



**AGENDA ITEM: 4(b)**

**EXECUTIVE OVERVIEW &  
SCRUTINY COMMITTEE:  
1 & 8 December 2011**

**PLANNING COMMITTEE:  
8 December 2011**

**CABINET: 14 December 2011**

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**Report of: Borough Planner**

**Relevant Managing Director: Transformation**

**Relevant Portfolio Holder: Councillor M Forshaw**

**Contact for further information: Mr P Richards (Extn. 5046)  
(E-mail: peter.richards@westlancs.gov.uk)**

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**SUBJECT: PREFERRED OPTION LOCAL PLAN**

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Wards affected: Borough wide

**1.0 PURPOSE OF THE REPORT**

1.1 To recommend the Local Plan Preferred Options document, and its supporting documentation, for public consultation in January / February 2012.

**2.0 RECOMMENDATIONS TO EXECUTIVE OVERVIEW & SCRUTINY COMMITTEE**

2.1 That the content of this report be considered and that agreed comments be referred to Cabinet for consideration.

**3.0 RECOMMENDATIONS TO PLANNING COMMITTEE**

3.1 That the content of this report be considered and that agreed comments be referred to Cabinet for consideration.

**4.0 RECOMMENDATIONS TO CABINET**

4.1 That Cabinet, subject to consideration of the comments of the LDF Cabinet Working Group, Executive Overview & Scrutiny Committee and Planning Committee, approve the Local Plan Preferred Options document at Appendix 1 to this report for public consultation in January / February 2012.

- 4.2 That Cabinet have regard to the six documents provided in Appendices 2-7 in their decision on the recommendation at 4.1, which will also be publicly available for comment as part of the Local Plan Preferred Options consultation.
- 4.3 That Call In is not appropriate for this item as the report has been submitted to the Executive Overview & Scrutiny Committee on 1 December 2011.
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## **5.0 BACKGROUND & CURRENT POSITION**

- 5.1 The Local Plan Preferred Options document has been prepared over the past few months following on from the public consultation on the Core Strategy Preferred Options Paper in May / June 2011 and consideration of the implications of the draft National Planning Policy Framework (NPPF).
- 5.2 The Local Plan Preferred Options brings together in a single document several strands of local planning policy that were to be covered in separate documents under the Local Development Framework:
- The more strategic policies that were included in the Core Strategy Preferred Options paper;
  - Development Management Policies that were to be included in a separate Development Management Policies DPD; and
  - The allocation of specific sites for specific types of development that would have been included in a separate Site Allocations DPD.
- 5.3 The policies cover various topics, including economic development, residential development, infrastructure and services provision and the environment and climate change. The timescale of the Local Plan remains the same as was planned for in the Core Strategy – a 15-year period from 2012 to 2027.
- 5.4 Given that the Local Plan is bringing together several strands of work, which were at different stages of preparation, the Local Plan Preferred Options document is a combination of policy that was consulted upon previously (and has since been amended to reflect comments received and new evidence that has come to light) and brand new policy related to specific development management issues and site allocations. This has resulted in a mixture of amended policies (including adding aspects of development management and site allocations into what was Core Strategy policy) and brand new policies on specific, detailed matters that were not covered by previous draft policy.
- 5.5 Aside from relatively minor changes to policy wording and the introduction of development management policy and site allocations, compared to the Core Strategy Preferred Options (CSPO) paper there are three key changes to strategic policy in the Local Plan, which are set out in the next section of this report, together with the new elements of policy that have been added. However, it should be stressed that the regeneration of Skelmersdale remains the focal point of the Local Plan and Skelmersdale will still take more than half of all development over the plan period.

- 5.6 The Local Plan Preferred Options document has been prepared for Cabinet to consider for public consultation. Should Cabinet approve the document for public consultation it will be put out for a six week public consultation period (from 5th January to the 17<sup>th</sup> February 2012) in order to gain the views and comments of the general public and stakeholders on the document. Details of the Public Consultation exercise proposed are set out in Section 7.0 below.
- 5.7 Several other documents (provided in Appendices 2-7 of this report) will also accompany the Local Plan Preferred Options document at public consultation and will be available for comment:
- A Sustainability Appraisal (SA) of the Local Plan Preferred Options
  - A Habitat Regulations Assessment (HRA) Screening Report for the Local Plan Preferred Options
  - A Health Impact Assessment (HIA) of the Local Plan Preferred Options
  - An Equalities Impact Assessment (EqIA) of the Local Plan Preferred Options
  - A Rural Proofing Assessment of the Local Plan Preferred Options
  - An Infrastructure Delivery Plan (IDP) – a document that will ultimately accompany the final Local Plan and inform future decisions on infrastructure improvements and funding
- 5.8 Following this public consultation, the Local Plan will be refined, taking into account any relevant comments received during the consultation, and brought back to Cabinet for agreement of the Council's responses to the comments received during the consultation in January / February 2012 and approval to publish a Publication version of the Local Plan for public consultation
- 5.9 This Publication version will be available for a final round of public consultation to seek formal representation on the document, before both the Publication version Local Plan and the representations received are submitted to the Secretary of State for an Examination in Public. Following the Examination, the Local Plan will be put forward to full Council for adoption.

## 6.0 PROPOSALS

### Key Amendments to Strategic Policy

- 6.1 There are three key changes in the Local Plan Preferred Options document to policy that was previously consulted upon in the Core Strategy Preferred Options (CSPO) paper:
- Amendments to Housing and Employment Land targets (Policy SP1)
- 6.2 The overall housing target for the 15-year plan period has increased slightly to **4,650 dwellings** (was 4,500 dwellings) due to the impending abolition of the Regional Spatial Strategy and its housing targets and the need to calculate an up-to-date target based on the most recent evidence, factoring in the need to make up the shortfall in housing provision over recent years. This evidence has included the CLG Household Projections (2008), the Council's own Strategic

Housing Market Assessment (SHMA), the Council's own Housing Need & Demand Study and its accompanying Affordable Housing Viability Study.

- 6.3 This target averages out at 310 dwellings a year, but the Local Plan staggers this annual target to better reflect economic uncertainty at the start of the Local Plan period, resulting in the following annual targets:

2012-2017	260 dwellings a year
2017-2022	320 dwellings a year
2022-2027	350 dwellings a year

- 6.4 To respond to consultation comments received expressing concern that the disaggregation of this housing target across the different spatial areas of the Borough was too heavily skewed towards Skelmersdale and raised questions over the deliverability of such a large amount of housing (3,000 dwellings) in Skelmersdale, the way this housing target is split across the towns and rural areas of the Borough has been altered, as follows:

Housing Targets	CSPO (May / June 2011)*	Local Plan (Dec 2011)
Skelmersdale & Up Holland	3,000 dwellings	2,400 dwellings
Ormskirk & Aughton	300 dwellings	750 dwellings
Burscough	800 dwellings	850 dwellings
Northern Parishes	240 dwellings	400 dwellings
Eastern Parishes	80 dwellings	100 dwellings
Western Parishes	80 dwellings	150 dwellings
<b>Total</b>	<b>4,500 dwellings</b>	<b>4,650 dwellings</b>

\* based on Preferred Option incorporating Yew Tree Farm Strategic Development Site

- 6.5 The new disaggregation of the housing target reflects a 600 dwelling reduction in Skelmersdale & Up Holland, which is made up in other parts of the Borough through the identification of further capacity due to the lack of housing delivery on sites with planning permission over the past two years and a re-assessment of other sites which had previously been ruled out. However, it still involves a proportion of housing (750 dwellings – was 600 dwellings in CSPO) that can only be delivered if a small amount of Green Belt is released for development.
- 6.6 The employment land target has also been amended to take account of the most recent data on historic take-up of employment land, which reflects the significantly reduced delivery of new employment land in recent years. This historic take-up informs the prediction of what delivery is likely over the next 15 years, taking into account that the market is still feeling the effects of a recession and may never recover to deliver at such rates as seen in previous years.

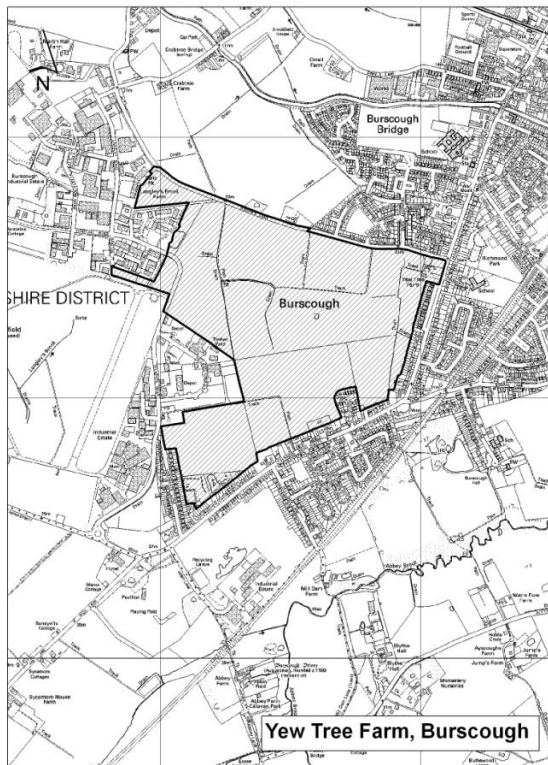
Therefore, this target has been revised downwards from 87 ha in the CSPO to 75 ha in the Local Plan over the 15-year plan period. This new target has been disaggregated as follows:

<b>Employment Land Targets</b>	<b>CSPO (May / June 2011)*</b>	<b>Local Plan (Dec 2011)</b>
Skelmersdale & Up Holland	60 ha	52 ha
Ormskirk & Aughton	-	-
Burscough	17 ha	13 ha
Northern Parishes	3.5 ha	3.5 ha
Eastern Parishes	6.5 ha	6.5 ha
Western Parishes	-	-
<b>Total</b>	<b>87 ha</b>	<b>75 ha</b>

\* based on Preferred Option incorporating Yew Tree Farm Strategic Development Site

- 6.7 This reduction in target means that less Green Belt land will be required for employment land development, off-setting the additional amount required for housing development.
- 6.8 However, despite the amendments to the housing and employment land targets, it is clear that Skelmersdale is still the focus for development over the Local Plan period, with over half of all new housing and over two-thirds of all employment land development being targeted in Skelmersdale & Up Holland. Therefore, the Skelmersdale Town Centre Strategic Development Site (Policy SP2) is still vital to the delivery of development and regeneration in the town.
- Selection of a Preferred Option for Green Belt release
- 6.9 The changes in housing and employment land targets have meant that what is required (and where) in terms of Green Belt release has changed somewhat. Firstly, less Green Belt land is required for employment land, meaning that the Area of Search to the south of Skelmersdale for 8 ha of employment land that was identified in the CSPO is no longer required. However, the release of 10 ha in Burscough for employment land and the release of 10 ha to the south-east of Ormskirk for the expansion of the Edge Hill University campus is still required.
- 6.10 In relation to housing development, a combination of the preferred options consulted upon in the CSPO is required to release sufficient Green Belt land to deliver the 750 dwellings needed. In order to best balance the deliverability of housing development given the waste water infrastructure constraints affecting Ormskirk and Burscough with the need to spread the development between the two settlements and with the suitability of land for release from the Green Belt, it is proposed that 500 dwellings should be delivered on the Yew Tree Farm site in Burscough and 250 dwellings on the Grove Farm site in Ormskirk.

6.11 This means that the Yew Tree Farm site in Burscough, incorporating 500 dwellings, the 10 ha of employment land required in the Green Belt at Burscough and new community infrastructure required to serve the new housing development, is put forward as a Strategic Development Site in the Local Plan (Policy SP3).



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- A more robust and measurable “Plan B”

6.12 In light of the comments received during the CSPO consultation that any “Plan B” put forward by the Council needed to be more robust and more detailed, the Local Plan Preferred Options document proposes a new, more measurable approach to the “Plan B”. It is proposed that sufficient land will be set aside and safeguarded for the “Plan B” to accommodate at least an extra 15% in addition to the overall housing target, which equates to 698 dwellings. The Table below sets out the sites that have been proposed to be safeguarded for the “Plan B”.

6.13 All of the above sites, other than the Land at Moss Road in Halsall, are currently in the Green Belt, and so will need to be released from the Green Belt by the Local Plan to form part of the “Plan B”. However, this land will be heavily protected by the Local Plan’s Safeguarded Land policy (GN2) to ensure that no development takes place on these sites that prejudices its role within the “Plan B”.

6.14 By way of triggers for the “Plan B”, the delivery of housing during the Local Plan period will be formally reviewed at the end of Year 5 (March 2017) and Year 10 (March 2022) of the Local Plan. If housing delivery is below 80% of the target at those points in the Local Plan, then the “Plan B” could be triggered. In such an

instance, only sufficient land to meet the shortfall would be released for development from the “Plan B” sites.

<b>Site</b>	<b>Site Area (ha)</b>	<b>Potential Housing Capacity</b>
Land at Parr’s Lane, Aughton	10.0 ha	200 dwellings
Land at Ruff Lane, Ormskirk	1.0 ha	10 dwellings
Land at Red Cat Lane, Burscough	3.6 ha	60 dwellings
Land at Mill Lane, Up Holland	4.0 ha	120 dwellings
Land at New Cut Lane, Halsall	2.4 ha	70 dwellings
Land at Fine Jane’s Farm, Halsall	2.2 ha	60 dwellings
Land at Moss Road, Halsall	8.0 ha	240 dwellings
<b>Total</b>	<b>31.2 ha</b>	<b>760 dwellings</b>

### General Development Policies

6.15 Compared to the CSPO, a new section has been added to the Local Plan Preferred Options providing five development management policies that apply across several types of development but are about matters of detail that would not have been appropriate to include in a Core Strategy. These policies will primarily be used by the Council in development management decisions on planning applications. The five policies are as follows:

- GN1: Settlement Boundaries – sets the boundaries for each settlement (where it is different from the Green Belt boundary) and sets out what limited development will be allowed outside of settlement boundaries
- GN2: Safeguarded Land – allocates specific sites to be safeguarded from development either for the “Plan B” or until after the Local Plan period (beyond 2027)
- GN3: Design of Development – is designed to replace Policy GD1 in the existing Local Plan and acts as a general policy covering various matters of detailed design
- GN4: Demonstrating Viability – provides a policy to guide applicants on what the Council expects when they have to demonstrate why an existing use is no longer viable on their site
- GN5: Sequential Tests – provides policy guidance on this useful tool which is increasingly used in a variety of applications, where applicants are asked to demonstrate that there are no other, more suitable sites available

## Facilitating Economic Growth

6.16 In the main, this section is relatively unchanged from the CSPO, especially in terms of its strategic policy direction. It includes four policies:

- EC1: The Economy and Employment Land – has been re-written more succinctly and to include a list of the strategic and key employment areas of the Borough where only employment uses will be permitted
- EC2: The Rural Economy – virtually unchanged from CSPO except for the allocation of a specific Rural Employment Site on the southern edge of Banks
- EC3: Rural Development Opportunities – this brand new policy allocates four brownfield sites in 4 of the Borough's villages for redevelopment for mixed-use and is focused on bringing these sites into a more efficient and modern use, much like Policy DE14 of the existing Local Plan
- EC4: Edge Hill University – only minor text changes have been made since the CSPO

## Providing for Housing and Residential Accommodation

6.17 For the most part, this section has changed very little compared to the CSPO, with only detailed development management policy being added to certain policies. It includes four policies:

- RS1: Residential Development – has been re-written more succinctly and includes new policy on the density of residential development and key allocations for housing development on greenfield land at Grove Farm, Ormskirk and three locations on the edge of Skelmersdale & Up Holland
- RS2: Affordable and Specialist Housing – only change relates to the provision of housing for the elderly, where the policy now specifies that 20% of housing on a development of 15 or more dwellings should be designed specifically for the elderly
- RS3: Provision of Student Accommodation – a layer of detail has been added, where specific percentages of HMOs will be permitted on specific categories of street
- RS4: Provision for Gypsy and Traveller and Travelling Showpeople – a series of criteria has been added against which any site proposed for this use will be assessed

## Infrastructure and Services Provision

6.18 This section of policies has been changed very little from that consulted upon as part of the CSPO, with only minor changes made to reflect comments made during the consultation and to reflect the emergence of the Community Infrastructure Levy as the primary tool for obtaining developer contributions



towards strategic infrastructure. A series of car parking standards have also been added to the transport policy (IF2). The section includes four policies:

- IF1: Maintaining Vibrant Town and Local Centres
- IF2: Enhancing Sustainable Transport Choice
- IF3: Service Accessibility and Infrastructure for Growth
- IF4: Developer Contributions

### Sustaining the Borough's Environment and Addressing Climate Change

6.19 The policy content and strategic direction of this section is not significantly different from that previously consulted upon in the CSPO, but the policies have been re-written or grouped differently to better reflect their application on the ground. In terms of new policy, this mainly relates to the listing of specific sites of an environmental value, which was not previously appropriate in a Core Strategy. The section includes four policies:

- EN1: Low Carbon Development and Energy Infrastructure
- EN2: Preserving and Enhancing West Lancashire's Natural Environment
- EN3: Provision of Green Infrastructure and Open Recreation Spaces
- EN4: Preserving and Enhancing West Lancashire's Built Environment

## **7.0 PUBLIC CONSULTATION**

7.1 The six week public consultation exercise will be carried out in conformity with the Council's LDF Statement of Community Involvement (SCI). It will involve public events in all parts of the Borough, online consultation, our facebook page and more traditional written correspondence. The consultation exercise, the public events and details of how to respond will be publicised through a "Wrap" feature on the Champion Newspaper. Council officers will also be engaging specifically with Neighbouring Authorities, Parish Councils, housing developers, local businesses and school-age children through presentations and workshops to gain their views and input.

## **8.0 SUSTAINABILITY IMPLICATIONS / COMMUNITY STRATEGY**

8.1 At the time of writing this report, the Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA) for the Local Plan Preferred Options document are being prepared (and will be available by the end of November), but initial assessment has raised no major issues which would undermine the deliverability or sustainability of the Local Plan or cause an unduly negative impact on any international sites of habitat value. The SA and HRA documents will be sent to Natural England and the Environment Agency and any comments they may have will be incorporated into the Local Plan as it evolves. Other assessments on Health Impact Assessment (HIA), Equality Impact Assessment (EqIA) and Rural Proofing are also being carried out (and will be available by the end of November), and will inform the evolution of the Local Plan post-consultation on the Preferred Options document.

8.2 Through the previous assessments for the CSPO, it has been shown that the draft policy to be included within the Local Plan Preferred Options would have a

positive effect on sustainability and this affect is augmented by the fact that delivery of the Local Plan will help progress the implementation of key aspects of the Sustainable Community Strategy.

## **9.0 FINANCIAL AND RESOURCE IMPLICATIONS**

- 9.1 Budgetary provision has been made to allow for the Public Consultation on the Local Plan Preferred Options and the subsequent preparation of, and consultation on, a Publication version of the Local Plan. Budgetary provision for the indicative costs of the Examination in Public has been made through the Planning & Delivery Grant received by the Council in recent years.
- 9.2 The Government have recently announced measures to allow local authorities to retain a significant proportion of the business rates generated in their area from April 2013. This builds on the new homes bonus scheme, which already provides grant funding to local authorities based on the number of new homes built each year. Taken together, these measures create a strong financial incentive for local authorities to take action to promote housing and economic growth. It also means that those authorities with low rates of housing and economic growth are likely to face reductions in their external funding.

## **10.0 RISK ASSESSMENT**

- 10.1 The Local Plan will ultimately be subject to an Examination in Public where a Planning Inspector will ensure that all the correct procedures have been followed in preparing the document and will assess whether the document can be considered “sound” or not. Soundness is assessed in relation to whether the document is:
- justified by the available evidence;
  - deliverable; and
  - consistent with national planning policy.
- 10.2 A key part of the evidence base will also be the Sustainability Appraisal, and so the relative sustainability merits of each policy within the Preferred Options will be an important factor considered by the Planning Inspector. Therefore, it is important that these factors are taken into account when preparing the Local Plan and that the Local Plan is fully justified by evidence, otherwise the document could ultimately be found “unsound” by the Planning Inspector.

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### **Background Documents**

The following background documents (as defined in Section 100D (5) of the Local Government Act 1972) have been relied on to a material extent in preparing this Report.

A wide range of background, evidence base documents have been utilised in preparing the Local Plan Preferred Options document. This evidence base is available on the Council’s website at:

## **Equality Impact Assessment**

There is a significant direct impact on members of the public, employees, elected members and / or stakeholders. Therefore, an Equality Impact Assessment is required. A formal equality impact assessment of this report is attached at Appendix 8 in line with Council procedure, the results of which have been taken into account in the Recommendations contained within this report. A statutory Equalities Impact Assessment (EqIA) of the Local Plan Preferred Options has also been prepared in line with national guidance and legislation, and is provided at Appendix 5.

## **Appendices**

1. The Local Plan Preferred Options document
2. Sustainability Appraisal of the Local Plan Preferred Options – prepared by URS / Scott Wilson (November 2011)
3. Habitat Regulations Assessment (HRA) Screening and Appropriate Assessment (AA) Report for the Local Plan Preferred Options – prepared by URS / Scott Wilson (November 2011)
4. Health Impact Assessment (HIA) of the Local Plan Preferred Options – prepared by the Primary Care Trust (November 2011)
5. Equalities Impact Assessment (EqIA) of the Local Plan Preferred Options – prepared by WLBC (November 2011)
6. Rural Proofing Assessment of the Local Plan Preferred Options – prepared by WLBC (November 2011)
7. Infrastructure Delivery Plan (IDP) – prepared by WLBC (November 2011)
8. Equality Impact Assessment
9. Minute of LDF Cabinet Working Group – 29 November 2011
10. Minute of Executive Overview & Scrutiny Committee – 1 December 2011 (*Planning Committee and Cabinet only*)
11. Minute of Planning Committee – 8 December 2011 (Cabinet only)
12. Minute of Executive Overview & Scrutiny Committee – 8 December 2011 (*Cabinet only*)

## **Appendices 1 – 7**

Appendix 1 – The Local Plan Preferred Options document

Appendix 2 – Sustainability Appraisal of the Local Plan Preferred Options

Appendix 3 – Habitat Regulations Assessment (HRA) Screening and Appropriate Assessment (AA) Report for the Local Plan Preferred Options

Appendix 4 – Health Impact Assessment (HIA) of the Local Plan Preferred Options

Appendix 5 – Equalities Impact Assessment (EqIA) of the Local Plan Preferred Options

Appendix 6 – Rural Proofing Assessment of the Local Plan Preferred Options

Appendix 7 – Infrastructure Delivery Plan (IDP)

The above documents are very large and, therefore, have not been printed for each Cabinet / Committee Member, but by the end of November they will be available on the Council's website (ColnS) and a paper copy made available in the Members' Library. Paper copies available on request.

## Appendix 8

### Equality Impact Assessment - process for services, policies, projects and strategies

1.	<p>Using information that you have gathered from service monitoring, surveys, consultation, and other sources such as anecdotal information fed back by members of staff, in your opinion, could your service / policy / strategy / decision (including decisions to cut or change a service or policy) disadvantage, or have a potentially disproportionately negative effect on, any of the following groups of people:</p> <p><i>People of different ages – including young and older people</i>  <i>People with a disability;</i>  <i>People of different races / ethnicities / nationalities;</i>  <i>Men;</i>  <i>Women;</i>  <i>People of different religions / beliefs;</i>  <i>People of different sexual orientations;</i>  <i>People who are or have identified as transgender;</i>  <i>People who are married or in a civil partnership;</i>  <i>Women who are pregnant or on maternity leave or men whose partners are pregnant or on maternity leave;</i>  <i>People living in areas of deprivation or who are financially disadvantaged.</i></p>	No
2.	What sources of information have you used to come to this decision?	<b>The Local Development Framework Evidence Base</b>
3.	How have you tried to involve people / groups in developing your service / policy / strategy or in making your decision (including decisions to cut or change a service or policy)?	<b>Decision is directly related to a document that will be subject to a public consultation exercise</b>
4.	<p>Could your service / policy / strategy or decision (including decisions to cut or change a service or policy) help or hamper our ability to meet our duties under the Equality Act 2010? Duties are to:</p> <p><i>Eliminate discrimination, harassment and victimisation;</i>  <i>Advance equality of opportunity (removing or minimising disadvantage, meeting the needs of people);</i>  <i>Foster good relations between people who share a protected characteristic and those who do not share it.</i></p>	<b>Help – an improved Local Plan document will seek to deliver development and infrastructure improvements that benefit all and endeavour to support a more equal society</b>
5.	What actions will you take to address any issues raised in your answers above	N/A