-based household projections.** However, the following sections consider two technical points relating to the official projections.

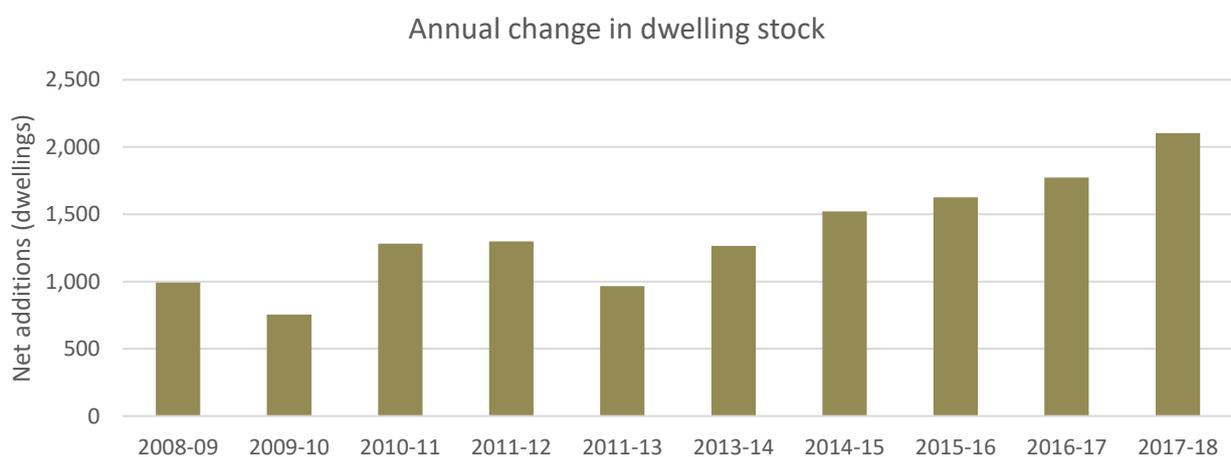
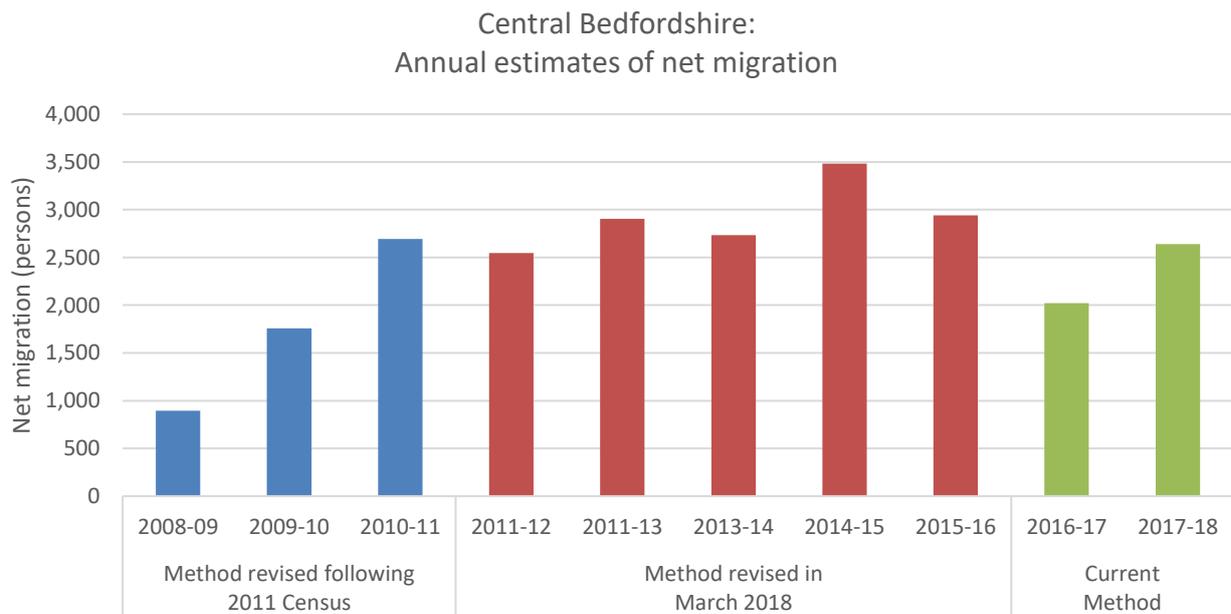
Revisions to the official mid-year population estimates

9. ORS has had long-standing concerns about the accuracy of the official mid-year population estimates published by the ONS for Central Bedfordshire for the period since the 2011 Census (see chapter 3 of the 2017 SHMA, paras 3.21-3.34). Given these concerns, the SHMA derived alternative population estimates based on a range of administrative data sources to provide the mid-2015 starting point for the population projections.
10. The ONS revised the official population estimates for mid-2012 to mid-2016 to take account of a number of methodological improvements. This data was published to inform the 2016-based sub-national population projections, which formed the basis for the ONS 2016-based household projections. The data was not available when the SHMA was prepared, but it was discussed at the original Matter 2 examination hearings and a summary table which set out the various population estimates was subsequently produced in response to the Inspectors' questions (EXAM 33).
11. The ONS official estimate for mid-2015 was originally 274,022 persons, whereas the SHMA estimated the population to be 271,527 persons at that time: a difference of 2,495 persons. The ONS revised estimate for mid-2015 was 272,421 persons: a reduction of 1,601 persons, around two thirds of the difference between the original estimate and the SHMA, albeit that the revised estimate remained higher than the SHMA figure (a difference of 894 persons). However, other data sources such as the Statistical Population Dataset (currently an ONS research project) suggested that the ONS revised estimate was still too high.

12. The ONS has continued their programme of methodological improvements to the population estimates, and further changes to the way in which internal migration flows are calculated were introduced for 2016-17 and 2017-18 to inform the mid-2017 and mid-2018 estimates. Data for earlier years has not been revised to take account of these latest changes. Instead, the ONS decided that the 2018-based projections would only use internal migration estimates for 2016-17 and 2017-18 to inform the principal scenario, with variant scenarios produced using longer trend periods despite the methodological differences between the estimates. The various methodological changes can be summarised as follows:

- » Migration estimates for the 2-year period 2016-2018 are based on the latest methodology;
- » Migration estimates for the 5-year period 2011-2016 are based on those improvements introduced in the revised data published in March 2018;
- » Migration estimates for the 3-year period 2008-2011 are based on those improvements introduced when the figures for 2002-2010 were reissued following the 2011 Census.

13. The following charts shows the annual migration estimates for Central Bedfordshire over this period and the annual change in dwelling stock (based on MHCLG Live Table 122).



14. It is clear that the ONS estimates of annual net migration for 2-year period 2016-2018 (the only years which benefit from the latest methodological improvements) are notably lower than the annual average for the 5-year period 2011-2016, which are estimates from a methodology that has now been superseded. The average annual net gain from 2011-16 was 2,922 persons, compared to an average gain of 2,331 persons each year from 2016-18. This represents a difference of 591 persons, which is equivalent to over 20% of the average annual estimates for 2011-16 and over 25% of the average annual estimates for 2016-18.
15. MHCLG data shows that the dwelling stock increased by 1,335 dpa on average over the period 2011-2016, with an average of 1,938 dpa over the period 2016-2018. This represents a difference of 603 dpa equivalent to an increase of 45%. Whilst it is not possible to directly relate migration estimates with increases in the dwelling stock, PPG recognises that housing delivery can have an impact on migration levels:

Migration levels that may be affected by ... a large housing development such as an urban extension in the last five years [ID 2a-017-20140306]

16. It is therefore notable that official estimates of migration reduced by 20-25% when net additions to the dwelling stock increased by 45%. Whilst the methodological improvements that ONS has introduced have improved the official estimates of migration over the period 2011-2016, ORS continues to have concerns about the accuracy of the data for this period.
17. It seems likely that the most recent improvements that the ONS introduced for the mid-2017 and mid-2018 data may have addressed the outstanding issues, but this does not address problems that are likely to remain in the existing data for earlier years which continues to inform variant scenarios in the population projections. If the official estimates of migration are too high within the data informing the trend period, the projected rates of future migration will also be too high.
18. On the basis that problems remain with the official migration estimates for the period 2011-2016, both the "alternative internal migration variant" and the "10-year migration variant" scenarios within the ONS 2018-based projections are likely to overstate future population growth. As a result, the associated household growth is also likely to be overstated. The ONS 2018-based projections principal scenario does not rely on the problematic migration estimates, but as this projection is based on only 2-years of trend-based data, it unfortunately lacks the robustness of a longer-term perspective.

Changes to the method for calculating household formation

19. The ONS 2018-based household projections are based on a new household formation method that was first introduced for the ONS 2016-based projections. This new ONS household formation method only uses data from the 2001 and 2011 Census, so recent trends such as the reduction in young households being able to form in some local authority areas following the 2008 recession and associated credit crunch can have a significant impact on the future projection. In contrast, the SHMA projections were based on the previous CLG household formation method (see chapter 3 of the 2017 SHMA, paras 3.78-3.100) which used Census data covering the period 1971 to 2011.
20. As part of the 2016-based projections, the ONS published a sensitivity analysis which compared the two methods for calculating household formation. Both the ONS 2016 principal projection and the ONS 2016 sensitivity 2 projection were based on the same population, but applied the different formation rates.

21. For Central Bedfordshire applying the new ONS formation method yielded a growth of 30,841 households over the 20-year period 2015-2035, whereas applying the previous CLG formation method yielded a growth of 31,236 households for the same population over the same period. In other words, the change in formation method reduced the projected growth: the CLG method identified 395 more households than the new ONS method, a difference of 1.3%.
22. Whilst the ONS has not published this sensitivity test as part of the 2018-based household projections, the method has not changed and it is likely that the previous CLG method would again yield slightly more households. However, even with an uplift of 1.3% applied, the principal scenario would remain lower than the SHMA projection.

Conclusions

23. The ONS 2018-based household projections show a comparable level of growth to that identified by the SHMA. Whilst the principal scenario identifies a marginally lower growth of 25,448 households over the 20-year Local Plan period 2015-2035 (2,290 fewer than the SHMA) this is based on migration trends covering only a 2-year period, and a longer-term perspective typically provides a more robust basis for establishing housing need. Both the alternative internal migration variant (based on 5-year trends) and the 10-year migration variant identify growth that is within 1% of the SHMA projection.
24. Nevertheless, it is important to note that there have been longstanding problems with the accuracy of official migration estimates for Central Bedfordshire. Whilst the most recent improvements introduced by the ONS for the mid-2017 and mid-2018 data may now have addressed these issues, problems are likely to remain in the data for earlier years that inform both the "alternative internal migration variant" and the "10-year migration variant" scenarios of the 2018-based projections. As a consequence, both variants are likely to overstate future household growth to some extent. The ONS 2018-based projections principal scenario does not rely on the problematic migration estimates, but this projection uses only two years of trend-based data so lacks the robustness of a longer-term perspective.
25. It is also important to recognise that changes to the household formation method that were introduced by the ONS when they took responsibility for the projections are likely to have increased the level of suppressed household formation in some areas. However, sensitivity analysis published for the 2016-based projections showed that the impact in Central Bedfordshire was only 1.3%. Whilst an equivalent sensitivity analysis has not been published for the 2018-based projections, the reduction would be comparable as the method remains the same. Therefore, whilst suppressed household formation might have reduced projected growth to some extent, it is likely that the doubts about migration trends underlying both the "alternative internal migration variant" and the "10-year migration variant" scenarios being too high would offset any adjustment to household formation.
26. **On this basis, we can conclude that there is no material difference between the SHMA and the ONS 2018-based household projections; so there is no meaningful change in the housing situation in the context of the PPG.¹**

¹ PPG Reference: ID 2a-017-20140306



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Note 2: ORS review of Luton population and household projections

Review of the Luton Population and Household Projections

1. The Office for National Statistics (ONS) published the 2018-based sub-national population projections (SNPP) in March 2020. These formed the basis of the 2018-based household projections, published in June 2020.
2. The official projections provided the starting point estimate for housing need in the context of the original National Planning Policy Framework (NPPF) and associated Planning Practice Guidance (PPG),¹ and given that the local plans for Central Bedfordshire and North Hertfordshire are being examined under the original NPPF and both Plans provide for Luton's unmet need, Luton Borough Council, Central Bedfordshire Council and North Hertfordshire District Council have jointly commissioned Opinion Research Services (ORS) to consider if the latest figures represent "a meaningful change in the housing situation" [ID 2a-017-20140306].
3. Figure 1 presents the range of official population and household projections that have been published since the original SHMA was commissioned, together with the independent projections produced by ORS that have informed the SHMA analysis. The table sets out the key assumptions for each projection (in terms of the migration period, the rates applied for fertility and mortality and the household formation method used) together with the change in population and households resident over the 20-year period covered by the Luton Local Plan (2011-2031) and the associated housing need prior to any market signals uplift, and with uplifts of 10% and 20% applied.

Figure 1: Population and Household Projections for Luton, 2011-2031 (Sources: CLG; ONS; SHMA)

Projection		Migration Period	Fertility/ Mortality	Household Formation	Change 2011-31		Housing Need			
					Pop	HH	No uplift	10% uplift	20% uplift	
CLG 2012-based		5-yr trend 2007-12	2012-based SNPP rates	CLG method	45,111	21,682	22,306	24,537	26,767	
2015 SHMA		10-yr trend 2001-11			30,576	14,349	14,762	16,238	17,714	
CLG 2014-based		5-yr trend 2009-14			2014-based SNPP rates	48,979	23,336	23,965	26,361	28,758
2017 SHMA		10-yr trend 2005-15				43,813	16,651	17,100	18,810	20,520
ONS 2016-based	Sensitivity analysis 2	5-yr trend 2011-16	2016-based SNPP rates	ONS method	34,154	19,110	19,625	21,587	23,550	
	Principal scenario					13,776	14,147	15,562	16,977	
	10-yr migration variant	10-yr trend 2006-16			35,341	13,624	13,991	15,390	16,789	
ONS 2018-based	Principal scenario	2-year trend 2016-18	2018-based SNPP rates	ONS method	1,077	3,775	3,877	4,264	4,652	
	Alt. internal migration variant	5-year trend 2013-18			17,558	8,543	8,773	9,651	10,528	
	10-yr migration variant	10-yr trend 2008-18			26,815	11,494	11,804	12,984	14,164	

¹ Planning Practice Guidance (PPG) ID 2a-015-20140306

4. It is apparent that the ONS 2018-based projections are considerably lower than previous official projections, with the principal projection showing a growth of only 3,775 households over the 20-year period 2011-2031 equivalent to an average of 189 per year. This contrasts with the CLG 2012-based projections (the starting point for the 2015 SHMA, which informed the Luton Local Plan) which showed a growth of 21,682 households over the same 20-year period (an average of 1,084 per year) and the CLG 2014-based projections which showed yet higher growth of 23,336 households (1,167 per year).
5. However, all of these projections are based on relatively short-term migration trends: the 2012-based and 2014-based projections covering the 5-year periods 2007-12 and 2009-14 respectively, and the 2018-based projections covering the 2-year period 2016-18. As migration trends tend to be cyclical (and often have peaks and troughs) the SHMA projections were based on trends that covered 10-year periods. At the time that the SHMA analysis was prepared, these suggested lower rates of growth than the official projections. Whilst the 2012-based projections identified a growth of 21,682 households, the 2015 SHMA projections identified a growth of 14,349 households – a figure that was around one third (33.8%) lower than the starting point.
6. The official household projections that were published by CLG did not provide any migration sensitivity tests; however, the more recent ONS figures provide variants based on a number of scenarios, which include an analysis based on 10-year migration trends. This scenario shows a growth of 11,494 households for Luton, which is only 2,855 households fewer than identified by the 2015 SHMA projections based on 10-year trends (14,349 households); a reduction of less than a fifth (19.8%). This contrasts with the 17,907 household difference between the 2012-based starting point (21,682 households) and the 2018-based principal scenario (3,775 households); a reduction of more than four-fifths (82.6%).
7. The Luton projections exemplify why it is right to focus on longer-term migration trends (as was argued by the SHMA and endorsed by the Inspector that examined the Luton Local Plan) and not rely uncritically on the starting point figures. It would have been wrong to rely on the CLG 2012-based projection, as it was unduly high; and it would be equally wrong to rely on the ONS 2018-based principal projection, as it is unduly low. Given this context, when considering the latest official projections, it is appropriate to focus on the 10-year migration variant to determine if these figures represent a “*a meaningful change*”.
8. On balance, it would probably be reasonable to conclude that a reduction of a fifth was a meaningful change if the figures had been derived on an otherwise like-for-like basis. However, changes that the ONS introduced for establishing household formation when they took responsibility for the producing the 2016-based figures have had a significant impact in Luton.
9. Using the new ONS household formation method, the 2016-based projection identified a growth of 13,776 households; but “sensitivity analysis 2” showed that the same population projections would result in a growth of 19,110 households if the previous CLG household formation method had been applied. Therefore, the methodological change that was introduced for calculating household formation resulted in 5,334 fewer households. On this basis, we can conclude that the 2018-based household projections are not directly comparable with the projections that were produced by the SHMA, given the impact of the different household formation calculations.

Household Formation

10. As previously noted, the ONS introduced an entirely new methodology for calculating household formation when they took responsibility for the 2016-based household projections. Whilst the previous CLG household formation method used Census data covering the period 1971 to 2011 (see the Luton & Central Bedfordshire SHMA Refresh 2015, paras 2.87-2.94) the new ONS household formation method only uses data from the 2001 and 2011 Census. Consequently, recent trends (such as the reduction in young households being able to form in some areas) can have a significant impact on the future projection.
11. Furthermore, the 2001 Census had a particularly low response rate in Luton which led to a likely under-enumeration of the population for this area (see the SHMA Refresh 2015, paras 2.20-2.24). Whilst this had an impact on migration trends, it would also affect household formation.
12. The methodology for establishing household formation is based on the probability of individuals being household representatives (the statistical “head of household”). This is based on dividing the total number of persons in the household population within each age/gender group with the total number of household representatives within that same group. If the total number of persons is underestimated, then this would lead to the household representative rate (i.e. the probability of individuals being household representatives) being overestimated.
13. Since the household representative rates calculated based on 2001 Census data formed only one of the five Census data points in the trends used to inform the previous CLG household formation method, the impact of any error in the 2001 Census would only have had limited impact. However, as the 2001 Census data forms one of only two Census data points in the trends used to inform the new ONS household formation method, any errors in that data would have a substantial impact on the resulting projections.
14. Figure 2 shows the male and female household representative rates by age group for Luton from the 2018-based household projections, and how these are projected to change over time. The new ONS method assumes that the trends observed between the 2001 and 2011 Census will continue up until 2021, and then holds the rates constant from 2021 onwards. The charts also show a combined rate for all persons for the 2018-based projections, but this is only illustrative as the household projections are based on the separate male and female data.
15. It is clear that the overall rates declined across all 5-year age bands for those aged under 40 over the 10-year period 2001 to 2011, with similar reductions evident for those aged between 60 and 79. Since the projections are trend-based, the rates for each of these 5-year age bands are projected to continue declining until 2021, at which point they are held constant.
16. Figure 3 compares the combined rates by age group for Luton from the 2018-based household projections with the previous CLG 2014-based projections. Once again, this is illustrative given that the previous CLG method divided each age band into six groups, with separate male and female rates established for those (i) currently living as a couple (either married or cohabiting); (ii) previously married but now separated, divorced or widowed; and (iii) single people who have never been married.
17. It is apparent that the new ONS household formation method is based on lower household representative rates than were projected by the previous CLG method across all age groups aged under 45 and also for those aged between 60 and 74. As a consequence of these lower rates, there is less probability of individuals being counted as household representatives which results in fewer households overall; so the ONS 2018-based projections are more likely to result in suppressed household formation.

Figure 2: ONS 2018-based Household Representative Rates for Luton by age and gender, 2001-2031

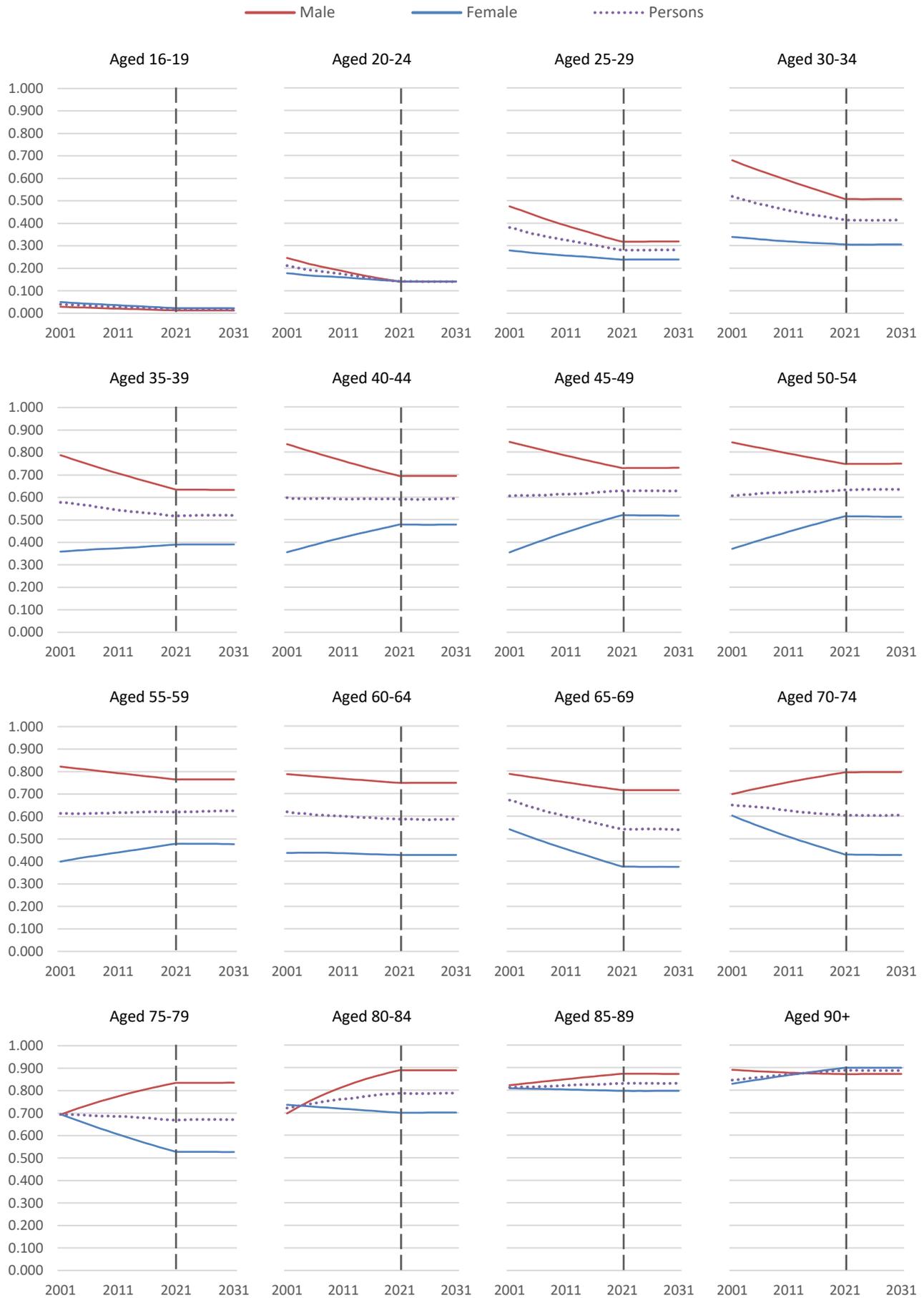
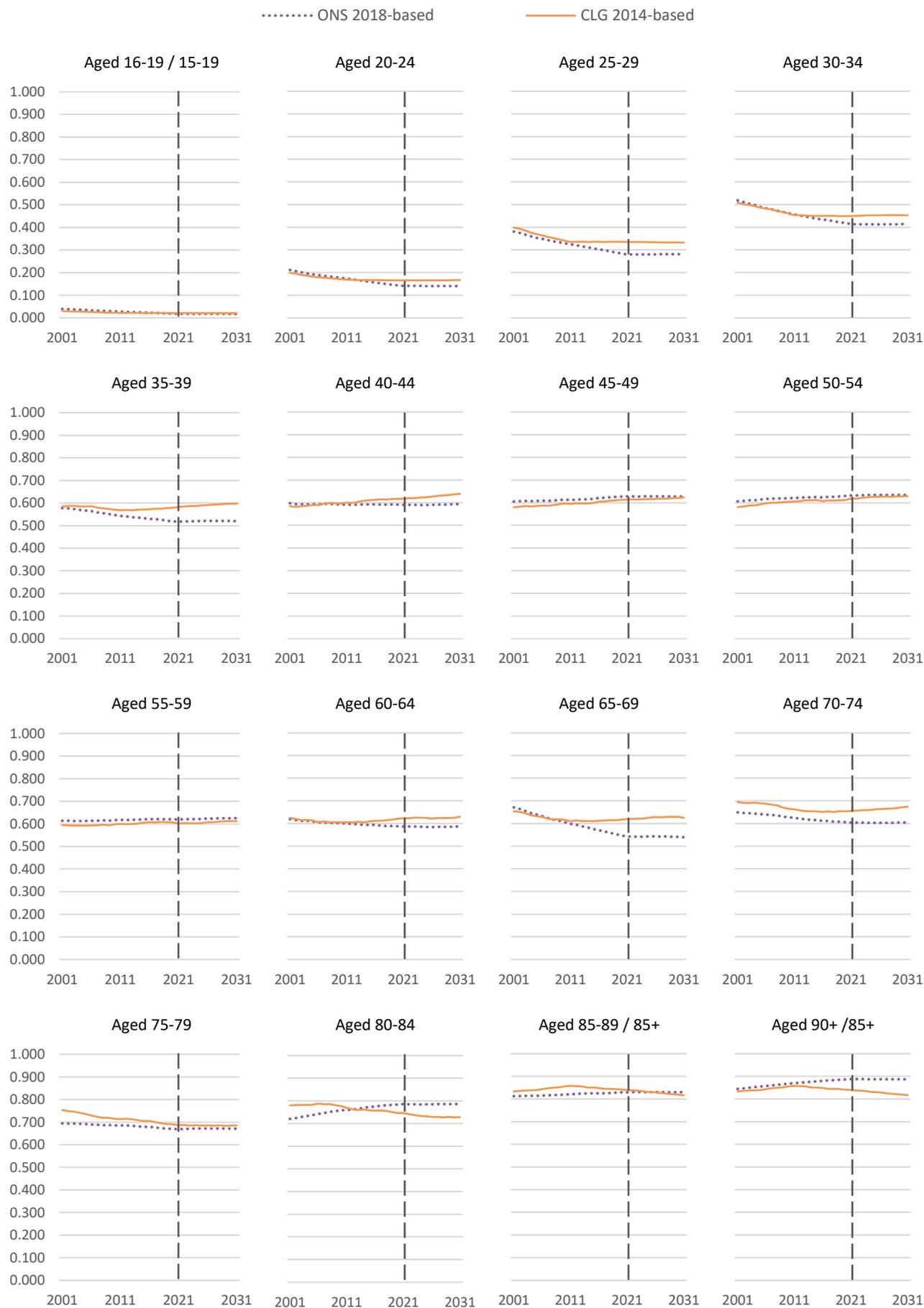


Figure 3: Comparison of ONS and CLG Household Representative Rates for Luton by age and gender, 2001-2031



18. Whilst it is likely that the ONS 2018-based household projections under-estimate future household growth, it is also likely that the CLG 2014-based household projections over-estimated the likely growth. This was partly due to the reliance on historic data from 1971 and 1981 at a time that the demographic characteristics and ethnic mix of Luton were very different to that of the current population; but, more importantly, as a consequence of not taking account of cohort effects within the analysis.
19. This was reviewed by the 2017 SHMA, which considered the likely impact of the ethnic mix across the different population cohorts (see the Luton & Central Bedfordshire SHMA 2017, paras 3.90-3.100). The SHMA concluded that some of the household representative rates for Luton from the CLG 2014-based household projections were probably too high, and as a consequence both the currently estimated and the projected future average household sizes were too low (2017 SHMA, figure 55). Therefore, the rates from the 2014-based projections were adjusted to take account of local evidence.
20. To establish the impact of each of these different household formation calculations, ORS has undertaken sensitivity analysis using the 10-year migration variant of the official 2018-based population projections; applying the household formation rates from the CLG 2014-based projections (an analysis that is comparable with “sensitivity analysis 2” undertaken by the ONS as part of the 2016-based projections) and also the adjusted rates that were used for the 2017 SHMA. Figure 4 shows the outcome of this analysis set alongside the figures from the 2015 SHMA which informed the Luton Local Plan.

Figure 4: Sensitivity analysis based on the ONS 2018-based Population Projections for Luton, 2011-2031

Household Projection		Change 2011-31		Housing Need		
		Population	Households	No uplift	10% uplift	20% uplift
ONS 2018-based household projections 10-year migration variant			11,494	11,804	12,984	14,164
ORS sensitivity analysis	CLG 2014-based household formation rates	26,815	16,179	16,615	18,276	19,938
	2017 SHMA adjusted household formation rates		13,501	13,865	15,251	16,638
2015 SHMA household projections 10-year migration trends		30,576	14,349	14,762	16,238	17,714

21. Both of the sensitivity analysis are based on the same population as the 2018-based household projections: the 10-year migration variant, which projects a growth of 26,815 persons over the 20-year period 2011-2031. However, whilst the ONS household formation method yields a growth of 11,494 households, applying the previous CLG method yields a notably higher growth: a total of 16,179 households, which is 4,685 more than projected by the ONS method, equivalent to an increase of around two-fifths (40.8%).
22. On this basis, it is reasonable to take a range of between 11,494 and 16,179 households when considering household growth based on the latest official population projections. However, for the reasons set out above it is likely that the official figure published by the ONS is too low for establishing housing need given (i) the extent of suppressed household formation, and (ii) errors likely to have been introduced by relying unduly on data from the 2001 Census. Therefore, for the reasons set out in the 2017 SHMA (paras 3.90-3.100), it is likely that sensitivity analysis based on the CLG 2014-based rates yields a figure that is too high.
23. The adjusted rates that were derived for the 2017 SHMA yield a growth that is between these two extremes: 13,501 households, which is 2,007 more than the ONS method (an increase of 17.5%) but 2,678 fewer than the CLG method (a reduction of 16.6%). Taking account of all of the evidence, we believe that this provides the most appropriate basis for considering if there has been “a meaningful change in the housing situation”.

Conclusions

24. When compared with the 2015 SHMA (which formed the basis of the OAN for the Luton Local Plan), it is evident that the latest data shows a lower rate of population growth (26,815 cf. 30,576 persons) and a lower household growth based on our best estimates (13,501 cf. 14,349 households). Therefore, whilst the starting point for establishing housing need in Luton has reduced from a growth of 14,349 households to only 3,775 households, projections based on longer-term migration trends and that take account of changes to the household formation method provide far more consistency.
25. Taking these household projections as a basis for establishing housing need on a like-for-like basis with that used for the 2015 SHMA – which made an allowance for vacant and second homes and then applied an uplift of 20% as a response to the market signals in Luton – would yield a housing need of 16,638 dwellings. **On this basis, a full Objectively Assessed Need would be 16,700 dwellings for the 20-year period 2011-2031 equivalent to an average of 835 dpa.** This compares to the OAN of 17,800 dwellings (890 dpa) that formed the basis of the housing numbers in the Luton Local Plan.
26. On balance, whilst it is likely that the overall OAN has reduced by around 55 dpa over the Plan period, **we do not consider that a reduction of only 6% represents a meaningful change.**



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Note 3: Statement of Common Ground between CBC, NHDC and LBC

**Statement of Common Ground
agreed between
North Hertfordshire District Council,
Central Bedfordshire Council and Luton Borough Council**

July 2020

Purpose

1. This Statement of Common Ground (SoCG) has been agreed between Central Bedfordshire Council, North Hertfordshire District Council and Luton Borough Council in relation to the North Hertfordshire and Central Bedfordshire Local Plan Examinations.
2. It has been prepared in response to a joint letter (dated 8 July 2020) written to both Central Bedfordshire and North Hertfordshire Council's, from their respective Inspectors, concerning the 2018 Household Projections and Luton's unmet need, which seeks the preparation of a SoCG at paragraph 7.
3. CBC and NHDC have also individually provided further views on these figures, and the questions raised, in their own responses to this letter, in relation to their respective Examinations.

2018 Household Projections

4. The Luton Local Plan (2011-2031) was adopted in November 2017. It is based on an objectively assessed housing need (OAN) for the borough of 17,800 net additional dwellings (890 per annum). The Luton Local Plan makes provision for 8,500 homes over the plan period within the administrative area. Luton, therefore, has an unmet housing need of 9,300 net additional dwellings over the plan period (465 per annum).
5. The status of the Luton Local Plan, as an adopted plan, is such that the housing need identified for Luton has been independently examined and is set in the statutory Development Plan for the Borough.
6. However, ORS, as requested by all three authorities, have indicatively modelled several scenarios. These suggest that, in the event Luton's OAN was formally reassessed under the provisions of the 2012 NPPF, a revised figure of approximately 16,700 homes is the most robust figure at this level of analysis and based on the methodology previously accepted by the Inspector examining the Luton Local Plan.
7. CBC, NHDC and LBC are all agreed that the indicative revised figures which represent a 6% difference do not represent a 'meaningful change' from those contained in the adopted Plan.

Signed on behalf of Central Bedfordshire Council

Name: **Councillor Kevin Collins**

Signature: 

Date: 05.08.2020

Signed on behalf of North Hertfordshire District Council

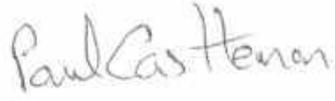
Name: Councillor Paul Clark

Signature: 

Date 05.08.2020

Signed on behalf of Luton Borough Council

Name: Councillor P. Castleman

Signature: 

Date: 05.08.2020

EP3



Draft Annual Position Statement 2020

Response Statement

Hollins Strategic Land
July 2020

1 Introduction

- 1.1 This Response Statement (RS) relates to the Council's Draft Annual Position Statement (dAPS) and focusses on providing information on sites which Hollins Strategic Land have an interest in.
- 1.2 HSL provides information on three sites to demonstrate that the supply should be reduced.
- 1.3 Of the three sites, two have unfortunately been significantly impacted by the COVID pandemic. The dAPS acknowledges the pandemic must take more account of its impact on housing delivery across Fylde by reducing delivery rates.

2 Land off Woodlands Close, Newton with Scales (ref: HS70)

2.1 The dAPS states that this site (ref: HS70) will deliver as follows:

2020/21	25
2021/22	19
2022/23	0
2023/24	0

2.2 HSL secured outline permission for this site and Hollins Homes (HH) (sister company to HSL) secured reserved matters approval and is developing the site. HH has stated that the impact of COVID has slowed down the build progress this year and will continue to affect it with new measures having to be adhered to.

2.3 HH has also stated that no housebuilders are selling well in the area at present and many of the reservations that have been taken are subject to the purchasers selling their own house. This chain creates uncertainty. COVID-19 and the surrounding job uncertainty has also led to viewers holding-off committing to a purchase.

2.4 The delivery rate is therefore expected to be as follows:

2020/21	19
2021/22	20
2022/23	10
2023/24	0
2024/25	0

2.5 It is acknowledged that this reduction in delivery/annum would not impact on the overall five year housing land supply. It does however demonstrate the impact of the COVID-19 pandemic. While it is too early to know the full effects, it is evident that it has slowed down delivery during 2020/21 and 2021/22 at site HS70.

3 Land at Brook Farm, Dowbridge, Kirkham (HS57)

3.1 The dAPS states that this site (ref: HS57) will deliver as follows:

2019/20	30
2020/21	30
2021/22	30
2022/23	30
2023/24	30

3.2 HSL achieved outline permission on this site, Story Homes (SH) secured Reserved Matters Approval and development is underway.

3.3 However, as confirmed in the HSL Statement on the 2019 AMR, SH had stated that the site would deliver a maximum of 30 dwellings per annum (dpa). That, of course, did not take account of the COVID pandemic.

3.4 HSL was not able to obtain the views of SH on this site; a number of staff are on furlough leave due to the COVID-19 pandemic. However, site HS57 is in close proximity to HS70 and HH has stated that the SH build delivery rate has also been affected by the COVID-19 pandemic; it is estimated that it could reduce to 25 dpa for 2020/21 and 2021/22.

3.5 The delivery rate is therefore expected to be as follows:

2020/21	25
2021/22	25
2022/23	30
2023/24	30
2024/25	30

4 Land north of Freckleton Bypass, Warton (HSS12)

4.1 The dAPS states that this site (ref: HSS12) will deliver as follows:

2020/21	0
2021/22	30
2022/23	30
2023/24	30
2024/25	30

4.2 HSL did not secure outline permission on this site but does have an interest in the land. An application for the approval of reserved matters was submitted by Countryside in January 2020 but remains pending nearly 6 months later.

4.3 HSL is aware that there are significant unresolved issues with the application proposals which are proving difficult to overcome for the applicant. The Fylde Council Development Management department will be able to confirm this. Indeed, the DM Officer has stated that *“there is no realistic prospect for these issues to be addressed comprehensively without a relatively sizeable reduction in the number of dwellings being proposed”*. There can be no certainty that the RM proposals will be approved.

4.4 Indeed, at this stage, it is possible that the RM application could be withdrawn given the LPAs request for a sizeable reduction in the number of dwellings. If this does occur, it must be noted that the outline consent will have expired. As such, any developer would need to obtain a new outline permission and then RM approval or a full planning permission. While the site is an allocation, this would undoubtedly result in the site not being deliverable at this point in time.

4.5 It is therefore considered that this site should not be included in the five-year supply at present.

4.6 Should the Inspectorate deem otherwise on the basis of it being sufficient that a RM application is pending and could be approved if the significant issues can be overcome, it is considered that the delivery rates should not exceed the following:

2020/21	0
2021/22	10
2022/23	30
2023/24	30
2024/25	30

- 4.7 If the RM application is not withdrawn, it will not be approved until the Autumn at the earliest. A number of pre-commencement conditions will need to be discharged and there is significant upfront infrastructure to be provided, which the LPA is fully aware of. As such, it highly unlikely that any significant number of dwellings would be delivered in 2020/21.

5 COVID pandemic

- 5.1 Unfortunately, the dAPS must take more account of the impact of COVID-19. In a recent appeal decision (Ref: 3238048), an Inspector confirmed that the virus would impact on housing land supply. It is of course too early to ascertain the full extent of the impact, but many development sites across the country came to a standstill, including those associated with Hollins Strategic Land's sister company, Hollins Homes.
- 5.2 Work has now recommenced on Hollins Homes sites, but it will take several months to deliver the rate of development that was achieved before Lockdown. As HH stated with regard HS70 it is likely that the knock on effects will continue well into 2021/22.
- 5.3 Delays on current Hollins Homes development sites will also likely result in knock-on delays at other sites awaiting commencement of development. For example, it is anticipated that employees/contractors who have been working at Hollins Homes' site in Fylde would move onto a site Galgate site in due course. The Fylde site has stalled as a result of Lockdown and so it will now take longer for those workers to relocate to Galgate. This would likely be the case for developers who are currently operating in Fylde and have another Fylde site to move onto.
- 5.4 Furthermore, both Hollins Strategic Land and Hollins Homes have experienced delays in progressing planning/reserved matters/discharge of condition applications since Lockdown began. It has, for example, proved challenging to progress an application for outline permission in neighbouring Wyre because of the implications of Lockdown on Members meetings. Making efficient progress on a Reserved Matters application in Lancaster has also been challenging as a result of government restrictions and companies furloughing staff. It has also proved challenging to progress an application to discharge conditions on site HS70 due to Lancashire County Council officers being redeployed in some circumstances. The delays will subsequently impact on each site, through no fault of the LPA. It is to be expected that other developers/housebuilders will have faced similar issues.
- 5.5 Moreover, a number of housebuilders had to Furlough the majority of Planning/Land staff. Planning consultancies and other disciplines associated with the planning process have had to do the same. This will undoubtedly cause delays across the board, which in turn, will impact on delivery rates.
- 5.6 As well as impacting regional housebuilders such as Hollins Homes, the Lockdown will have impacted on builders of all scales, from national to local level. It also remains to

be seen how the economic impact will affect the delivery of small sites. The Council may need to review its delivery rate in this regard, at least for the next year.

- 5.7 HSL has sites in Oxfordshire. The Oxfordshire Growth Board Director issued a statement on the impact of COVID-19¹ and the majority of its content would be equally applicable to Fylde. It demonstrates that the pandemic will cause significant delays in the delivery of housing, both market and affordable. It is considered that Fylde must undertake a similar statement to inform its APS; the absence of such evidence base work would result in an APS that is not robust.

¹ Appendix 1: Oxfordshire Growth Board report

6 Conclusions

6.1 This RS has demonstrated that:

- Delivery rates should be amended for sites HSS12, HS70 and HS57;
- The impact of the COVID-19 pandemic must be fully acknowledged by the Council and delivery rates should be reduced, particularly in circumstances where the Council has not been provided with evidence to the contrary by developers.

6.2 As a result, it is considered that significant amendments are required to the dAPS and it is possible that the Council will not be able to demonstrate the required five year supply as a result.

6.3 HSL would welcome the opportunity to engage with the LPA on the matter of HLS.

Appendix 1



To: Oxfordshire Growth Board

Title of Report: Impact of the COVID-19 Pandemic on the Oxfordshire Housing and Growth Deal

Date: 2 June 2020

Report of: Bev Hindle, Growth Board Director

Status: Open

Executive Summary and Purpose:
 The purpose of this report is to update the Growth Board on the early impact that the COVID-19 pandemic has had on the delivery of the Oxfordshire Housing and Growth Deal, including a recommendation to revise the Oxfordshire Plan 2050 Timeline. Officers will continue to monitor impact, reporting to future Growth Board meetings any actions necessary to mitigate impact over time. This report will be considered by a virtual online meeting of the Growth Board as a result of the recommended social distancing measures.

Recommendations:
 That the Growth Board:

1. Notes the early impact of the COVID-19 Pandemic on the delivery of the Oxfordshire Housing and Growth Deal, and in considering this;
2. Endorses a revised timeline for the Oxfordshire Plan 2050, as set out in this report, for officers to take forward in discussion with MHCLG.

Introduction

1. As the first deal of its kind, the Oxfordshire Housing and Growth Deal (‘the Deal’) was successful in securing £215m of Central Government investment to advance housing delivery and boost economic productivity in the area. Within the deal are four distinct workstreams.
2. The Homes from Infrastructure Programme (Hfi) within the Deal is a £150m investment in infrastructure to support the acceleration of already planned housing in Oxfordshire over a five-year period from 2018/19 to 2022/23. The Infrastructure projects include road, rail, cycle routes and footpaths, as well as social infrastructure such as schools. Similarly, The Affordable Housing Programme is a £60 Million investment over three years to support the delivery of at least 1322 additional affordable homes, using a range of tenures including social rent, affordable rent, shared ownership by March 2021.

3. Through the Deal, the Oxfordshire authorities agreed to develop a county wide Strategic Development Plan, known as the Oxfordshire Plan 2050, to support a more coordinated approach to long term spatial planning across the County. This is supported by additional time limited planning freedoms and flexibilities for local authorities to protect against unplanned development.
4. The fourth workstream within the Deal is Productivity which sits alongside the other work streams, led by the Oxfordshire Local Enterprise Partnership (OxLEP). At the centre of this work is an ambitious Local Industrial Strategy for Oxfordshire. It is the role of the Oxfordshire Growth Board to oversee and monitor delivery of the Deal and its workstreams.
5. The COVID-19 pandemic has had an unprecedented impact on populations globally, nationally and locally. Each of the Oxfordshire Councils are investing significant resources into managing local response efforts. This report however focusses on the impact that the pandemic is having on local delivery against the Deal programme; specifically, the Housing delivery, Infrastructure, Oxfordshire Plan 2050 and Productivity workstreams.
6. It is critical to note that this report provides an update on the early impacts of the pandemic only, and secondly that the fast-changing nature of the situation may render many comments in this paper out of date soon after publication. Forthcoming quarterly progress reports will reflect on the impact of COVID-19 and the actions taken in response on an ongoing basis as necessary.

Impact of COVID-19 on the Oxfordshire Housing and Growth Deal and the Housing Market

7. Prior to the COVID crisis, a picture was emerging in Oxfordshire of a housing market delivery trajectory that was slipping due to issues such as local plan delays and the beginnings of weakening developer confidence in certain areas of the Oxfordshire housing market. Within that overall picture however those sites that were supported by the Housing and Growth Deal through infrastructure investment were generally maintaining their delivery trajectory, partly because the infrastructure investment supported developer confidence and because these sites are the ones with the most robust demand profile and could withstand market movements more robustly.
8. Nationally, it is estimated that around 75% of housing sites closed due to the COVID crisis.¹ In Oxfordshire, all the major sites halted production because of COVID-19 and are now returning to work (May 2020). However, there will be on-site working practice restrictions in place that are likely to mean full productivity will not be possible whilst staff and contractors adapt to this new working environment. Some of the smaller development sites in Oxfordshire did not close, but capacity was limited as contractors were isolating or ill.

¹ Building.co.uk. 2019: Available at: <https://www.building.co.uk/news/coronavirus-stops-work-at-75-of-uk-housing-schemes/5105579.article>

9. There is also an issue of supply chains drying up and putting workers onto the Furlough Scheme, affecting the ability to develop.² However, there is evidence that these firms are also returning to work. In April for example, a major brickmaker Mickelmersh announced they would be returning to work.
10. Costs of construction will also be an issue affected by COVID-19. The market was already experiencing an increase in labour costs due to the effects of Brexit and this may well be compounded by the crisis. Coupled with the point made above that developers will not be able to run sites at full capacity due to the need for physical distancing, this will therefore impact upon the efficiency of sites and therefore costs.
11. Because of the slowdown, councils can expect housing delivery trajectories, both Deal related and more generally to be impacted. At the time of writing this report however officers have yet to complete the revised delivery trajectories for either Housing from Infrastructure or the Affordable Housing Programme. The former is being completed by partners and is expected to be available from late June, whilst the latter is being completed to an agreed deadline of the end of May.
12. Outside of the market slowdown, an added delay reported is the interruption to the planning process. Developers advise that where schemes are in feasibility stages work is progressing, but where either a consultation or decision point has been reached delays are inevitably occurring, although this is now reducing as an issue.
13. Looking to the longer-term impact on the housing market outside of the Deal timeframe market intelligence from Savills suggests that the housing market could see a 50% dip in activity in this financial year with the sharpest dip being in the second quarter. This is important because of the strong link between market activity (demand) and house prices. Accordingly, Savills suggest that house prices could fall as much as 10%, although they conclude it is too early to say whether the market will then re-adjust, or this will be a longer-term reduction.
14. Council partners will be aware of the government advice to councils to consider allowing SME developers to delay S106 commitments in a bid to support them through the crisis. For affordable housing this could take the form of either re-phasing or perhaps pressure to reduce the obligations, perhaps by remodelling or grant funding from government. This government advice has the potential to materially impact both the Deal and councils own affordable housing delivery trajectories as S106 accounted for 49% of all affordable housing delivered in 2018/19.
15. Developers will be concerned about any trend of slowing market housing activity and in particular shared ownership sales, which is seen as a softer market and more prone to economic cycles. This is because often the shared ownership client is usually on a lower quartile income for home ownership and the concern is that some of the potential purchasers may have had to use their

² Inside Housing, 2020. Available at: <https://www.insidehousing.co.uk/news/news/housing-associations-warn-supply-chain-failures-caused-by-covid-19-could-hurt-development-plans-66156>

deposit savings for other needs, whilst others may not be able to access mortgages now due to a change of employment situation.

16. Developers have advised that the attitudes of banks will be central to their future performance as they rely upon loan funding for their development activities, funded from sale receipts. This is especially true if the sales market does not pick up as loan finance is often secured against built stock. There is for example already some evidence that finance against shared ownership is being temporarily stopped by some lenders
17. In terms of the role of the Housing and Growth Deal, the Board will be aware that current Deal finance restricts expenditure to either infrastructure that accelerates planned housing or grant for additional affordable housing. Post COVID however there is perhaps a wider role for the Deal in enabling sites that have stalled to progress, thus accelerating housing that would otherwise have stalled. A discussion about this wider role for the Deal will be an ask of Government as we discuss how the Deal can aid recovery in the housing market.
18. Within this overall housing development picture, the Housing and Growth Deal Affordable Housing Programme (OAHP) has inevitably slowed. The Board will be aware that the programme was experiencing challenges in the second year and these challenges have been exacerbated by the COVID crisis. The immediate impact was that a proportion of the schemes that were programmed to reach the relevant milestone to qualify for grant at the end of year two failed at the last minute as staff were off sick or contractors were not available. There were also several schemes where the COVID crisis led the Registered Provider of social housing (RP) concerned to reflect upon whether their development contract and the penalties it contained for exceeding costs or timescales is one they could sign up to.
19. These last minute delays could have reduced the grant payment from government; fortunately it was agreed with MHCLG that all the schemes that had been programmed for year two would have the grant paid over to OCC as the accountable body and that grant then passed on to the relevant district council for payment to the RP when the payment milestone was achieved.
20. Looking at the impact of the COVID crisis on the OAHP moving forward, feedback from RPs on the Oxfordshire affordable housing market is that they are typically building a 6-9-month delay into their initial revisions of development business plans (as of April 2020) but sense these could be optimistic assessments. RPs also expect pressure for contracts to be renegotiated to reflect expected increased costs, force majeure claims and a perceived inability to accept compensation clauses for delay.
21. Whilst also being developers, and therefore subject to the pressures other developers face, RPs have a strong financial position due to their asset base and rental income to support that. They recognise that this position and their ability to access government grant means they can play a crucial role in housing market recovery. For example, by land purchase from developers as a recovery tool to ease developer cash flow. This could be just holding an option

on the land for developer buyback or it could be a tool for a greater intervention in the housing market with subsequent development by the RP.

22. There is also a potential role for the OAHP in driving recovery in the final years of the programme, for example by working with RPs and local authority development companies to:
 - Assist with developer cash flow issues caused by slow market sales through the bulk purchase of units. These units would then be converted to affordable rented housing using OAHP grant. This is a proven method of assisting the market that was successful in the last housing market slump in 2009;
 - Converting shared ownership properties to affordable or social rented housing using OAHP grant funding. At present this is not permitted by the OAHP but will be an ask of government as we discuss how the Deal can assist in the housing market recovery.
23. It is important that the potential of the OAHP to assist with housing recovery is maximised in the final year of the programme and officers are discussing with Homes England revised terms for the OAHP to enable that to happen. The OAHP will need to reflect the new Oxfordshire housing market in these discussions, for example by the potential to grant fund social rented housing at lower rents to address issues of affordability for local people that will be brought into sharper focus by any economic downturn.

The impact of COVID 19 on Infrastructure delivery in Oxfordshire

24. The unprecedented circumstances present a challenge at the time of writing to say with any certainty what the overall impact of COVID-19 will be on infrastructure delivery related to the Housing and Growth Deal. This programme is delivered through Oxfordshire County Council's Capital Delivery Programme and much of its infrastructure programme will be impacted in the same way. There is no precedent to help understand what the potential future impacts are, coupled with limited information available on when restrictions may end and the details of future working arrangements (as of May 2020). There are also major questions being asked of the need and demand for particular infrastructure projects planned before COVID-19 e.g. national push for more cycle infrastructure.
25. A more granular understanding of the impacts will be developed over the coming months. However, what is clear now is that staff are continuing to work but in a very different way. Where schemes are in design, work has continued where possible and the impact is not thought to be significant. Site visits are expected to have been impacted, and where surveys are required, it is expected that there will have been an impact on the programme, and some surveys being seasonal this could have a significant impact. Schemes in construction are also expected to be impacted by the pandemic owing to changes to methods of working and travel limitations.
26. Contractors and consultants have measures in place to deal with change, such as project continuity plans, and these are being adapted to tackle COVID-19.

The supply chain has been impacted, and their operational situation is under constant review as it is changing regularly. This is a similar challenge across other workstreams within the Housing and Growth Deal. There is a risk of supply shortages, interruptions and delays due to closed factories, logistics challenges, and some smaller suppliers may even be closed and no longer in business. There may also be an impact on the cost of materials, but this is still unclear. The need to mitigate health risks for onsite staff may further impact delivery programmes.

27. Officers will continue to review projects to determine what measures can be in place in preparation for a shift in our ways of working. Each scheme will require an updated risk analysis for active projects and ongoing monitoring of the situation. A further impact analysis will need to be undertaken, together with a project resourcing plan to be best placed for future working arrangements. This will also need to factor in compliance with new and changing government guidance on construction work safety standards.
28. The Housing & Growth Deal Infrastructure Programme will play a vital role in Oxfordshire's post COVID recovery, and officers are working with our HM Government partners to explore flexibilities to the terms of the Deal. This also provides an opportunity to reflect on what our priorities are.

The impact of COVID on the Oxfordshire Plan 2050

29. The partner councils are working collectively on a strategic, long term statutory Plan for Oxfordshire. The intention is that the Oxfordshire Plan 2050 will be a strategy-led Plan and an opportunity to be transformative, adding real value to the typical Local Plan approach. The Plan will look beyond current and emerging Local Plans and will identify the number of new homes, the level of economic growth, and related infrastructure that is needed across Oxfordshire to 2050. This will set the scene for a future round of Local Plans where the Local Planning Authorities will subsequently establish detailed planning policies and site allocations at a local level.
30. The recent focus of work by the Oxfordshire Plan team has been on:
 - building up the evidence base
 - stepping up member briefing
 - developing the spatial strategy and options for the Plan
 - planning for the launch of the Oxfordshire Open Thought exercise
31. Since the start of the Covid-19 restrictions, the Team has been working hard to assess the impact on the overall programme. Many of the consultants involved in developing the evidence base have reassured us that much of their work can continue as planned. We are working with them to ensure that work on the evidence base incorporates where appropriate consideration of the changing economic and social circumstances of the Covid-19 situation and any possible longer-term impacts of those.
32. There are some significant challenges with other aspects of the programme. In particular, the required officer and member meetings to approve emerging work

during the Summer, and a series of special Council meetings that were planned for September, will now likely be dominated by the Covid-19 response and recovery, limiting consideration of the Plan.

33. There are also technical limitations when attempting to brief all district and county councillors and answer their questions on the project remotely; these would likely have less success than face-to-face briefings. In some areas, additional duties have been reprioritised in the short term to enable the Oxfordshire Plan and Growth Board Teams to support the Covid-19 response effort.
34. Considering the unprecedented circumstances, it is recommended that the Growth Board requests from MHCLG a minimum seven-month extension to the current timeline we are working towards. This must be considered as a minimum extension as the full effects of COVID-19 are yet to be known. Two key changes in the revised programme for the next year would be to:
 - Move the Regulation 18 (Part 2) consultation approval process through each council back from September 2020 to December 2020, adding 3 months and consequentially:
 - Moving the Regulation 19 (Draft Plan consultation) back to September 2021.
35. As was previously planned, a series of special Council meetings will need to be held in a co-ordinated way (preferably during the same week) which would now be held in December to approve the Regulation 18 (Part 2) consultation plans. This means the 6-week consultation would be launched in January 2021. This would have a knock-on impact on the subsequent Regulation 19 consultation, which would naturally move to after the May 2021 elections.
36. By extending our timeline by the recommended seven months (measured by adoption date), this should ensure that there is still a window for early (through the Summer if restrictions allow, or the Autumn) face-to-face engagement opportunities with councillors. This timeframe would also allow more time for the non-statutory engagement work through the “Oxfordshire Open Thought” concept to gather public feedback to help inform discussions.
37. Oxfordshire Open Thought will be an open online platform for people to have their say on the future of their county as part of the Oxfordshire Plan 2050. It will tap into the wealth of knowledge and expertise within our communities to help find ideas and solutions to some of the big issues that affect our lives and the environment over the coming decades. This is a new initiative that won't replace previous consultations and responses.
38. The extension would allow more time to shape the strategy and consultation document with the Oxfordshire Plan Advisory Sub-group. This group continues to meet virtually every month. A recommended revised timeline for the development of the Oxfordshire Plan 2050 is set out below which incorporates the impact of the circumstances set out in this report.

Oxfordshire Plan Stage	Growth Board Sep 2019 Milestones	Proposed Milestones
Further engagement (Oxfordshire Thought)	Nov/Dec 19	May 20 & Sept 20
Consultation on spatial options (scale and broad locations) (Reg18 part2)	June/July 20	Jan 21
Consultation on Draft Plan (Reg 19)	Nov/Dec 20	Sept 21
Submission	March 21	Jan 22
Examination	June-Sept 21	Apr 22
Inspector's Report	December 21	July 22
Adoption	March 22	Oct 22

39. The extra time granted through the recommended timeline would allow us to take greater account of the long-term spatial framework that is being developed to support strategic planning across the Arc. This is a real opportunity to better align our work with wider sub-regional ambitions and feed into that process, and we will have more time to develop that conversation with Government. Some flexibility in the programme to allow for a greater level of engagement and opportunity for consensus building and briefing will result in a better plan, shaped by a wide variety of voices; and a stronger case to made to the Planning Inspector who will examine it.
40. Production of the Oxfordshire Plan will mean the development of a sound long-term strategy for the future of the county. This will be even more important post Covid-19; a clear strategy with consensus across the partnership can provide clarity and leadership for the community, and greater certainty for the market and service providers which will help with business planning.

Productivity

41. Productivity is an integral component of the Oxfordshire Housing and Growth Deal and sits alongside the other work streams, led by the Oxfordshire Local Enterprise Partnership (OxLEP). The headline commitment under the Productivity workstream invited Oxfordshire to be one of three 'Trailblazer' areas to take forward the ambitions set out by Government in its Industrial Strategy White Paper. This is in the form of an ambitious and transformational, long term *Local Industrial Strategy (LIS)*, and involved close working with Whitehall departments in the development of the Strategy. Following a review meeting during Year One of the Deal with the Government's Cities and Local Growth Unit, officials proposed that the focus for all elements of the productivity stream moving forward needed to be built around the LIS. The productivity workstream does not have a specific funding allocation within the Deal.
42. Between November 2019 and March 2020, work has progressed in translating the ambitions set out in the LIS and across the 25 policy areas detailed in the Strategy, into a coherent programme of delivery which can attract the necessary investment from Government and the public and private sectors to realise the vision for Oxfordshire to be a top three global innovation ecosystem. The Investment Plan is over a medium-term horizon and anticipates a mixture of proposals which can be developed and ready for investment in the first 1-3

years of the LIS strategy. This also includes a mixture of medium to longer term projects which will have a 10-year runway to be fully developed out but will require critical work being undertaken in the first 12-24 months of the Strategy in order to be moved forward at pace. A wider range of engagement activities are being deployed to shape the plan and assess areas of common interest across the Oxford to Cambridge Arc.

43. In light of the pandemic, the LIS Steering Group has considered the potential economic impact of the virus on the emerging investment programme. The past months (up to May 2020) have shown the remarkable world leading capability of the region's innovation ecosystem with Oxfordshire academics, research organisations and businesses consistently being at the vanguard of national and international efforts to respond to the emergency. It is important to recognise that this leadership role in the UK economy will become even more clear as we move from the respond and recover stages, and into rebuild and renew.
44. The guiding principles of the LIS are an important reference point for this process and continue to be highly relevant in a post-COVID environment:
 - a) **Invest in Oxfordshire, deliver for the UK:** As one of three net contributors to the exchequer, Oxfordshire will deliver economic growth and manufacturing and supply chain opportunities for the rest of the UK.
 - b) **Oxfordshire – The UK's Innovation Engine:** Oxfordshire has a world-class innovation ecosystem with a concentration of global assets and strengths unrivalled by anywhere else in the UK. This, along with our strengths in research and talented workforce, make Oxfordshire a great place to invest and drive R&D and innovation in new technologies, markets, products and services.
 - c) **Global Oxfordshire, Global Britain:** Many of Oxfordshire's industries already compete on a global level, and in new emerging markets. Investing in Oxfordshire will support us in our international potential and winning new market share in technologies of the future.
45. Each project sponsor under the Investment Plan is reviewing the current status of their respective business case to consider and adjust their proposals in light of COVID-19 and identify both the economic risks but also the market opportunities which could be harnessed. This is particularly illustrated by projects which are focused around the health and life sciences sectors and energy and zero carbon. OxLEP are also looking at those projects which would be accelerated in their development considering the impact it can have for areas of the economy which have been impacted disproportionately by the pandemic such as the creative and cultural industries.
46. The LIS Investment Plan will sit alongside an expected Oxfordshire Economic Recovery Plan (ERP), whose focus will likely be about short-term measures to stabilise the economy and interventions to stimulate economic activity. These will be necessarily complementing the detailed programme coming through the LIS investment Plan and be prepared through the Joint Oxfordshire Business

Support Group (JOBS), which is a bronze level cell feeding into the established Silver and Gold structures already in place for the County.

47. Based on the market intelligence that has been gathered since the pandemic started, there are reasonably three broad areas of ERP interventions that can be progressed: financial capital support; business support, restructuring and market development; and labour market support to help people back into work. These measures will need to be aligned to, and avoid duplicating, interventions already put in place by Government.

Conclusion

48. This report provides a high-level overview of the early impacts that the Covid-19 pandemic is having on the Housing and Growth Deal. It is expected that the impacts will continue and expand as we start to see what the pace of recovery will look like. We will continue to monitor our programme closely as well as develop actions and strategies to help address the impacts as they emerge and become better understood. We expect to bring forward to the next Growth Board a further assessment of impact and a detailed update on the mitigation strategies we have or would wish to employ. Some of these measures would have been needed pre-COVID-19 to address some of the market and deal issues we were already facing.
49. Notwithstanding the relative short-term shut down of local development sites, and the wider economic restrictions, the impact will be considerable across all workstreams within the Deal. Learning from this pandemic, and adapting our ways of working, will be critical to ensuring that Oxfordshire partners are best positioned to support an effective recovery. Officers supporting the Housing and Growth Deal across the various programmes have adapted their ways of working from the start of this crisis to ensure that where possible, business continues as normal, notwithstanding the market impacts that the pandemic has had on site delivery.
50. Discussions with Homes England over the possibility of adjusting the parameters of the Housing and Growth Deal to use it as a tool for recovery have commenced and officers are working closely with OxLEP to ensure that there is a consistent and robust Recovery Strategy for Oxfordshire, of which the Housing and Growth Deal programme can play a major part. An initial contact has also been made with MHCLG to alert them to the potential impacts on the various workstreams of the Deal.
51. It will be important going forward for the Deal to take account of the new policy landscape and economic context. Delays caused across the various programmes provide an opportunity to re-evaluate priorities and milestones within the Deal, informed by the local and national recovery response. Flexibility to adapt delivery ambitions and working arrangements to match shifts in policy will be crucial in ensuring the Deal can continue to deliver for local people.
52. The Growth Board is asked to note the current impact the pandemic has had on the Housing and Growth Deal workstreams, and to endorse the revised timeline for the Oxfordshire Plan 2050, as set out in this report, for officers to take forward in discussion with MHCLG.

Background Papers

53. None

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EP4



Key

	Existing Trees		Secondary/Private Road		Wildflower Meadow Planting		PRoW Routes
	Existing Retained Hedgerow		Residential Blocks		Ecology Pond		Pedestrian Connections
	Existing Bus Stop		Apartments		Street Trees		Attenuation Basin
	Access Road		POS and LEAP		Existing Drainage Ditch		
	Proposed Footpath		Proposed Hedgerow		Proposed Scrub Planting		