



**AGENDA ITEM: 5(c)**

**CABINET: 13 January 2015**

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**Report of: Assistant Director Planning**

**Relevant Managing Director: Managing Director (Transformation)**

**Relevant Portfolio Holder: Councillor M Forshaw**

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**SUBJECT: LATE INFORMATION - YEW TREE FARM FINAL MASTERPLAN ADOPTION**

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Wards affected: Borough-wide

**1.0 PURPOSE OF THE REPORT**

1.1 To provide Late Information to Cabinet following receipt of a letter to Cabinet Members from NLP consultants.

**2.0 RECOMMENDATIONS TO CABINET**

2.1 That Cabinet note the information provided in the Late Information below in their consideration regarding the adoption of the Yew Tree Farm Masterplan SPD.

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**3.0 ASSISTANT DIRECTOR PLANNING'S COMMENTS ON LETTER RECEIVED BY CABINET MEMBERS**

3.1 Cabinet members received a letter from Simon Pemberton, Director at NLP on 6 January 2015 (attached) in which NLP raise concerns about the Yew Tree Farm Masterplan SPD that Cabinet will be considering for adoption on 13 January 2015.

3.2 Having read the content of this letter, I wished to provide greater clarity on the context surrounding the issues raised by NLP, so that Cabinet Members may understand the full picture of how officers have arrived at the proposals they have for the Yew Tree Farm Masterplan.

3.3 NLP primarily raise concerns about the amount of land proposed to be released for housing in this Local Plan period (up to 2027) on the Yew Tree Farm site. The Local Plan policy SP3 states that the Yew Tree Farm site “*should deliver ... residential development for at least 500 new dwellings and safeguarded land for up to 500 more dwellings in the future (post 2027)*”. NLP have raised concerns that the amount of land released for housing will not be sufficient to deliver at least 500 new dwellings in line with policy SP3 of the Local Plan. However, this is not a new concern raised by NLP.

3.4 The proposed final Masterplan SPD states on p.37 (third paragraph) that:

23 ha is allocated for residential development including the accompanying highways, drainage, landscaping, linear park and public open space. It has been assumed that 75% of this gross development area for residential development would actually provide the net developable area for residential development itself (i.e. subtracting the land required for highways, drainage, landscaping, linear park and public open space). This leaves a net developable area of approximately 17 ha, which at 30 dwellings per hectare could accommodate 510 dwellings.

3.5 It should be noted that this is broadly similar to that proposed in the draft Masterplan SPD (which proposed 15 ha (net) for housing and 2 ha (net) for elderly housing), i.e. a total of 17 ha (net) for housing and elderly housing combined, but the way the final masterplan SPD deals with housing and elderly housing together (within the 17 ha (net) for residential development) allows greater flexibility between the two types of housing.

3.6 In NLP’s submission to the draft Masterplan consultation in November 2014 on behalf of their client, David Crompton Property Developments Limited, (sent within the Late Information to Cabinet Item 5(c)), on p.26, para 4.69, NLP considered “normal” housing and elderly housing separately and appeared to not count any elderly housing towards the development of at least 500 new dwellings. This is not in line with the Local Plan (policy RS1) and shows a misunderstanding of how the elderly housing should be delivered. However, notwithstanding this, NLP focused on the 15 ha (net) proposed for “housing” in the draft Masterplan SPD and concluded the following:

Housing: We accept that the density assumption of 30 dwellings per hectare is reasonable (albeit we expect some areas to be lower and other areas to be higher). However, it is not considered that 15ha provides for sufficient area of land to deliver the at least 500 dwellings required by the WLLP. On this basis we consider that the area to be identified should be at least 16.5 hectares (see also below for the discussion on elderly housing).

The 15ha is described as being a net figure, but it is not a true net figure in that only strategic roads and open space have been excluded. There will inevitably be requirements for other infrastructure (sub-stations, gas governors, etc.), land for SuDS and other drainage features, and small areas of incidental open space etc. In terms of the latter for example,

there is a desire to retain existing features such as hedgerows and trees within the layout which will impact upon the developable area. On this basis we think there should be an allowance of a net to gross ratio within the development areas of say 85%. This is higher than would normal be considered on typical sites (say 75%) and significantly higher than is normal on Strategic sites (around 65% depending upon constraints). On this basis the figure should be increased from 16.5ha to at least 20ha. Twenty hectares at a density of 30 dwellings to the hectare would yield just 510 dwellings and therefore this should be considered the minimum requirement.

There is merit in providing for further flexibility within the plan, not least because the policy is for “at least” 500 dwellings, but also to ensure that there is the flexibility to deliver the numbers across the site and to allow some room in the likely phasing to allow for slower delivery of parts of the site. As demonstrated above the figure of 20ha does not provide any such flexibility and will only just deliver the number of units required by Policy SP3 assuming all of the land is delivered. It would normally be suggested that a flexibility factor of 10% be added to the site area. In total we would suggest an area of around 22ha would be an appropriate area of land to identify in the SPD to guarantee delivery of the requirements of the WLLP.

3.7 There are several key points to draw from these comments:

- NLP consider that the net developable area necessary to deliver at least 500 dwellings is 16.5 ha at a density of 30 dwellings per hectare (a density assumption that they accept).
- NLP consider that, on this site, the net developable area should be 85% of the gross development area, which would make the gross development area for residential development approximately 19.5 ha. They round this up to “at least 20 ha” which would yield 510 dwellings (20 ha x 85% x 30 dwellings per hectare).
- NLP then consider that an additional 10% of the gross development area should be added for further flexibility, increasing the gross development area to 22 ha.

3.8 In terms of elderly housing, NLP suggest that 1.5 ha should be released over and above the 22 ha identified above to deliver elderly housing, but that this housing should not count towards the at least 500 dwellings.

3.9 Comparing these figures to what is proposed in the final Masterplan SPD, officers are proposing a gross development area of 23 ha (NLP: 22 ha, which includes 10% flexibility cushion, meaning actual gross development area needed is 20 ha). Applying a ratio of 75% to identify the net developable area (NLP: 85%), officers have calculated a net residential developable area of 17 ha (NLP: 16.5 ha).

3.10 Therefore, the proposed final Masterplan actually allocates slightly more land for residential development than NLP sought in their November 2014 representation.

- 3.11 In NLP's letter of 6 January 2015, Mr Pemberton appears to contradict statements made by NLP to the draft Masterplan consultation in November 2014 and also shows a misunderstanding of key aspects of the indicative layout in the Masterplan SPD.
- 3.12 In his letter of the 6<sup>th</sup> January, Mr Pemberton writes "A 75% net to gross ratio would be fine for a smaller site but is not typical of large strategic sites where rations [sic] of 50 - 65% are more appropriate." This statement is at odds with NLP's previous representations (as quoted above) where they said "On this basis we think there should be an allowance of a net to gross ratio within the development areas of say 85%." Mr Pemberton has provided no justification in his letter for this significant change in view. The content of the final Masterplan SPD certainly provides no basis for this shift in position, as the infrastructure required on the site (including the drainage infrastructure that Mr Pemberton particularly refers to in his letter) is no different from that required in the draft Masterplan SPD on which NLP previously commented. In addition, Mr Pemberton provides no evidence to support his view that the net to gross ratio is typically 50 – 65%.
- 3.13 Mr Pemberton goes on to then attempt to interpret the Masterplan indicative layout and unfortunately misinterprets it quite significantly. In the proposed final Masterplan SPD, on p.39, the Safeguarded Plan shows several areas not covered by the safeguarded land "hatching" and so is proposed to be brought forward within the current Plan period (up to 2027). This area totals approximately 36 ha with 13 ha given over to employment uses and the remaining 23 ha given over as follows (approximately):
- 1 ha – Residential Gateway to the site
  - 7 ha – Residential Development Area
  - 9 ha – Potential Location for Elderly Housing
  - 6 ha – Public Open Space, Linear Park, Roads and Retail/Community Facilities
- 3.14 With regard the 17 ha (net) allocated for residential uses, Mr Pemberton has misunderstood the layout somewhat. Firstly, the Residential Gateway to the site does not indicate an area of lower density (indeed, a higher density could be more appropriate given its location on the A59), but is simply related to standard of design, with the masterplan seeking a particularly high quality of design to the development on this main frontage to the site.
- 3.15 Secondly, the area highlighted as having potential for housing for the elderly is simply highlighting that part of the area for residential uses which housing for the elderly should be located within – not that all of that area should be for housing for the elderly. This change to the masterplan is intended to provide flexibility to how a developer brings forward the residential uses, but still ensure that the housing for the elderly is located close to public transport services on the A59 and other local facilities.
- 3.16 As such, there is 17 ha (net) allocated for residential uses, 1 ha of which should be a particularly high quality of design, 9 ha of which could accommodate

housing for the elderly and all of which has been assumed to deliver at an average of 30 dwellings per hectare (dph).

- 3.17 I would add that officers have taken a cautious approach to the average density of housing. Whilst a figure of 30 dph has been used, in many developments, where there is a mixture of dwelling types, i.e. detached, semi-detached, terraced and apartments, average densities are can be higher and indeed initial discussions in relation to the Grove Farm site relate to a scheme that has a density in excess of 30dph. Given this, officers consider that the Residential Development Areas shown incorporated within the Masterplan are sufficient in area to deliver at least 500 new dwellings, in accordance with the Local Plan.
- 3.18 Mr Pemberton states that, in his view, the likely yield from the Masterplan is in the order of 400 dwellings but again provides no evidence of how this figure was calculated.
- 3.19 Mr Pemberton goes on to discuss two final matters – the ability to deliver a complete road link through the site because of the way land has been safeguarded and the importance and nature of the “Protected Views”.
- 3.20 Taking the latter first, the “Protected Views” are identified simply because they offer the only existing open views out of the site – all other boundaries have built development on them. Officers acknowledged the preference of those consulted to maintain these open views for as long as possible in the development of the site (see p.3, 6 and 12 of the final Masterplan SPD). By safeguarding the portion of land proposed in the north of the site, which is adjacent to the Linear Park, the proposed school site and (to the south of the school site) the main area of public open space, this open view will be maintained for as long as possible in the development of the site. For example, whilst this land is safeguarded, there would be a view right through the site to the open countryside across Higgins Lane from the rear of the Lion Pub on Liverpool Road South (in the very south of the Yew Tree Farm site). I would stress, however, that it is not intended that the future development of this part of the site (if it is required in a future Local Plan) will be restricted by these “Protected Views” but merely that these open views should be preserved during the initial phase of development of the site during the current Local Plan period.
- 3.21 In relation to the ability to deliver a complete road link through the site, the safeguarded land would not prevent this. The purpose of safeguarding land is to preserve it in order to meet development needs in the future and so policy GN2 of the Local Plan states that *“planning permission will be refused for development proposals which would prejudice the development of [safeguarded] land in the future”*. Delivering a road between the parcels of land safeguarded for future housing development and a primary school, as per the Masterplan’s indicative layout, would not prejudice the development of the safeguarded land in the future, but would also not unduly restrict the views discussed above.
- 3.22 I would also emphasise that the safeguarding of the parcel of residential land in the north western part of the site has not resulted in a reduction in the area of land identified as “Residential Development Areas” that would be brought forward in this Plan period. When we consulted on the draft Masterplan, it was

suggested that we extend further south the boundary of the Residential Development Area to be brought forward in this Plan period so that an existing substantial hedgerow can be used as part of the Linear Park and used to form a more appropriate boundary to the safeguarded land. We have taken account of this representation but rather than enlarging the Residential Development Area to be brought forward in this Plan period, which we considered already large enough to accommodate at least 500 houses, we made a compensatory adjustment to the northern boundary. This change also allowed us to have regard to other representations made by third parties who expressed the wish that the north western part of the site be protected as long as possible from development.

- 3.23 In summary, the issues Mr Pemberton has raised in his letter of 6 January 2015 are not new and are issues that officers addressed in the proposed final masterplan SPD. What is proposed in the final Masterplan SPD for residential development prior to 2027 is similar to that proposed by NLP themselves in their consultation response in November 2014, with a similar gross development area, a similar net developable area, the same density of development of that net developable area as that accepted by NLP and an indicative delivery figure of 510 dwellings (based on the lowest average density the Council would accept), which is in line with the policy requirement of at least 500 dwellings. While Mr Pemberton has now submitted somewhat different figures in his letter, there is no explanation or justification as to how these have been arrived at or why they are so different from that submitted by NLP less than two months ago.

## **Appendices**

Yew Tree Farm Masterplan SPD and attached letter to Councillors