

# **EIP Statement**

## **Partial Review of the Fylde Local Plan to 2032**

### **Taylor Wimpey UK Limited**

#### **Representor ID: 11**

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**Our ref** 41917/06/CM/NMi  
**Date** 23 February 2021

**Subject** **Matter 2: Housing**

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#### **1.0 Introduction**

- 1.1 Lichfields is instructed by Taylor Wimpey UK Limited [Taylor Wimpey] to make representations on its behalf to the Partial Review of the Fylde Local Plan to 2032. [the Partial Review].
- 1.2 This statement has been prepared in response to the Matters, Issues and Questions raised by the Inspector for the Matter 2 Examination in Public [EiP] hearing sessions.
- 1.3 Separate representations have been submitted in respect of the following Matters:
- 1 Matter 1 - Compliance with statutory procedures and legal matters
- 1.4 These Matter Papers representations should be read in conjunction with previous submissions on the Partial Review [Representor ID: 11].
- 1.5 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 available now, deliverable and sustainable if required to meet future housing needs.
- 1.6 This statement expands upon TW's previous representations made throughout the Local Plan preparation process in light of the Inspector's specific issues and questions. Where relevant, the comments made are assessed against the tests of soundness established by the National Planning Policy Framework [the Framework] and the National Planning Practice Guidance [Practice Guidance].

## 2.0 Planning Issues

### **Issue 2 – Have the revisions to Policies DLF1 and H1 and relevant supporting text, in relation to housing needs and the housing requirement, been positively prepared and are they justified, effective and consistent with national policy? Is Policy H2 consistent with national policy?**

*Q1. Policy DLF1 and its supporting text, in the Partial Review, seeks to set out the minimum housing requirement figure as a range of 6,895-8,715 dwellings for the plan period. Policy H1 and its supporting text, as proposed, seeks to set the housing requirement as 415 net new homes per annum between 2011 and 2019, and sets a range of 275-415 net new homes per annum between 2019 and 2032. The Partial Review also includes revisions to Paragraphs 9.13-9.19 on housing provision. My queries are:*

*a. Is the assessment of housing need, using the standard method, consistent with national policy and does it accord with the methodology set out in the Planning Practice Guidance? Are there any ‘exceptional circumstances’ to justify an alternative approach?*

2.1 The Partial Review of the Local Plan has been undertaken to address two matters:

- To reflect policy changes which the replacement Framework (2019) has made; and,
- Because the Local Plan [§1.27] 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.

2.2 As part of this process, the Council has applied the Government’s standard method to calculating housing need. We note that since the submission of the Partial Review in October 2020, revisions to the standard method have been introduced by the Government in December 2020 (commonly know as the ‘standard method 2’). However, the Local Housing Need [LHN] figure for Fylde (272 dpa) is similar to the figure at the lower end of the Council’s range (275 dpa).

2.3 The Partial Review and the application of the standard method must be considered in the context of the national ambition to boost the supply of housing and help to address the housing crisis, and the advice provided in the Practice Guidance on when a higher figure may be appropriate. We do not therefore consider the proposed dwelling range, with a minimum requirement of 275 dwellings post 2019, to be appropriate.

2.4 The Practice Guidance<sup>1</sup> makes it clear that there will be circumstances when a higher figure than that generated by the standard method might be considered appropriate including growth strategies and meeting unmet need from neighbouring authorities.

2.5 In addition, it notes<sup>2</sup>:

*“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”.*

<sup>1</sup> Planning Practice Guidance: Reference ID: 2a-010-20201216

<sup>2</sup> Planning Practice Guidance: Reference ID: 2a-010-20201216

- 2.6 The Framework<sup>3</sup> 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.

### **Accommodating Need from Wyre**

- 2.7 This Partial Review was necessitated (in part) by a commitment made through the Examination of the adopted Local 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.
- 2.8 Taylor Wimpey is concerned that there is a similar lack of alignment between the Fylde and Wyre Partial Review processes and this could result in similar consequences. The timing of the two Partial Reviews has not been aligned and the Wyre Partial Review is not at stage where it has been confirmed what the housing requirement for Wyre will be. It is not therefore clear whether the proposed housing requirement in the Fylde Partial Review will be effective in ensuring that the Council’s deal with the unmet needs in the HMA. Taylor Wimpey is therefore concerned that the Fylde Partial Review as currently drafted fails to robustly deal with the key issue of accommodating need from Wyre.
- 2.9 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 (Regulation 18) but it remains at a very early stage of preparation. The Regulation 18 consultation comprised a 2-page letter which set out the reasons for the Partial Review and invited comments on the scope. It did not make any reference to the need to address cross boundary matters.
- 2.10 Although the standard method for Wyre derives a minimum housing requirement figure below that adopted in the Wyre Local Plan, it is not yet clear what housing requirement figure Wyre Council will pursue in their Partial Review going forward. It is also not clear if Wyre 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 Fylde Council to continue with its Partial Review, to meet Wyre’s unmet housing requirement, given the uncertainty surrounding Wyre’s unmet housing need.
- 2.11 Fylde Council may find itself in a similar position to the adopted Local Plan, where a further mechanism for review would need to be incorporated into the Partial Review. This would nullify one of the key objectives of the Partial Review which is to accommodate some of Wyre’s need if necessary and could result in other consequences later in the process (see below).

### **Housing Delivery**

- 2.12 Taylor Wimpey also considers that previous levels of housing delivery should be taken into account as they justify a higher level of need than the standard method suggests.

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<sup>3</sup> National Planning Policy Framework §59

- 2.13 In terms of the Housing Delivery Test [HDT], the Council has performed very strongly over the past 3 years and achieved 202% in the latest set of results. Over the three monitoring years 2017-2020, the Council delivered 512, 471 and 634 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 (415 dpa). Previous HDT results also show that delivery in the 2016-17 period (455 dwellings) was also in excess of the annual requirement.
- 2.14 Following review by the Planning Inspectorate, the Council published an Annual Position Statement [APS] in October 2020 (EL1.002b) which sets out the housing land supply position at the base date of 1st April 2020. This concluded that the Council has a 5.13-year supply of deliverable housing land.
- 2.15 In terms of annual supply over the next 5 years (2020-25), the APS anticipates that the Council's annual housing delivery will be: 771, 541, 514, 510 and 367 respectively. In total, it is anticipated that the Council can deliver 2,703 units over the next 5 years, an annual average of 541 dwellings which is in excess of the Council's adopted housing requirement and annualised shortfall since the start of the plan period (2011).
- 2.16 This evidence demonstrates that Fylde has the capacity to deliver its existing housing requirement and Taylor Wimpey considers that utilising the early review mechanism to suppress housing requirement is fundamentally at variance with Government ambitions to boost the supply of housing.

### **Affordable Housing**

- 2.17 The Practice Guidance<sup>4</sup> requires a calculation to be made of the total annual need for affordable housing. The reference to uplifting the housing figures in the Practice Guidance 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 therefore need to ensure that the above factors are fully considered.
- 2.18 For the reasons set out in this EiP Statement, Taylor Wimpey is concerned that the Council has failed to assess the impact that the proposed 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. Further detail on this matter is provided in our response to Question 2a.

### **Economic Growth**

- 2.19 Taylor Wimpey is also concerned that there is a lack of alignment between the emerging housing requirement figure and the economic growth aspirations in the adopted Local Plan, which the Council are not proposing to amend. As detailed in our response to Question 2b, 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 tenet of the Framework (2019) to promote sustainable development. In this regard, we note from the Sustainability Appraisal<sup>5</sup> that levels of in commuting are already high, as Fylde is a net importer of employees.

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<sup>4</sup> Planning Practice Guidance: Reference ID: 2a-024-20190220

<sup>5</sup> SDPRO2 Sustainability Appraisal and Strategic Environmental Assessment (March 2020) Page 147

**Conclusions**

- 2.20 Taylor Wimpey considers that the Council is seeking 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 its decision.
- 2.21 Reducing the housing requirement will lead to a number of consequences in the Borough, for example:
- 1 It will exacerbate the affordability issues in Fylde;
  - 2 It will lead to unsustainable levels of commuting as the Council continue to pursue an aspirational employment land requirement;
  - 3 It will exacerbate the already high affordable housing needs of the Borough; and,
  - 4 It will depress economic growth and cut job creation through construction in the Borough.
- 2.22 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 as the Wyre Partial Review is still in the early stages of preparation. The timings of the Wyre Partial Review provided in the Statement of Common Ground (SDPRO5a) do not align with the Fylde Partial Review. The Council needs to align its Partial Review timetable with Wyre. If this action is not taken then Fylde Council may find itself in a similar position to the adopted Local Plan, where a further mechanism for review would need to be incorporated into the Partial Review.
- 2.23 It is widely accepted that we are in the midst of a national housing crisis and 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. 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.
- 2.24 Taylor Wimpey considers that the Partial Review should seek to be ambitious in terms of the housing requirement it is advocating. 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. As the Council is currently delivering on the adopted Local Plan requirement of 415 dpa and has an adequate supply of land, it seems perverse to be advocating 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. In this respect it should be noted that the standard method provides a 'minimum starting point' and the Council would not be penalised for exceeding the minimum figure.
- 2.25 Taylor Wimpey considers that Fylde Council should abandon this Partial Review of the plan for a number of reasons:
- There is a clear direction of travel from Government to boost the supply of houses;
  - 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;
  - It is not clear at this stage what Wyre Council is going to do and whether it will continue with the Partial Review in light of the potential changes to the planning system which are currently being consulted upon. As such, the Council needs to align its Partial Review

timetable with Wyre or risk a similar situation as last time where Wyre’s needs were not adequately addressed.

- As we have identified in our response to Matter 1 we also consider that the Council’s approach fails on the Duty to Co-operate.

*b. Is the inclusion of a minimum housing requirement figure as a range justified and effective?*

2.26 We consider that the application of a minimum requirement figure as a range is not justified and is not effective. The need to identify a dwelling range should not be necessary as the Partial Review should be providing certainty on future housing requirement. The Council is currently unable to provide this certainty as it is not currently known whether and what level of need from Wyre will need to be accommodate in Fylde. Hence the need for the Council to align the preparation and timing of the Partial Review with that of the Wyre Partial Review.

*c. Why is ‘minimum’ proposed to be deleted from Policy H1 criterion a) in relation to the housing requirement figure? Is this consistent with Policy DLF1?*

2.27 Taylor Wimpey considers that any housing requirement figure identified in Policy H1 should be clearly identified as a minimum requirement to help ensure that a sufficient supply of housing is brought forward through the Partial Review and to support the Government’s key objective of bosting the supply of housing.

*d. Overall, are proposed Policies DLF1 and H1 soundly based? Are they clearly written and unambiguous in accordance with paragraph 16 d) of the Framework, and supported by effective explanatory text?*

2.28 Part (c) of Draft Policy H1 states that the Council will manage the delivery of new housing by 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. However, national planning policy<sup>6</sup> 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).

2.29 At the time of the Examination of the now adopted Fylde Local Plan, the Inspector determined that utilising the Liverpool method was appropriate in this instance. 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. Taylor Wimpey considers that 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 the continued use of the ‘Liverpool’ method for dealing with backlog particularly given that it is at odds with national planning policy. Taylor Wimpey sees no reason why the approach to backlog cannot be reconsidered in this Partial Review and also sees no reason why the Sedgfield approach cannot be applied.

2.30 Policy DLF1 and H1 both identify a dwelling range of 6,895-8715 new homes. For the reasons set out in this response, we consider that the application of a minimum requirement figure as a range is not justified and is not effective.

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<sup>6</sup> Planning Practice Guidance: Reference ID: 68-031-20190722

*Q2. What effect, if any, does a minimum housing requirement as a range of 6,895-8,715 net new homes during the plan period, have on the ability of the Council to:*

*a. deliver affordable housing to meet identified needs; and*

2.31 Taylor Wimpey considers that a key element of evidence is missing from that released to underpin the Partial Review of the Fylde Local Plan. No evidence has been presented by the Council which assesses 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.

2.32 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.

*b. achieve its economic ambitions to deliver growth, specifically employment provision and jobs, in line with the overall strategy for the Borough?*

2.33 The proposed changes set out in the Schedule of Revisions to the Fylde Local Plan only propose to amend the housing requirement in Policy DLF1 but does not seek to consider the impact on employment land requirement or 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 tenet of the Framework (2019) to promote sustainable development.

2.34 In this respect, it is important to consider 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.

2.35 Addendum 3 concluded that the OAN for housing was a range of between 410 and 430 dwellings per annum. The Council's adopted 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 adopted Local Plan aligned. This is no longer the case with the lower range housing figure of 275 dpa which the Council is seeking to apply.

*Q3. The National Planning Policy Framework (2019) definition for older people differs from that in the 2012 version in that it now also includes people 'approaching retirement age'. Is Policy H2 and its supporting text, which includes specific requirements for 'Specialist Accommodation for the Elderly', consistent with this revised definition? Specifically, do the criteria in the policy for defining what development type is 'purpose-built 100% specialist accommodation for the elderly', accord with national policy and the guidance set out in the Planning Practice Guidance?*

2.36

Taylor Wimpey has no comment on this matter.