

MEMBERS INTERESTS 2012

A Member with a disclosable pecuniary interest in any matter considered at a meeting must disclose the interest to the meeting at which they are present, except where it has been entered on the Register.

A Member with a non pecuniary or pecuniary interest in any business of the Council must disclose the existence and nature of that interest at commencement of consideration or when the interest becomes apparent.

Where sensitive information relating to an interest is not registered in the register, you must indicate that you have an interest, but need not disclose the sensitive information.

Please tick relevant boxes

Notes

	General		
1.	I have a disclosable pecuniary interest.	<input type="checkbox"/>	<i>You cannot speak or vote and must withdraw unless you have also ticked 5 below</i>
2.	I have a non-pecuniary interest.	<input type="checkbox"/>	<i>You may speak and vote</i>
3.	I have a pecuniary interest because it affects my financial position or the financial position of a connected person or, a body described in 10.1(1)(i) and (ii) and the interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest or it relates to the determining of any approval consent, licence, permission or registration in relation to me or a connected person or, a body described in 10.1(1)(i) and (ii) and the interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest	<input type="checkbox"/> <input type="checkbox"/>	<i>You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below</i> <i>You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below</i>
4.	I have a disclosable pecuniary interest (Dispensation 16/7/12) or a pecuniary interest but it relates to the functions of my Council in respect of: (i) Housing where I am a tenant of the Council, and those functions do not relate particularly to my tenancy or lease. (ii) school meals, or school transport and travelling expenses where I am a parent or guardian of a child in full time education, or are a parent governor of a school, and it does not relate particularly to the school which the child attends. (iii) Statutory sick pay where I am in receipt or entitled to receipt of such pay. (iv) An allowance, payment or indemnity given to Members (v) Any ceremonial honour given to Members (vi) Setting Council tax or a precept under the LGFA 1992	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<i>You may speak and vote</i> <i>You may speak and vote</i>
5.	A Standards Committee dispensation applies (relevant lines in the budget – Dispensation 20/2/13 – 19/2/17)	<input type="checkbox"/>	<i>See the terms of the dispensation</i>
6.	I have a pecuniary interest in the business but I can attend to make representations, answer questions or give evidence as the public are also allowed to attend the meeting for the same purpose	<input type="checkbox"/>	<i>You may speak but must leave the room once you have finished and cannot vote</i>

'disclosable pecuniary interest' (DPI) means an interest of a description specified below which is your interest, your spouse's or civil partner's or the interest of somebody who you are living with as a husband or wife, or as if you were civil partners and you are aware that that other person has the interest.

Interest

Prescribed description

Employment, office, trade, profession or vocation

Any employment, office, trade, profession or vocation carried on for profit or gain.

Sponsorship

Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M.

	This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to M's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

"body in which the relevant person has a beneficial interest" means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest; "director" includes a member of the committee of management of an industrial and provident society;

"land" excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income; "M" means a member of a relevant authority;

"member" includes a co-opted member; "relevant authority" means the authority of which M is a member;

"relevant period" means the period of 12 months ending with the day on which M gives notice to the Monitoring Officer of a DPI;

"relevant person" means M or M's spouse or civil partner, a person with whom M is living as husband or wife or a person with whom M is living as if they were civil partners;

"securities" means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

'non pecuniary interest' means interests falling within the following descriptions:

- 10.1(1)(i) Any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
- (ii) Any body (a) exercising functions of a public nature; (b) directed to charitable purposes; or (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union), of which you are a member or in a position of general control or management;
- (iii) Any easement, servitude, interest or right in or over land which does not carry with it a right for you (alone or jointly with another) to occupy the land or to receive income.
- 10.2(2) A decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a connected person to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward, as the case may be, affected by the decision.

'a connected person' means

- (a) a member of your family or any person with whom you have a close association, or
- (b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
- (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
- (d) any body of a type described in sub-paragraph 10.1(1)(i) or (ii).

'body exercising functions of a public nature' means

Regional and local development agencies, other government agencies, other Councils, public health bodies, council-owned companies exercising public functions, arms length management organisations carrying out housing functions on behalf of your authority, school governing bodies.

A Member with a personal interest who has made an executive decision in relation to that matter must ensure any written statement of that decision records the existence and nature of that interest.

NB Section 21(13) of the LGA 2000 overrides any Code provisions to oblige an executive member to attend an overview and scrutiny meeting to answer questions.

PRESENT: Greenall (Chairman)

Councillors: Mrs Atherley Mrs Houlgrave
 Baldock Jones
 Bell Moran
 Mrs Blake Oliver
 Cropper O'Toole
 Mrs C Evans Pendleton
 Furey Pope
 Gibson Savage

Officers: Assistant Director Housing and Regeneration (Mr B Livermore)
 Assistant Director Planning (Mr J Harrison)
 Deputy Borough Treasurer (Mr M Kostrzewski)
 Strategic Planning and Implementation Manager (Mr P Richards)
 Assistant Solicitor (Mr M Hynes)
 Principal Overview and Scrutiny Officer (Mrs C A Jackson)

In attendance: Councillor Forshaw (Portfolio Holder – Planning and Development)
 Councillor Westley (Portfolio Holder – Resources and Transformation)

52. APOLOGIES

There were no apologies for absence.

53. MEMBERSHIP OF THE COMMITTEE

In accordance with Council Procedure Rule 2, Members noted the termination of membership of Councillors Blane, Cheetham, Mrs R Evans, Kay and Gagen and the appointment of Councillors Mrs Atherley, Mrs Blake, Mrs C Evans, Mrs Houlgrave and Gibson, for this meeting only, thereby giving effect to the wishes of the Political Groups.

54. URGENT BUSINESS

There were no items of urgent business.

55. DECLARATIONS OF INTEREST

Councillors Mrs Atherley, Baldock, Bell, Mrs Blake, Mrs Houlgrave, Jones and Pope declared a non-pecuniary interest in relation to item 10 (Capital Programme Monitoring) arising from their Parish Council membership.

56. DECLARATIONS OF PARTY WHIP

There were no declarations of Party Whip.

57. MINUTES

RESOLVED: That the minutes of the meeting held on 30 January 2014 be received as a correct record and signed by the Chairman.

58. RELEVANT MINUTES OF CABINET

Consideration was given to the minutes of the Cabinet held on 18 March 2014. Questions and comments were received in respect of the following items:

Minute 89 (Inskip Meeting Room) – future arrangements.

Minute 92 (Housing Strategy 2014-2019) – provision of fixed rate/low-cost mortgages.

RESOLVED: That the minutes of the Cabinet meeting held on 18 March 2014 be noted.

59. CALLED IN ITEM - PROVISION FOR TRAVELLER SITES DEVELOPMENT PLAN DOCUMENT (DPD): OPTIONS AND PREFERRED OPTIONS

Consideration was given to the report of the Borough Solicitor which advised that a decision of Cabinet in respect of the above item (Minute 96 refers) had received a call in requisition signed by five members of the Committee. The report set out the reason for the call in together with a different decision put forward by the Members concerned on the requisition notice.

In the ensuing discussion comments and questions were raised in relation to:

- Proposed single site –M58 corridor.
- Public consultation.
- Habits Regulation Assessment reasons – environmental and land issues; historical landscape.
- Preferred Options to Meet Traveller Accommodation Needs – draft proposals.
- Post call-in arrangements.

The Assistant Director Planning attended the meeting and provided an overview of the process in relation to the adoption of a future Traveller Sites Development Plan.

RESOLVED: That the Committee does not wish to ask for a different decision.

(Note: The Portfolio Holder (Planning and Development), Assistant Director Planning and Strategic Planning and Implementation Manager left the meeting following consideration of this item.)

60. CORPORATE PERFORMANCE MANAGEMENT 2014/2015

Consideration was given to the report of the Transformation Manager, as contained on pages 829 to 846 of the Book of Reports, that detailed the Suite of Performance Indicators for adoption as the Council's Corporate PI Suite for 2014/15.

RESOLVED: That the report be noted.

61. CAPITAL PROGRAMME MONITORING

Consideration was given to the report of the Borough Treasurer, as contained on pages 847 to 860 of the Book of Reports which provided an update on the current position in respect of the 2013/14 Capital Programme.

In relation to a Member comment on work related to the installation of lifts in sheltered accommodation the Assistant Director Housing and Regeneration provided an update.

RESOLVED: That the current position in respect of the 2013/14 Capital Programme be noted.

62. REVENUE BUDGET MONITORING

Consideration was given to the report of the Borough Treasurer as contained on pages 861 to 870 of the Book of Reports which provided a projection of the financial position on the General and Housing Revenue Accounts to the end of the financial year.

RESOLVED: That the financial position of the Revenue Accounts be noted.

63. EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 (Financial/Business Affairs) of Schedule 12A of the Act and as, in all the circumstances of the case, the public interest in maintaining the exemption under Schedule 12A outweighs the public interest in disclosing the information.

64. CALLED IN ITEM - SITE OF THE FORMER WESTEC HOUSE, DERBY STREET, ORMSKIRK

Consideration was given to the report of the Borough Solicitor which advised that a decision in relation to the above item (minute 99 refers) had received a call in requisition signed by five members of the Committee. The report set out the reason given for the call in, together with a different decision put forward by the five Members concerned on the requisition notice.

In the ensuing discussion comments and questions were raised on the reasons put forward in the call-in requisition, as set out in paragraph 3.3 of the report of the Borough Solicitor, and the different decision set out at paragraph 3.4.

RESOLVED: That, as a consequence of the discussion on the reasons and the different decision put forward in relation to the Call-In item – ‘Site of the Former Westec House, Derby Street, Ormskirk’, this matter be referred back to Cabinet for reconsideration.

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Chairman

CABINET**HELD: 16 APRIL 2014**

Start: 7.00pm

Finish: 7.15pm

PRESENT

Councillor I Grant (Leader of the Council, in the Chair)

Councillors		<u>Portfolio</u>
Mrs V Hopley		Landlord Services and Human Resources
M Forshaw		Planning and Development
A Owens		Deputy Leader & Housing (Finance), Regeneration and Estates
D Sudworth		Health, Leisure and Community Safety
D Westley		Resources and Transformation

In attendance	Bell	Owen
Councillors:	Dereli	Pendleton
	Furey	Pryce-Roberts
	J Hodson	Pye
	Moran	Savage
	Nolan	West
	Oliver	Wynn

Officers

Managing Director (People and Places) (Mrs G Rowe)
Managing Director (Transformation) (Ms K Webber)
Assistant Director Housing and Regeneration (Mr B Livermore)
Assistant Director Planning (Mr J Harrison)
Borough Treasurer (Mr M Taylor)
Borough Solicitor (Mr T Broderick)
Estates & Valuation Manager (Ms R Kneale)
Assistant Member Services Manager (Mrs J Denning)

100. APOLOGIES

There were no apologies for absence.

101. SPECIAL URGENCY (RULE 16 ACCESS TO INFORMATION PROCEDURE RULES)/URGENT BUSINESS

The Leader advised that, in accordance with Rule 16 and 20 Access to Information Procedure Rules, he had obtained the agreement of the Chairman of the Executive Overview & Scrutiny Committee to consider a report from the Assistant Director Housing and Regeneration in relation to the Acquisition of Property on Firbeck Estate, Skelmersdale, as this item could not reasonably be deferred as the site had only been advertised recently and the Council would need to exchange contracts as quickly as possible in order to secure the property, which could not have been foreseen.

The Leader also advised that, in accordance with Rule 20 Access to Information Procedure Rule, he had obtained the agreement of the Chairman of the Executive Overview and Scrutiny Committee to consider the report in Part 2 of the agenda, which is not open to the public, on the grounds that it involves the likely disclosure of exempt information, as defined in paragraph 3 (business/financial affairs) of Schedule 12A to the Local Government Act 1972.

This item was considered at the end of the meeting (Minute 106 refers).

102. DECLARATIONS OF INTEREST

There were no declarations of interest.

103. EXCLUSION OF PRESS AND PUBLIC

RESOLVED That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of that Act and as, in all the circumstances of the case, the public interest in maintaining the exemption under Schedule 12A outweighs the public interest in disclosing the information.

104. MATTERS REQUIRING DECISIONS

Consideration was given to the following reports relating to matters requiring decisions, as contained on pages 2071 to 2089 of the Book of Reports:

105. SITE OF THE FORMER WESTEC HOUSE, DERBY STREET, ORMSKIRK

Councillor Owens introduced the report of the Borough Solicitor which set out the decision of the Executive Overview and Scrutiny Committee at its meeting held on 3 April 2014 in respect of the call in of a decision taken by Cabinet on 18 March 2014 in relation to the disposal of the site of the former Westec House, Derby Street, Ormskirk.

Councillor Owens moved a Motion, which was seconded, that confirmed the original decision made by Cabinet on 18 March and recommended that the decision should not be available for call in given that Cabinet had considered carefully the issues raised by the Executive Overview and Scrutiny Committee.

In reaching the decision below, Cabinet considered the comments and motion of Councillor Owens, the details set out in the report before it and accepted the reasons contained therein.

RESOLVED A. That the Assistant Director Housing and Regeneration effects a disposal of the subject site identified on the plan attached to the report, to RHA North West Ltd. and take all necessary actions and obtains all necessary consents to facilitate the sale.

- B. That call in is not appropriate for this item as Cabinet has confirmed its original decision (as set out in A. above) having reconsidered the matter at the request of the Executive Overview and Scrutiny Committee.

106. ACQUISITION OF PROPERTY ON FIRBECK ESTATE, SKELMERSDALE

Councillor Owens introduced the report of the Assistant Director Housing & Regeneration which sought authority to purchase a property to complement and enhance the works being carried out on Firbeck Estate, Skelmersdale.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained in it.

- RESOLVED
- A. That the Assistant Director Housing & Regeneration be authorised to take all necessary steps to purchase the property shown edged in thick black lining on the attached plan at Appendix A to the report and if retained, carry out any necessary refurbishment.
 - B. That call-in is not appropriate for this item as the matter is one where urgent action is required because the property has just come to market and the option to purchase needs to be considered and a decision made as quickly as possible.

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LEADER

PRESENT:

Councillor: D Westley (Leader of the Council, in the Chair)

Portfolio

Councillors:	P Greenall	Deputy Leader & Street Scene
	M Forshaw	Planning and Development
	A Fowler	Housing Finance, Regeneration and Estates
	D Griffiths	Town and Village Centres
	Mrs J Houlgrave	Landlord Services and Transformation
	D Sudworth	Health, Leisure and Community Safety
	D Whittington	Resources

In attendance: Moran & Pendleton
Councillors

Officers: Managing Director (People and Places) (Mrs G Rowe)
Managing Director (Transformation) (Ms K Webber)
Assistant Director Housing & Regeneration (Mr B Livermore)
Assistant Director Community Services (Mr D Tilleray)
Borough Treasurer (Mr M Taylor)
Transformation Manager (Mr S Walsh)
Strategic Planning & Implementation Manager (Mr P Richards)
Principal Member Services Officer (Mrs S Griffiths)

1. APOLOGIES

There were no apologies for absence.

2. SPECIAL URGENCY (RULE 16 ACCESS TO INFORMATION PROCEDURE RULES)/URGENT BUSINESS

There were no items of special urgency.

3. DECLARATIONS OF INTEREST

1. Councillor Sudworth declared a pecuniary interest in agenda item 6(i) (Council land at Whitemoss, Skelmersdale) as a company he does part-time work for provides services to Whitemoss, he knows the site owners and is also a member of the Whitemoss Community Fund Advisory Group. He left the meeting during consideration of this item.

2. Councillors Fowler and Westley declared non pecuniary interests in agenda item 6(c) (Use of Section 106 monies in Ormskirk) as Trustees of the Comrades Club.

4. MINUTES

RESOLVED That the minutes of the meetings of Cabinet held on 18 March 2014 and 16 April 2014 be approved as a correct record and signed by the Leader.

5. CONFIRMATION OF PROCEDURAL MATTERS

- RESOLVED
- A. That the appointment of Cabinet, Committees, and Working Groups for 2014/15, as circulated at the Annual Meeting of the Council on 11 June 2014, with the terms of reference included in the Constitution, be noted.
- B. That the 'Proper Officer Provisions and Scheme of Delegation to Chief Officers', insofar as they are executive functions, and the Scheme of Delegation to Cabinet Members, as set out in the Constitution, be noted.

6. MATTERS REQUIRING DECISIONS

Consideration was given to the reports relating to the following matters requiring decisions as contained on pages 17 – 293 of the Book of Reports.

7. USE OF SECTION 106 MONIES IN UP HOLLAND AND HESKETH WITH BECCONSALL

Councillor Sudworth introduced the joint report of the Assistant Director Community Services and Assistant Director Planning which considered requests from Up Holland and Hesketh with Becconsall Parish Councils regarding the enhancement of public open space and recreation provision within the Up Holland and Hesketh with Becconsall Wards.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained therein.

- RESOLVED
- A. That the expenditure of the Section 106 commuted sum of £19,411 be approved for the project identified in paragraph 5.1 of the report.
- B. That the expenditure of the Section 106 commuted sum of £3,690 be approved for the project identified in paragraph 5.2 of the report.

8. USE OF SECTION 106 MONIES IN WRIGHTINGTON

Councillor Sudworth introduced the joint report of the Assistant Director Community Services and Assistant Director Planning which considered a request from Wrightington Parish Council regarding the enhancement of public open space and recreation provision within the Wrightington Ward.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained therein.

RESOLVED That the expenditure of the Section 106 commuted sum of £18,774 be approved for the project identified in paragraph 5.1 of the report.

9. USE OF SECTION 106 MONIES IN ORMSKIRK

Councillor Sudworth introduced the joint report of the Assistant Director Community Services and Assistant Director Planning which considered a request from Ormskirk Bowling Club regarding the enhancement of public open space and recreation provision within the Derby Ward.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained therein.

RESOLVED That in addition to the existing allocation of £40,000 Section 106 funds approved by Cabinet in November 2013, the expenditure of the Section 106 commuted sum of £136,000 generated from the redevelopment of the Comrades Club site in Ormskirk, be approved for the project identified in paragraph 6.1 of the report.

10. CCTV ANNUAL REPORT

Councillor Sudworth introduced the report of the Assistant Director Community Services which sought approval of the Council's Annual CCTV Report 2013/2014.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained therein.

RESOLVED A. That the Annual CCTV Report 2013/2014, attached as an Appendix to the report be approved.

- B. That authority be delegated to the Assistant Director Community Services in consultation with the relevant Portfolio Holder to publish future reports.

11. CORPORATE PERFORMANCE INDICATORS Q4 2013-2014

Councillor Whittington introduced the report of the Transformation Manager which presented performance monitoring data for the quarter ended 31 March 2014.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained therein.

- RESOLVED
- A. That the Council's performance against the indicator set for the quarter ended 31 March 2014 be noted.
 - B. That the call-in procedure is not appropriate for this item as the report is being submitted to the next meeting of the Corporate & Environmental Overview and Scrutiny Committee on 16 July 2014.

12. PROTOCOL FOR AMENDING OR ADDING NAMES TO COUNCIL OWNED WAR MEMORIALS

Councillor Forshaw introduced the report of the Assistant Director Planning which considered the adoption of a protocol for dealing with residents requests to amend or add new names of fallen servicemen on Council owned war memorials.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained therein.

- RESOLVED
- A. That the protocol appended to the report (Appendix A) be approved.
 - B. That the Assistant Director Planning be authorised to implement the provisions of the application process identified in the protocol.
 - C. That authority be delegated to the Assistant Director Planning, in consultation with the relevant Portfolio Holder to determine any applications for amending or adding new names to Council owned war memorials in accordance with the agreed protocol.
 - D. That authority be delegated to the Assistant Director Planning in consultation with the relevant Portfolio Holder to make any minor amendments to the protocol deemed necessary following its implementation.

13. ADOPTION OF DEVELOPMENT BRIEFS FOR HOUSING SITES AT GROVE FARM, ORMSKIRK AND FIRSWOOD ROAD, LATHOM/SKELMERSDALE

Councillor Forshaw introduced the report of the Assistant Director Planning which recommended the final development briefs for the allocated housing sites at Grove Farm, Ormskirk and Firswood Road, Lathom/Skelmersdale for adoption.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained in it.

- RESOLVED
- A. That the contents of the Grove Farm and Firswood Road Consultation Feedback Reports as set out at Appendices A and B of the report be noted.
 - B. That the agreed comments of Planning Committee set out at Appendix F of the report be noted.
 - C. That the adoption by the Council of both the Grove Farm and Firswood Road Development Briefs, set out at Appendices C and D of the report be approved, subject to any minor amendments to be made by the Assistant Director Planning in consultation with the Portfolio Holder, following consideration of this report and its appendices by Executive Overview and Scrutiny Committee.
 - D. That call-in is not appropriate for this item as this report is being submitted to Executive Overview and Scrutiny Committee on 17 July 2014.

14. PROVISION OF PUBLIC OPEN SPACE IN NEW RESIDENTIAL DEVELOPMENT SUPPLEMENTARY PLANNING DOCUMENT

Councillor Forshaw introduced the report of the Assistant Director Planning which recommended that the Open space and Recreation Provision in New Residential Developments Supplementary Planning Document (“the Open Space SPD”) be adopted.

The Assistant Director Planning circulated revised recommendations.

In reaching the decision below, Cabinet considered the details set out in the report before it and the revised recommendations and accepted the reasons contained therein.

- RESOLVED
- A. That the agreed comments of Planning Committee set out at Appendix D of the report be noted.

- B. That the Open Space SPD, attached as Appendix A of the report, subject to any minor amendments to be made by the Assistant Director Planning in consultation with the Portfolio Holder for Planning and Development following consideration of this report and its appendices by Executive Overview & Scrutiny Committee, be adopted from the time at which the Council adopts a CIL Charging Schedule, and for the avoidance of doubt the current Open Space SPD shall remain in force until that time.
- C. That call-in is not appropriate for this item as this report is being submitted to Executive Overview and Scrutiny Committee on 17 July 2014.

15. COUNCIL LAND AT WHITEMOSS

Councillor Fowler introduced the report of the Assistant Director Housing & Regeneration which sought authority to resist the Compulsory Acquisition of land owned by the Council at Whitemoss, Skelmersdale.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained in it.

- RESOLVED
- A. That the current position be noted.
 - B. That the Assistant Director Housing & Regeneration in consultation with the relevant Portfolio Holder be authorised to take all necessary steps to conduct the Council's case in relation to resisting the Compulsory Acquisition of "the Land" by Whitemoss Landfill Ltd. and all matters incidental thereto having regard to paragraph 4 of the report.

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LEADER



AGENDA ITEM: 9

**PLANNING COMMITTEE:
19 June 2014**

**CABINET:
1 July 2014**

**EXECUTIVE OVERVIEW AND SCRUTINY
COMMITTEE:
17 July 2014**

Report of: Assistant Director Planning

Relevant Managing Director: Managing Director (Transformation)

Relevant Portfolio Holder: Councillor M Forshaw

Contact for further information: Ms G Whitfield (Extn. 5393)
(Email: gillian.whitfield@westlancs.gov.uk)

SUBJECT: ADOPTION OF DEVELOPMENT BRIEFS FOR HOUSING SITES AT GROVE FARM, ORMSKIRK AND FIRSWOOD ROAD, LATHOM / SKELMERSDALE

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To recommend that the final development briefs for the allocated housing sites at Grove Farm, Ormskirk and Firwood Road, Lathom / Skelmersdale are adopted by the Council in order to form part of the planning decision-making framework.

2.0 RECOMMENDATION TO PLANNING COMMITTEE

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

3.0 RECOMMENDATIONS TO CABINET

3.1 That Cabinet consider the contents of the Grove Farm and Firwood Road Consultation Feedback Reports set out at Appendices A and B of this report.

- 3.2 That Cabinet consider the agreed comments of Planning Committee set out at Appendix F.
- 3.3 That Cabinet approve the adoption by the Council of both the Grove Farm and Firwood Road Development Briefs, set out at Appendices C and D to this report, subject to any minor amendments to be made by the Assistant Director Planning in consultation with the Portfolio Holder, following consideration of this report and its appendices by Executive Overview and Scrutiny Committee.
- 3.4 That Call In is not appropriate for this item as this report is being submitted to Executive Overview and Scrutiny Committee on 17 July 2014.

4.0 RECOMMENDATION TO EXECUTIVE OVERVIEW & SCRUTINY COMMITTEE

- 4.1 That the content of this report be considered and that agreed comments be referred to the Assistant Director Planning for consideration.

5.0 BACKGROUND

- 5.1 The West Lancashire Local Plan 2012-2027 (WLLP) was adopted by Council on 16 October 2013. Policy RS1 of the WLLP allocates nine sites for residential development, and specifies that the development of five of these sites must be in accordance with development briefs / masterplans to be prepared for the sites. The five sites in question are:
- Skelmersdale Town Centre;
 - Yew Tree Farm, Burscough;
 - Grove Farm, Ormskirk;
 - Land at Firwood Road, Lathom / Skelmersdale; and
 - Land at Whalleys, Skelmersdale
- 5.2 A masterplan and development brief has already been prepared for Skelmersdale Town Centre and the Whalleys housing sites, respectively and work has been underway on development briefs / a masterplan for the remaining three sites since the adoption of the Local Plan. The masterplan for Yew Tree Farm will take the form of a supplementary planning document (SPD), and is currently being formulated following public consultation. For the Grove Farm and Firwood Road sites, development briefs have been prepared.
- 5.3 The purpose of a development brief is to inform developers and other interested parties of a site's constraints and opportunities, and to outline the type and amount of development expected or encouraged by local planning policy. In addition, the development brief can provide detail relating to expected infrastructure required to deliver a sustainable development, based on the most up to date evidence. While a Development Brief does not carry the same weight in decision-making as an SPD when the Council are considering a planning

application for a site, it does still have material weight in the decision-making process.

- 5.4 An earlier report was brought to Cabinet in January of this year seeking permission to publicly consult on the first draft versions of both development briefs. The consultation was subsequently undertaken from 6 February – 21 March 2014.

Grove Farm, Ormskirk

- 5.5 The development site at Grove Farm, Ormskirk, is currently being promoted by housing developer Taylor Wimpey. The Council is aware that the developer has already undertaken work with regard to the site's development, for example soil and ground condition surveys. This information, along with other desktop-based information available to officers, has been useful background material during the drafting stage of the development brief. In addition, Taylor Wimpey have been engaged with the Council during the drafting of the document to ensure that they are fully aware of the requirements of the development brief.
- 5.6 The site is expected to deliver 300 new homes over the period 2012-2027, with delivery expected to commence from 2015/16. Given the site is under the control of a single land owner and Taylor Wimpey have been active in promoting it, this timescale is reasonable and development is likely to come forward in a timely manner.
- 5.7 The development brief will provide greater certainty to the developer and other interested parties regarding the site's constraints and opportunities and the local planning expectations which will help manage some of the key issues associated with the site. These include the site's former designation as Green Belt and the fact that the site's northern and eastern boundaries are also the new Green Belt boundary, management of waste and surface water flows that will be generated by the development of the site, and access to the site from the A59.

Firwood Road, Lathom / Skelmersdale

- 5.8 The Firwood Road site will accommodate approximately 400 dwellings. The site comprises several distinct parcels of land under separate ownership. The majority of the landowners have formed a consortium and are represented by a local professional agent. There are a number of existing residential properties on the site (some of which are owned by members of the consortium), as well as a former railway (which is intended to form part of a Linear Park between Skelmersdale and Ormskirk), two un-adopted roads, a pond and some woodland.
- 5.9 There has been significant interest in the site from a number of volume housebuilders, although no housebuilder is at present signed up to develop the site. Information from the Coal Authority shows that there are issues arising from the historic mining activity undertaken in the area, although this does not necessarily preclude the development of any particular part of the site. A detailed ground condition survey will be necessary to determine exactly what could be built on which parts of the site. Allowing for the possibility of a phased approach towards development of the sites, it is anticipated that the delivery of the first housing units on the site can be achieved in the 2015/16 financial year.

6.0 CURRENT POSITION

- 6.1 Following engagement with the developers, landowners and agents and other stakeholders involved in both sites, the first draft briefs were produced for public consultation. In January 2014, Cabinet approved a 6 week consultation exercise; this was subsequently undertaken during February and March.

Grove Farm, Ormskirk – Consultation

- 6.2 During the consultation period, officers held a drop-in style event at Ormskirk Library in order to discuss the contents of the Grove Farm draft development brief, to answer questions and to listen to the views of the public regarding the document and site. The event was well attended and helped to identify some interesting views regarding the location of the linear park, both within and beyond the site boundary, vehicular access to the site, the nature of proposed accommodation for the elderly, location of any possible three storey buildings, and the type and location of open space to be delivered.
- 6.3 In total, only thirteen representations were received including one submitted on behalf of Taylor Wimpey, the primary developer of the Grove Farm site, relating to specific issues with wording. Other representations raised the following issues:
- Concern relating to the play area and linear park and the potential for anti-social behaviour.
 - Less green space than was expected to form part of this site.
 - Traffic and access concerns relating to the southern access and potential conflict with an access road on the opposite side of High Lane.
 - Potential for additional access for dwellings at Hilbre.
 - Flood risk from Ellerbrook.
 - Heritage concerns from English Heritage and the potential to offset these by linking the site, via the linear park, to Burscough Priory Scheduled Monument
 - Implications of any potential increased rail movements on the Ormskirk to Preston line.
- 6.4 These comments have been considered and a full response has been provided as part of the Consultation Feedback Report (Appendix A). Furthermore, where the comments have led to amendments to the development brief, these have been noted against each comment.
- 6.5 Although the number of amendments to the document has been fairly minimal, the following changes have been made:
- An increase in the level of detail set out within the constraints and opportunities plan, in order to truly reflect the site issues and potential.
 - Inclusion of a number of additional plans to help guide the developer in bringing forward a planning application, such as the Connections Plan.
 - The illustrative site layout plan has been amended to include the potential for a new and improved play area to the south of the Grove Farm site that

may overlap with the actual site area, recognising the limited space around the existing play area and scope for improvement.

- Increased landscaping has been shown around the existing properties fronting High Lane to reflect the existing tree cover and screening.
- Following a number of comments and concerns regarding the route of the Linear Park, this has been shown set further into the site, away from neighbouring boundary fences and with connections through both Pine Avenue and onto Burscough Road to increase the permeability of the site and to improve the design and appearance of the route.
- Additional text has been included where greater detail is now available. This includes the latest information in respect of the elderly and affordable housing accommodation split.

Firwood Road, Lathom / Skelmersdale – Consultation

6.6 During the consultation period, officers held a drop-in event at Skelmersdale Cricket Club to give members of the public the chance to discuss with officers the contents of the draft Firwood Road development brief and to ask questions. This event was well attended throughout, and a number of issues and concerns were raised by participants.

6.7 A total of 51 written representations were received relating to the Brief. Of these, a number were duplicated or invalid, resulting in there being 44 distinct duly made representations. The following matters were raised:

- Concern regarding the proposed use of Old Engine Lane at its junction with Neverstitch Road as the primary access to the site;
- Concern regarding the principle of a secondary access to the site from Firwood Road;
- Relationship between existing properties on the site and any new development;
- Impact of the development of the site on existing wildlife;
- Drainage rights of current residents on the site who have septic tanks, rather than mains drainage;
- Clarification sought as to the nature of accommodation for the elderly and how this relates to affordable housing;
- Viability of the site's development, in particular in the light of ground conditions and the Community Infrastructure Levy.

6.8 These comments have been considered and a full response has been provided as part of the Consultation Feedback Report (Appendix B). Whilst the overall direction and general principles of the Firwood Road Development Brief remain unchanged, a small number of amendments have been made to the Brief in the light of comments made during the public consultation, as follows:

- In consultation with the LCC highways, the proposed location of the primary access to the site has been moved from Old Engine Lane to a point further south along Neverstitch Road;
- A limit has been set for the number of car trips per hour to be generated from new housing that would use Firwood Road for access and more detail on how this access should be managed has been included;

- Amendments to the text of the Brief have been made to clarify the position with regard to:
 - existing properties on site,
 - drainage rights of current residents of the site who use septic tanks,
 - ground conditions and the mining legacy of the area,
 - the split between elderly and affordable housing, and
 - the ecological value of the site;
- Extra text has been added to the Brief to address connections between the site and the surrounding area, and to provide further guidance on design matters.

7.0 NEXT STEPS

- 7.1 The development briefs, in their final form, represent useful and contextual documents which, when adopted, will provide a valuable framework against which to assess forthcoming applications for the land at Grove Farm and Firwood Road.
- 7.2 If Cabinet are minded to approve the documents for adoption, in accordance with recommendation 2.3 above, the development briefs will be published on the Council's website and will become part of the decision making framework, within which planning applications for the Grove Farm and Firwood Road sites will be considered.

8.0 SUSTAINABILITY IMPLICATIONS / COMMUNITY STRATEGY

- 8.1 The allocation of the two development sites has been subject to sustainability appraisal throughout the preparation process for the West Lancashire Local Plan. One of the purposes behind the preparation of development briefs for the sites is to facilitate the development of the land in a sustainable way.
- 8.2 The provision of market housing, affordable housing, accommodation for older people, open space and other community benefits, plus the anticipated application of the Community Infrastructure Levy to the sites, is consistent with the principal aims and objectives of the West Lancashire Sustainable Community Strategy.

9.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 9.1 All resources required to prepare and consult on the Development Briefs are covered by the Planning Service's revenue budget. Delivery of the Grove Farm and Firwood Road sites will have considerable potential for positive financial implications in the form of income through the Community Infrastructure Levy, Council Tax and New Homes Bonus.

10.0 RISK ASSESSMENT

- 10.1 A failure to set out clearly the expectations of the Council in relation to the development of the two major sites at Grove Farm, Ormskirk and Firswood Road, Lathom / Skelmersdale, could result in a missed opportunity on the part of the Council to secure the maximum benefit from the sites' development. By preparing and adopting development briefs which have been subject to a robust public consultation process, the optimal development of the sites can be achieved.
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Background Documents

West Lancashire Local Plan 2012-2027 Development Plan Document

Equality Impact Assessment

There is a direct impact on members of the public. Therefore, an Equality Impact Assessment is required. A formal equality impact assessment is attached at Appendix E to this report, the results of which have been taken into account in the Recommendations contained within this report.

Appendices

- A. Grove Farm, Ormskirk – Consultation Feedback Report
- B. Firswood Road, Lathom / Skelmersdale – Consultation Feedback Report
- C. Grove Farm, Ormskirk – Draft Development Brief
- D. Firswood Road, Lathom / Skelmersdale – Draft Development Brief
- E. Equality Impact Assessment
- F. Minute of Planning Committee 19 June 2014 (Cabinet & Executive Overview and Scrutiny Committee only)
- G. Minute of Cabinet 1 July 2014 (Executive Overview and Scrutiny Committee only)

CONSULTATION SUMMARY REPORT

Development Brief
Grove Farm, Ormskirk

Feb-Mar 2014

CONTENTS

1. Introduction
2. Consultation & publicity methods
3. Summary of comments
4. Council response
5. Changes to the Development Brief
6. Next steps

Appendix 1

Consultation representations, summaries and the Council's response.

1. Introduction

Development briefs provide an additional layer of guidance for development on specific sites and sit between the West Lancashire Local Plan (2012-2027) and the planning application stage. They inform developers and other interested parties of the constraints and opportunities of a site and the type of development that the site should accommodate.

Development briefs are normally prepared in consultation with the public and, where appropriate, the developer. In accordance with this, the Council prepared a draft development brief and consulted on the brief between 6 February and 21 March 2014.

This document provides a summary of how the Council consulted, the general issues raised through representations and the Council response to those issues. This document also sets out how the development brief has been changed as a direct result of the comments received, to illustrate how consultation informs decision making.

It should be acknowledged that the Council do give careful consideration to all comments received, although may not always agree with the points or requests made. Therefore changes cannot be made in all cases. The Council are required to make balanced decisions, taking into account the views from all parties, and relevant planning policy.

2. Consultation and publicity methods

In consulting, the Council adhered to, and exceeded, the requirements of the adopted Statement of Community Involvement. Those methods used are set out below.

The Council publicised consultation on the Development Brief through the following methods:

- Letter sent to residents of the neighbouring area of the Grove Farm site
- Email / letters to all consultees on the consultation database, including statutory consultees
- Press release
- Council website and social media (Facebook)

Throughout the consultation, planning officers were available to answer questions:

- At one drop-in session at Ormskirk Library (held mid-week 2-7pm)
- By email
- By phone
- In person at Council offices

Consultation materials were available to read at

- Council website
- Libraries
- Post Offices
- Council offices

Comments were invited through

- An online form available from the Council website (powered by surveymonkey)
- By returning forms through email or post

3. Summary of comments received

A total of fourteen comments were received in relation to Grove Farm and this report provides a summary of the issues and points raised. The comments in full, along with the Councils responses are set out in Appendix 1 to this report. The comments as submitted can also be found on the Council webpage at www.westlincs.gov.uk/planningpolicy .

Traffic, Transport and Access

The Council were asked to consider the implications of, and to, the access road to the west of the A59 which serves 6 properties on High Lane and provides access to several properties / garages on the Scott Estate.

There were several requests received for traffic calming measures and speed limits along the A59. Some consultees raised concerns over the volume of traffic using the A59, safety records and access points, including existing access from residential areas onto the A59. Traffic mitigation was supported and there were requests for further traffic census / survey work to inform decisions.

Some comments were received in relation to ensuring access arrangements to surrounding land are not affected by access points created to the development site. There was a request for amendments to be made to the development brief to ensure that other land is not sterilized as a result of an inflexible development brief.

Newburgh Parish Council registered concerns regarding the cumulative impact of traffic through Newburgh from various development sites including Grove Farm.

It was also suggested that the potential impact of a more frequent rail service as a result of the proposed electrification of the railway between Ormskirk and Burscough should be considered through the development brief.

Open Space and Linear Park

Concerns were registered that the creation of public open space / play areas and the linear park would create, or exacerbate, crime, litter and anti-social behaviour around the current Pines estate. Some considered that a linear park / path would not be safe, particularly if it was unlit and attracts loitering by youths who leave rubbish.

The current park is considered to be too small to cater for a new housing estate and it was felt that a new open space area should be provided. Questions were raised as to how the park would be altered to accommodate paths for the linear park.

Residents highlighted concerns about the creation of open space at Pine Grove and pedestrian and cycle links to/from it. It was felt that access would not be safe and easy to use. There were concerns that access paths and exit points would be located too close to existing properties, and an alternative exit route was proposed onto Burscough Road using the Old Farm Gate entrance.

Drainage

There were concerns about increased flood risk and poor drainage on the development site, which would affect both new and existing properties. Questions were raised as to who would be responsible for dealing with issues should problems occur.

Heritage

There were concerns about the impact of development on Bath Lodge and Burscough Augustinian Priory, along with recommendations that the impact on the heritage assets should be minimal. English Heritage suggested that any harm caused by the development could be mitigated through other heritage benefits.

Wildlife

There were concerns over wildlife on the site, including bats, and the loss of their living and feeding habitat.

Housing / Design

Concerns were raised regarding the amenity of the existing residents and the separation distances between new and existing housing.

It was also suggested that the vision and key principles of the draft development brief do not accord with the Local Plan development policy as the affordable and elderly provision should be entirely combined. However, this is not the case as is clearly set out within Policy RS2 of the Local Plan. It was suggested that a new section should be included in relation to the viability of the development in accordance with the NPPF and this should include specific reference to provision of affordable and specialised housing. It was suggested that the provision of off-site affordable housing should also be considered.

An objection was received in relation to the requirements for the Code for Sustainable Homes, on the grounds that it repeats local policy and should therefore be removed.

Other

It was suggested that the document could be more concise and should be refined accordingly, as well as providing background information to its preparation and consultation processes.

It was requested that the reference to Grove Farm being green belt land should be deleted on the grounds that it has been removed from the green belt through the Local Plan and is now an allocated site. A similar request was also made in relation to the sites agricultural land classification and noise exposure assessments as this guidance had been updated.

A number of mapping amendments were suggested such as an additional key to the context plan and greater detail and the removal of the suggested location of older person accommodation as this was inflexible.

Flexibility in the delivery of non-market housing was welcomed by housing developers, but the requirement of a design panel was rejected as being unnecessary.

The provision of electronic vehicle charging points in communal areas was also rejected and further comments were also received in relation to affordable housing statements, draft S106 agreements, landscaping schemes and parking and access arrangements.

4. Council Response

Council responses are set out in full at Appendix 1 but in brief can be summarised as follows:

Traffic, Transport and Access

The Council appreciates that there are a number of local concerns regarding the existing highways arrangements along the A59. It is also acknowledged that the development of this site offers the potential to improve road safety at this location. Therefore, through the development brief, the Council will require any planning applications for the site to include a full Traffic Assessment and Travel Plan for the site and that the scope of these documents is agreed in advance with the Highways Authority, Lancashire County Council. This requirement ensures that the site specifics, such as speed management, traffic calming and access, referred to within the representations will be given full consideration before planning consent may be granted.

The dwellings fronting High Lane, have large gardens and so could offer some development potential. It is preferable to require such potential to come forward as part of a holistic and inclusive development. In addition, the Highways Authority has noted that it would not be inclined to support a proposal for increased accesses along High Lane, above and beyond the two proposed accesses that are set out within the indicative site layout. However, an amendment to the wording to indicate that the land to the rear of the properties fronting High Lane should come forward as part of the wider development site and that separate access should only be permitted if it is demonstrated safe to do so to the standard of the Highways Authority, Lancashire County Council can be included within the final document.

Linear Park and Play Area

The Council has considered some of the local concerns regarding the potential for antisocial behaviour and misuse of a new and improved play area and linear park. However, the location of the play area is surrounded by existing properties and therefore benefits from good levels of natural surveillance and its design will be to a high standard that meets the needs of existing and future residents, encouraging use of the feature. The design of the linear park will also need to be to a standard that encourages people to use it and includes features such as lighting and a quality environment.

Notwithstanding this point, the existing play area at Pine Grove is a small equipped play area which does not currently comply with the Council policy of providing "Fewer, Bigger, Better" equipped play areas. This would mean that our current policy

would be to remove it rather than replace it when it became degraded. This site presents an opportunity to improve this play area in order to meet the needs of the existing residents in the locality and those of the new development. This may also include the linear park cycle and footpath, allowing an accessible connection between Ormskirk and Burscough.

The new linear park will encourage cycling and walking from the Grove Farm site and beyond, and the proposed access through Pine Avenue to the existing link with Ormskirk Station is considered to be a quiet and safe location, more appropriate than a straight passage along the A59.

However, it is noted that the siting of the Linear Park, immediately adjacent to existing properties, has caused some concern amongst local residents. Therefore, the indicative plan within the development brief will be amended to show a location set further into the site.

Consequently, whilst there were some concerns expressed regarding the safety of such a feature, the Council and the Highways Authority are satisfied that the linear park and play area features can be delivered to a high quality standard and will provide vital open space and access facilities for site users and those traveling between Ormskirk and Burscough.

Drainage

The Council acknowledges concerns in relation to flood risk for the site and surrounding area. However, the development brief and wider planning policy requires that a sustainable drainage system is included within the design of this site. SuDS provide an opportunity to address existing flood risk issues and those that may be generated as a result of development. The existing brook, which is currently channelised, will form a central part of this drainage system and improvements are likely to reduce the occurrence of any localised flood risk.

Early engagement with Lancashire County Council, the Lead Local Flood Authority (LLFA) is required and all SuDS will need to be approved by them as part of the planning application process and subsequently adopted by the LLFA. This provides some assurances for the community that this issue will be given full consideration and will be maintained in the future.

In addition, the development brief requires this site to remove an amount of surface water out of the existing network to be treated on site that is the equivalent to the foul (waste) flows that will be generated through the new development. This should result in no net increase in overall flows through the existing system to the waste water treatment works at New Lane, Burscough, thus limiting the potential for new development to exacerbate existing drainage network issues.

Housing Layout and Site Design

Whilst development on the site will be required to be built to a high standard, the precise details relating to orientation and scale will only be considered at planning application stage. However, the development brief and general design policies within the Local Plan will ensure good design and the amenity of existing neighbours is protected. A full landscaping scheme will be required as part of any planning application.

With regards to the height and design of buildings this will be only be available in detail at the planning application stage, however, in order to protect residential amenity and to respect the character of the surrounding area development should not exceed 2.5 storeys in height. Furthermore, the Council will continue to encourage good design and still require a Places Matter review panel, in accordance with the NPPF, in support of an application for this site.

The Land Use Plan within the development brief does not dictate the location of elderly housing, but states that the most sustainable location for such uses is on the edge of the site closest to bus stops and local amenities. The Plan therefore indicates how this could be delivered, but if an applicant deems a more suitable location is available or wider distribution of the accommodation type is more appropriate, then this will be considered as part of the application.

Off-site affordable housing is not acceptable on this site as it is already in a sustainable location and offers enough land to develop 300 dwellings. Therefore, the requirements of the Local Plan should be delivered on site.

Electric car charging points should be delivered in accordance with Policy IF2 of the Local Plan.

Noise implications for the site, given its proximity to the rail line, will be addressed through a noise assessment which will need to form part of the supporting documentation for a planning application.

Heritage

The Council will endeavour to minimise the impact of Grade II* Bath Lodge, with the existing railway line and proposed linear park acting as a buffer to development. Any planning application for Grove Farm will be required to provide a Heritage Statement and engage with the HER and County Archaeologist. The brief will not specifically detail Section 106 contributions as this would need to be determined at the time of planning application.

Wildlife

Through the allocation of this site in the Local Plan, consideration was given to the impacts of development on wildlife and ecology. This assessment did not raise any serious concerns that would prevent the principle of development being acceptable in this location.

However, the development brief requires that at planning application stage the site is assessed or screened for its compliance with the Habitats Regulation Assessments so that any ecological issues may be identified and any mitigation measures may be proposed in order to ensure ecological protection.

The Council is aware of the risks to natural habitat through development and mitigation is a high priority. The ecological survey will need to show the impact of the development on the natural habitat and outline mitigation measures required. Protection of wildlife will be considered through the creation of green links and the wildlife corridor.

Other

Further revisions of the development brief will note conformity with the Statement of Community Involvement to demonstrate the requirements have been followed in preparing the brief.

Viability evidence can be submitted, and will be examined, as part of the planning application process. Therefore, the Council consider that the development brief is flexible enough to respond to potential issues of viability, where evidence is supplied.

5. Changes made to the development brief as a direct result of consultation?

- Amendment to the indicative layout to indicate that the cycle path will not be located directly adjacent to neighbouring boundary fences and will fall within a wider landscaped linear park area.
- Amendment to the wording to indicate that the land to the rear of the properties fronting High Lane should come forward as part of the wider development site and that separate access should only be permitted if it is demonstrated safe to do so to the standard of the Highways Authority, Lancashire County Council.
- Wording amended to clearly point out that layout is indicative.
- Wording amended to clarify the requirements and cross-over between the 35% affordable and 20% elderly housing provision and how this could be delivered.
- Additional landscaping, existing and new has been included within the final development brief.
- Wording amended in relation to Technical Constraints relating to noise and agricultural classification.
- Addition of more information on the constraints / site analysis plan to show Bath Lodge, open space / play areas, railway line, watercourse, flood zone 3, bus stops and existing landscaping.
- Revisions made to character area section, to highlight general design principles and site specific design principles.
- Creation of a 'Connections Plan' to show site permeability and where the connections to the wider community will be made. This is designed to provide further detail to the Movement Plan.
- Reference to specific levels of 'Code for Sustainable Homes' has been removed to ensure no repetition with policy and ensure the document remains flexible and up to date in respect of sustainability.

- Indicative Land Use Plan amended to show more landscaping on boundaries adjoining the existing properties.
- Investigations into alternative linear park footpath / cycle way exits and clarity provided on indicative layout plan.
- Requirement of further works in relation to heritage buildings / sites.
- Wording amended to reference consultation and the SCI.
- Wording amended to remove confusion between Community Infrastructure Levy funded matters and possible Section 106 funded matters.

6. Conclusions / Next steps

The consultation responses have highlighted that there are still a large number of concerns in relation to specific issues including transport, traffic, drainage, design, housing provision, linear park and open space and heritage and wildlife. The Council acknowledge that these are valid concerns and where possible, amendments to the development brief have been proposed. However, in the main, the Council is satisfied that these concerns can be addressed through the requirements of the development brief at subsequent planning application stage. This will ensure that appropriate assessments are undertaken and the development responds accordingly providing any required mitigate measures.

Consultation responses have provided a base for a number of changes to ensure that the development brief provides the best level of guidance for the site.

Using the comments received through the consultation process, the development brief will be refined and then a final version published during the summer 2014. The development brief will then form part of the planning framework and will be used to inform and guide the preparation of planning applications for the Grove Farm site.

Appendix 1

Grove Farm Representations and Council Responses

Grove Farm consultation - Comments received and Council responses

John Barlow

Organisation

Comments:

With regards to "Transport", when determining the final location of the southern vehicular access point please consider the implications of, and to, the access road to the west of the A59. Hawthorn Road is council maintained and for over 100 years has serviced six properties on High Lane which have no other vehicular access provision. It also now services several properties/garages on the Scott Estate which back onto Hawthorn Road, and is currently a pedestrian and cycle access to the Scott Estate. The access road is used regularly by cars, service vehicles and pedestrians, particularly prior to 9am and after school hours. Visibility to the south along the A59 from Hawthorn Road is greatly compromised by the bend between it and Burscough Road on the east side of the A59. This, combined with the volume of traffic on the A59, mean it can take up to five minutes for a single vehicle to exit Hawthorn Road onto High Lane. Situating a vehicular access point to the Grove Farm development in the vicinity of Hawthorn Road would greatly complicate existing difficulties, and drivers accessing the A59 from both west and east would have to consider not only traffic on the A59, but also vehicles joining the A59 and increased pedestrian traffic. The current situation is exacerbated further by the speed of northbound traffic at this point on the A59, which is often well in excess of the 40mph speed limit as drivers familiar with the road anticipate the national speed limit signs, with some northbound vehicles also over-taking on this bend. Police records will evidence that this point of the A59 is also prone to road traffic accidents which have affected nearby properties: property boundaries and council wheelie bins left out for collection on the pavement have been destroyed, which would indicate that it is only a matter of time before there is a pedestrian casualty. In that sense the Grove Farm development offers the opportunity for appropriate traffic calming measures to be introduced, which would also aid vehicles joining the A59 from both east and west. A 30mph zone extending to the north of the Grove Farm site and south of the junction with Burscough Road may be a good beginning, while other traffic calming measures via appropriate street design would be welcomed.

Attachments included?

Council response:

The Council appreciates that there are a number of local concerns regarding the existing highways arrangements along the A59, particularly given the bend in the road to the south of the Grove Farm site. It is also acknowledged that the development of this site offers the potential to improve road safety at this location. Therefore, through the Development Brief, the Council will require the applicant to produce a full Traffic Assessment and Travel Plan for the site and that the scope of these documents is agreed in advance with the Highways Authority, Lancashire County Council. This requirement ensures that the site specifics referred to within your representation, such as the relationship between existing and proposed accesses will be given full consideration before planning consent may be granted.

Mr

John

Bootle

Organisation

Comments:

[Respondent skipped this question]

Attachments included?

Council response:

None

miss lisa carroll

Organisation

Comments:
Following the consultation meeting at Ormskirk library regarding the planning process for the Grove Farm site, I have great concerns with the current plan for the local playing area in the Pine Grove estate. At present it is planned to be opened up to a minimum of 300 residents with the addition of a Pedestrian walkway and a cycle footpath not only going through this already quiet and safe play area but walking right outside the residents of Pine Grove estates houses. As a resident of Pine Grove i can say that there is no Pedestrian walk way situated in this narrow street which enables you to walk safely through. pass safely and not including parked vehicles from visiting family/friends, how anybody could say or recommend that this is safe .li would suggest that a member from the council come and assess the estate so that they realize that this proposition is not.

Attachments included?

Council response:

The existing play area at Pine Grove is a small equipped play area which does not currently comply with the Council policy of providing "Fewer, Bigger, Better" equipped play areas. This would mean that our current policy would be to remove it rather than replace it when it became degraded. This site provides an opportunity to improve and expand this existing play area into the Grove Farm site to provide new and improved open space provision for existing and future residents of the area.

The new linear park will encourage cycling and walking from the Grove Farm site and beyond, and the proposed access through Pine Avenue to the existing link with Ormskirk Station is considered to be a quiet and safe location, more appropriate than a straight passage through the A59. This route has been considered by the Council and the Highways Authority, Lancashire County Council, who consider that it is appropriate and deliverable. The proposal for a linear park is required to deliver an off road cycle and walking link to connect Burcough and north of Ormskirk with Ormskirk town centre and transport links. However, it is noted that the siting of this immediately adjacent to existing properties has caused some concern amongst local residents. Therefore, the indicative plan within the Development Brief will be amended to show a location set further into the site.

Mr

Michael

Cunningham

Organisation

Comments:

The content of the draft Development Brief is considered broadly acceptable. However, the reference to access arrangements, particularly under the section on Page 16 headed "Transport Access & Servicing Requirements" is unjustified. This section states that development on land at the rear of existing properties on High Lane will be required to be accessed from the development site. The reason for this is stated to be to avoid highway implications along High Lane and the need to ensure that all development is in keeping with the character of the area. Access to the area of land to the rear of Hilbre on High Lane can be achieved even with the provision of the 2 access points proposed in the Master Plan. Attached with this report is a letter from traffic consultants, PSA Design, which confirms that access arrangements could easily be achieved without impacting on the proposed southerly access to the residential development at the rear. This proves there would be no highway implications of such a secondary access. If the wording of this section of the draft Development Brief is not altered it will have implications for the development of land at the rear of Hilbre. The requirement for this land to be developed solely off the development at the rear would effectively sterilize the land and result in a reduced number of residential units coming forward. There is no reason to insist on access being achieved from the land at the rear. The character and design of any development would be controlled by normal development management techniques employed by the local authority when considering any proposals for development. The site itself at the rear of Hilbre is secluded from the remainder of the site by existing trees and any development, even if it was accessed from the rear, would not necessarily be viewed as part of a general residential development scheme, but rather as a separate area. The wording of the section of the draft Development Brief referred to on Page 16 should acknowledge that subject to appropriate detailed access arrangements being provided development of the land at the rear of Hilbre is to be encouraged. The owner's concern is that if the form of wording which is currently proposed in the Development Brief remains it would restrict any future development of the site which could be shown to be capable of access from High Lane, but which would be contrary to the specific requirements of the Development Brief. Further to your recent instructions and our meeting on site, I have pleasure in setting out below a summary of the highways related issues associated with the proposed development illustrated on the Sketch Site Layout Plan at drawing number 13/093/sk01. The issues, which are considered in turn below, comprise:

- ☐ Feasibility of an access to serve the site directly on to the A59 High Lane.
- ☐ Compatibility of this site access with that anticipated for the potential larger residential site to the rear.

Site Access Feasibility As can be seen on the sketch site layout plan, there is sufficient width across the site frontage to accommodate a priority 'T' junction onto High Lane with kerb radii of 6m and a width of 5.5m. Such an access would be more than adequate to serve a development of 6 dwellings. An access shown in the position shown would enable the requisite sightlines to be provided for the 40mph currently in force on High Lane. In addition, this position would give a stagger distance of 20m with the rear access track serving the properties on the opposite side of the road.

Compatibility with the Larger Site to the Rear It is noted that the West Lancashire District Council newly published Local Plan includes this site together with a much larger area adjacent for residential development as illustrated in an extract from the Council's masterplan, which I attach for convenience. As can be seen the masterplan for the larger site envisages two access points to serve the potential residential development. One of which is across the frontage located between the Hilbre site and the existing properties close to the A59 junction with the B5319 Burscough Road. Such an access junction at this location is likely to take the form of a priority 'ghost island' junction. Consequently, in order to accommodate the carriageway widening to from the 'ghost island' and to get the necessary visibility splays, it is likely that the access will need to be positioned roughly centrally within the larger site frontage. This would result in a separation distance of over 40, to the likely Hilbre development access which I consider would be sufficient to prevent operational impacts on either access. In summary therefore, I conclude that it should be possible to serve the Hilbre development with in access directly onto High Lane and that such an access should not prejudice any subsequent access arrangements for the larger designated site adjacent.

Attachments included?

Council response:

The Council acknowledges that the dwellings fronting High Lane, including Hilbre, have large gardens and so could offer some development potential. However, it is preferable to require such potential to come forward as part of a holistic and inclusive development. In addition, the Highways Authority has noted that it would not be inclined to support a proposal for increased accesses along High Lane, above and beyond the two proposed accesses that are set out within the indicative site layout. However, an amendment to the wording to indicate that the land to the rear of the properties fronting High Lane should come forward as part of the wider development site and that separate access should only be permitted if it is demonstrated safe to do so to the standard of the Highways Authority, Lancashire County Council can be included within the final document.

Mr Nick Eckersley

Organisation

Comments:
There are proposals supporting the electrification of the railway between Ormskirk and Burscough and which are likely to form part of the transport masterplanning for the area. This should be specifically mentioned in the design brief as there is potential for considerably more train movements than currently exists. This will have implications for the land bordering the railway line.

Attachments included?

Council response:
The railway line has been identified as a potential constraint which may have noise implications for this part of the site. The Development Brief requires careful assessment of noise implications to be considered and any required mitigation measures to be proposed as part of the supporting documentation for a planning application.

Mr Stewart Griffiths

Organisation

Comments:

My home is adjacent to Ellerbrook and my ground floor was flooded in 1994. We have never received a satisfactory explanation from WLDC or Wainhomes why the stream banks were never constructed to a height where our homes would be safe from fluctuating water levels. We therefore strongly object to more properties being built alongside this stream due to the impact they would have on the existing properties and water flow. We selected this house in 1988 as a small 'infill estate', not wanting to be part of a large estate structure from which we had left in Maghull. Our house is adjacent to 'The Pines' play area and the plan to link the new estate through it, is completely unacceptable. An estate of 300 houses should have its own play area due to the number of families new housing will attract. The idea of a linear path and cycle track may sound attractive, but the existing linear pathway from Ormskirk Station to Old Boundary Way is not maintained, is unlit from 7pm, therefore attracts loitering and is unsafe. The whole area is littered with plastic bags, drink cans and bottles. The new pathway will be a continuation of the same.

Attachments included?

Council response:

The Council acknowledges concerns in relation to flood risk for the site and surrounding area. However, the Development Brief and wider planning policy requires that a sustainable drainage system is included within the design of this site. SuDS provide an opportunity to address existing flood risk issues and those that may be generated as a result of development. Ellerbrook, which is currently channelised, will form a central part of this drainage system and improvements are likely to reduce the occurrence of any localised flood risk. Early engagement with Lancashire County Council, the Lead Local Flood Authority is required and all SuDS will need to be approved by them as part of the planning application process.

Whilst there are some reservations from residents about the location of the new linear park and the quality of the existing link, the Council is satisfied that the linear park will be a success in providing an off road cycle and walking link to connect Burcough and north of Ormskirk with Ormskirk town centre and transport links. However, it is noted that the siting of this immediately adjacent to existing properties has caused some concern amongst local residents. Therefore, the indicative plan within the Development Brief will be amended to show a location set further into the site.

The existing play area is a small equipped play area which does not currently comply with the Council policy of providing "Fewer, Bigger, Better" equipped play areas. This would mean that our current policy would be to remove it rather than replace it when it became degraded. This site provides an opportunity to improve and expand this existing play area into the Grove Farm site to provide new and improved open space provision for existing and future residents of the area.

Dr Stephen Hanlon

Organisation

Comments:

At first glance, the development plans look reasonable. My main concern is that any development along High Lane should also include measures to calm the speed of the traffic along High Lane. As the volume of traffic has increased over the past few years, the speed is still quite high and it is generally taking much longer to pull out on to the A59 than it did when we moved here 7 years ago. Any development will increase the amount of traffic on the road and could make it difficult for ourselves or our neighbours to join the main road. Please could you include some measures to mitigate the increased traffic as part of any scheme that is brought forward to the planning committee. On a slightly more personal level, it would be better to be overlooking residential housing rather than elderly housing, as I suspect the elderly housing would be a large building similar to those built elsewhere in the town, while residential housing would have less of an impact. I appreciate that visual amenity is not something that we can use to oppose a planning application, but it would be good if the neighbours opposite could be considered at this early stage, especially as there is a lot of land further up the A59 which isn't overlooked by anyone.

Attachments included?

Council response:

The Council appreciates that there are a number of local concerns regarding the existing highways arrangements along the A59 including speed of traffic and existing traffic flows. It is also acknowledged that the development of this site offers the potential to improve road safety at this location. Therefore, through the Development Brief, the Council will require the applicant to produce a full Traffic Assessment and Travel Plan for the site and that the scope of these documents is agreed in advance with the Highways Authority, Lancashire County Council. This requirement ensures that the specific concerns referred to within your representation, such as the potential need for traffic calming measures and speed restrictions along the A59 at this location, will be given full consideration before planning consent may be granted.

Housing to meet the needs of the elderly population can be delivered through a variety of accommodation types such as bungalows, modified two storey homes, apartment style accommodation and extra care facilities. Planning policy requires that this type of accommodation is provided on the site and that it should be in the most accessible location possible with good access to the road and bus stops. However, the plan is indicative only and does not necessarily indicate the final location for elderly accommodation. The proposal, when submitted as a planning application will be required to be designed to consider the context of the existing environment and the impact on the amenity of surrounding properties. Therefore, any issues relating to scale and size will be picked up as a matter of course through a planning application.

Mrs	Sandra	Jones
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Organisation	
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Comments:

The comment below is submitted on behalf of Newburgh Parish Council in my role as Parish Clerk. Newburgh Parish Council is extremely concerned about the increased levels of traffic through the village, which are likely to be generated from this housing development and others such as Firswood Road in Skelmersdale, Yew Tree Farm in Burscough and Whalleys in Skelmersdale. It is possible that hundreds of extra vehicles will travel on the A5209 through the village every day especially at peak times. This will impact not only on the quality of life for residents but will also affect the condition of the road which has suffered from flooding/surface water in recent years. It is acknowledged that additional housing is required in the Borough but it is essential that both the County Council and Borough Council make it a priority to address the impact that these housing developments are going to have on the local road network to mitigate the impact on local residents.

Attachments included?

Council response:

This site, along with the other larger housing sites, has been given full consideration by Lancashire County Council as the Highways Authority during the Local Plan development process. Therefore, the likely rise in traffic within the Borough and the principle of development on this site has been established through the adoption of the Local Plan. However, through the Development Brief, the Council will require the applicant to produce a full Traffic Assessment and Travel Plan for the site and that the scope of these documents is agreed in advance with the Highways Authority.. This requirement ensures that your concerns about possible routing of traffic will be given full consideration before planning consent may be granted.

Mr Thomas McVeigh

Organisation

Comments:

I am very concerned to see what I thought was going to be a small grassed buffer area to the side and rear of my property, is now allocated to housing? This is despite seeing at your offices some time ago a plan showing a small grassed area to the side and rear of my property. I was also told at the time that no houses would directly back onto my property. I would have also have thought that this small buffer area is the least you can do to see that existing properties are not cramped together with the new development. I would also have thought that this is the very least you can do for my wife and I who are both in our seventies, after inflicting this development upon us on what we thought would always be greenbelt land. Surely you have a responsibility for the developer to respect the existing households next to the site and not allow them to build as many houses as possible only to enhance their profits. Hoping these comments may alter the plans.

Attachments included?

Council response:

The Development Brief includes a layout that is indicative only and the final layout of housing and landscaping will be agreed at planning application stage. However, the Council acknowledges the concern of local residents relating to the retaining of existing landscaping features and the appropriate boundary designs which will, in many parts of the site include additional landscaping and planting. Therefore, the indicative layout will be amended to better reflect the existing green buffers around the site and those that are likely to come forward through the development of this site. The Development Brief will also ensure a full landscaping scheme will form part of the planning application and appropriate separation distances between existing and proposed properties will be a fundamental part of the site design in order for planning consent to be granted.

Mr Geoff Roberts

Organisation

Comments:

As seen in the Somerset area in 2014 flooding is only becoming worse. I have concerns that the new estate will exacerbate the existing flooding issues surrounding the pine grove estate and should the brook become blocked or excess water from the new development not have adequate drainage this will back up onto the Pine Grove Housing Estate causing flooding. Is it wise to build on/next to a known flood plain when flooding on the Pine Avenue estate is well documented with nobody having ever taken responsibility. The natural flood plain will now be lost. Should my worst fears be confirmed and flooding occurs who will be responsible and what provision will be in place to remedy the situation and compensate the existing home owners for their losses and the negative impact to their homes/properties. I also have concerns about the extra bodies from the new 300+ houses and the footfall from the Linear Park passing through Pine Grove Estate as this appears to be the planned thoroughfare. Presently everyone is known to everyone on the estate however with the proposed changes this will be akin to living on a main road. The park is too small to cater for the new housing estate and was only designed to cater for the existing 50 houses. It is designed for small children only and I am concerned about potential unruly behaviour. Are there plans to alter the park to make provision for the people coming off the new estate and the linear park as currently there is no path. Concerns for the existing bats and wildlife and the loss of their habitat. What provision will be made to protect them.

Attachments included?

Council response:

The Council acknowledges concerns in relation to flood risk for the site and surrounding area. However, the Development Brief and wider planning policy requires that a sustainable drainage system is included within the design of this site. SuDS provide an opportunity to address existing flood risk issues and those that may be generated as a result of development. The existing brook, which is currently channelised, will form a central part of this drainage system and improvements are likely to reduce the occurrence of any localised flood risk. Early engagement with Lancashire County Council, the Lead Local Flood Authority is required and all SuDS will need to be approved by them as part of the planning application process.

Whilst the new linear park access will encourage cycling and walking from the Grove Farm site and beyond, it is unlikely that it will create an environment akin to living on a 'main road' as is noted within the representation. Not least because this access is not for vehicular traffic. The proposal for a linear park is required to deliver an off road cycle and walking link to connect Burcough and north of Ormskirk with Ormskirk town centre and transport links. However, it is noted that the siting of this immediately adjacent to existing properties has caused some concern amongst local residents. Therefore, the indicative plan within the Development Brief will be amended to show a location set further into the site.

The existing play area is a small equipped play area which does not currently comply with the Council policy of providing "Fewer, Bigger, Better" equipped play areas. This would mean that our current policy would be to remove it rather than replace it when it became degraded. This site provides an opportunity to improve and expand this existing play area into the Grove Farm site to provide new and improved open space provision for existing and future residents of the area.

Through the allocation of this site in the Local Plan, consideration was given to the impacts of development on wildlife and ecology. This assessment did not raise any serious concerns that would prevent the principle of development being acceptable in this location. However, the Development Brief requires that at planning application stage the site is assessed or screened for its compliance with the Habitats Regulation Assessments so that any ecological issues may be identified and any mitigation measures may be proposed in order to ensure ecological protection.

Ms	Caroline	Simpson (NLP)
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Organisation	NLP
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Comments:

West Lancashire: Draft Grove Farm Development Brief

We write on behalf of our client, Taylor Wimpey UK Limited, to make formal representations on the Grove Farm Development Brief. These representations are subsequent to the recent meeting with your colleague Gillian Whitfield (9th January 2013) in which myself and Andrew Thorley (Taylor Wimpey UK Limited) went through our comments on the document. It was agreed at the meeting that we would work with the Council on the preparation of the document going forwards, to ensure that it facilitates the delivery of the Grove Farm Site, which is a key housing site in the Council's five year housing land supply contributing some 300 dwellings to the town of Ormskirk.

General Comment

Taylor Wimpey considers that there is unnecessary repetition throughout the document and the document could be far more concise if the Council deleted some of the sections. Whilst it was discussed at the meeting that the Adopted Local Plan and guidance in the National Planning Policy Framework [Framework] provide certainty in respect of development viability, we request that a section is included in the document to cross refer viability to the Framework [173] which states: "To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and developer to enable the development to be deliverable." There should be an acknowledgement in the document of the fact that all the policy and infrastructure requirements could impact on the viability of the development. The ability to submit viability information should be expressed clearly within the document and recognise that the council's requirements will have to be considered in the context of this deliverability test.

Introduction

Whilst we acknowledge that the Development Brief is not a Supplementary Planning Document it needs to summarise how it has been prepared and consulted upon. It should also include a short statement indicating that it has been prepared in conformity with the Statement of Community Involvement.

Vision & Key Principles

The 'Vision & Key Principles' chapter states that: "The housing aspect of the development will need to include a good mix of housing types to meet all local needs, including 35% affordable and up to 20% to meet the needs of older persons. Cross over between the two types of provision may be acceptable subject to the needs at the time of development i.e. some of the affordable housing element may also count toward meeting the provision for the elderly." Taylor Wimpey UK Limited considers that the drafting of the provision of the affordable housing and needs of older persons does not accord with the existing development plan policy and should be clarified to ensure that the 35% includes the provision for older people. The provision of affordable housing at the site should also be appropriately referenced in accordance with the Framework [§173] which states: "Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable. Taylor Wimpey UK Limited proposes the following replacement wording: "The development will include a mix of housing types to meet local needs. These needs will be assessed and quantified at the time of development and will include the needs of the affordable and older persons tenure types. Any quantified need will not undermine the viability of the Grove Farm site, and will be limited to a maximum of 35% affordable housing, including provision to meet the needs of older people." The 'Vision & Key Principles' chapter goes on to state that: "Any new development to meet Code for Sustainable Homes Level 3 as a minimum standard for new residential development, rising to Level 4 and Level 6 in line with the increases to Part L of the Building Regulations." Taylor Wimpey objects to the inclusion of the Code for Sustainable Homes in this document as it is unnecessary to repeat national requirements and the provisions of the Adopted Local Plan [Policy EN1]. It is requested that this requirement is deleted from the brief. When the new code level standards increase it is imperative that the Brief facilitates the delivery of a viable development. Therefore, if the Council chooses to leave the Code levels wording in the brief, an allowance to submit viability information should be provided.

The Site & Context

"Grove Farm comprises of 13.2ha of greenbelt land which has been released through the Local Plan 2012-2027 for

residential development.” Taylor Wimpey UK Limited objects to the inclusion of wording which suggests the site is still within the Green Belt. Grove Farm no longer forms part of the Green Belt, and any reference in this regard should be deleted. Grove Farm is now designated for housing in the Local Plan [Policy RS1(a)].

Context Plan

Taylor Wimpey considers that it would be useful to include a key on the Context Plan so it is clear what the plan is showing. Technical Constraints Noise

“The site falls mainly within Noise Exposure Category B during both daytime and night time periods.” Noise exposure categories refer to guidance which has now been withdrawn. The guidance was contained within Planning Policy Guidance 24 (Planning and Noise) which has now been replaced by the National Planning Policy Framework. It is imperative that the development brief is based upon current policy.

Agricultural Classification

The Development Brief refers to the agricultural land classification of the site. Taylor Wimpey objects to this inclusion and requests that this reference is deleted. It is of no longer of relevance given that the site has been allocated for residential development. Design Principles & Objectives Reducing Climate Change The Development Brief [p13] states: “It is important that any development will take into account sustainable design and construction methods, whilst meeting the Code for Sustainable Homes requirement as set out in policy EN1 of the West Lancs Local Plan 2012-2027 and through the use of renewable energy.” Taylor Wimpey objects to the inclusion of this statement given it is a repetition of existing Local Plan Policy EN1. As stated above it is not necessary to repeat this requirement in the Brief.

Transport

The Development Brief states [p13]: “There is capacity within the highway network to accommodate at least 400 dwellings, with limited highway improvements.” Taylor Wimpey UK Limited query whether there is a typographic error in this part of the document as earlier parts of the document say 300 dwellings

Development Requirements

Quantum and mix of development The Development Brief states [p15]: “Development on Grove Farm is proposed to deliver at least 300 dwellings and approximately 1.5 ha of public open space.” Taylor Wimpey UK Limited requests that the wording is extended to refer to the relevant adopted Local Plan Policy or Supplementary Planning Guidance. The Development Brief states [p15]: “The allocation of affordable homes and elderly provision is determined by policies RS1 and RS2 of the Local Plan.” As previously outlined, the combination of the two requirements, 35% affordable and 20% older persons should be clarified in the context of the above comments. Taylor Wimpey UK Limited also welcomes the acceptance of flexibility in the delivery of non-market housing as adopted within policy RS2 of the Local Plan. The Development Brief [p15] states: “Any subsequent application or applications will be required to attend a Places Matter design review panel, at the expense of the applicant.” Taylor Wimpey UK Limited strongly objects to the requirement to provide a ‘Places Matter design review panel’. As a responsible house builder, Taylor Wimpey UK Limited engages in extensive consultation prior to the submission of planning applications. Taylor Wimpey looks to work with officers, members and local communities. It is considered that an unrepresentative design review panel is not necessary or appropriate for this scale of development and this document assists in the delivery of a high quality designed development.

Sustainability requirements

The Development Brief states [p15]: “The required minimum design standards for Grove Farm are, to achieve the Code for Sustainable Homes Level 3 as a minimum standard for new residential development, rising to Level 4 and Level 6 in line with the increases to Part L of the Building Regulations.” We refer to earlier comments made in this regard. The Development Brief states [p15]: “Attention is to be drawn to the requirement for Electrical Vehicle Charging Points (Policy IF2), each dwelling is required to provide a charging point and communal parking areas should provide at least 1 space for charging or a 10% of spaces on site, whichever is the greater.” Taylor Wimpey UK Limited accepts the need to provide electrical vehicle charging points within residential dwellings with garages, but objects to their provision in communal areas at this stage because their provision is dependent on the type of housing delivered. If no communal parking is to be provided on the scheme then no charging points should be provided. Taylor Wimpey requests that there is flexibility in the delivery of the electrical vehicle charging points in communal areas as it is considered that they have a visual effect on the quality of the environment. Land Use Plan Taylor Wimpey UK Limited objects to the use of the ‘Land Use Plan’ in its current form and requests that the location of older person housing and affordable is not indicated on the land use plan at this stage as it prevents flexibility when preparing the masterplan for the future planning application. The inclusion of text for its delivery is adequate at this stage. Development Process Outline of potential planning obligations Taylor Wimpey UK Limited recognises the importance of ensuring that any negative impacts associated with new development can be mitigated by making appropriate contributions to improvements in local infrastructure. However, as a commercial organisation, it also understands that new development cannot be achieved if it is unviable. Taylor Wimpey is

therefore keen to ensure they are not double charged for obligations while the Council's CIL document progresses. The Development Brief lists Green Infrastructure as an item that could be funded through planning obligations. It is noted that this requirement will be satisfied on site. Contributions listed within this part of the development brief also include affordable housing. Taylor Wimpey UK Limited would like to discuss the flexibility of the Council in this instance in allowing some affordable housing to be provided off site.

Required Supporting Information

The list of documents required to validate a planning application are listed in the brief. It is requested that the details of affordable housing can be provided within the Planning Statement. It is not necessary to have a separate Affordable Housing Statement. We envisage that the contaminated land report will comprise a 'Phase II Site Investigation'. It is unlikely that a draft section 106 Agreement would be prepared at the submission stage. A draft Heads of Terms document should however be required to validate the application. The validation requirement to provide a detailed Landscaping Scheme and Parking & Access Arrangements are only necessary when a full planning application or reserved matters application is submitted. Taylor Wimpey respectfully requests that the Council considers our representations in the further drafting of the Development Brief.

Attachments included?

Council response:

General comments regarding layout, typographical errors and repetition will be addressed in the final drafting of the development brief.

Comments about viability are noted and it is agreed that some clarity can be provided. However, the document need not repeat local or national planning policy in respect of the need for development to remain deliverable and viable.

Reference to the preparation of the document is useful and will be included within the document.

Cross over between affordable housing and elderly person's accommodation is acceptable where it can be demonstrated that this is necessary to ensure delivery of such types of accommodation and the overall development, as noted in Policy RS2. However, further detail will be provided in the final Development Brief which sets out the most up to date evidence relating to affordable and elderly housing provision, in order to provide additional guidance to applicants using the brief.

Unnecessary references to code levels will be removed and a constraints and opportunities plan will be included as suggested.

The sites planning history e.g. GreenBelt designation and former agricultural classification will either been removed or more clearly defined.

The section of the document referring to noise will be updated to reflect the latest guidance. However, the Council have included the requirement of an independent design review panel within the development brief as it is in accordance with Para 62 of the NPPF. "Local planning authorities should have local design review arrangements in place to provide assessment and support to ensure high standards of design. They should also when appropriate refer major projects for a national design review. In general, early engagement on design produces the greatest benefits. In assessing applications, local planning authorities should have regard to the recommendations from the design review panel."

The requirement for electric vehicle recharging points is reflective of current planning policy requirements (Policy IF2) and so cannot be discounted without evidence to suggest why.

The land use plan is indicative only. However, the key will be clarified to demonstrate that elderly accommodation need not be fixed to that sole location if a more preferred distribution is offered.

The planning contributions section will also be simplified to ensure no cross over between Community Infrastructure Levy and Section 106 funded items.

Comments noted regarding supporting information requirements and these will be considered in the final drafting

the development brief.

Mr

Alan

Snape

Organisation

Comments:

The site in question is and always has been a quagmire why do you think it is never planted with crops – too much groundwater! 300+ dwellings, hard surfaces will greatly exacerbate this problem and brook continually floods, and affects existing dwelling around play area! Water table high! Where will surface water discharge to – into brook? How much volume will there be – same question applies to foul water sewers for which are already at capacity. Which idiot thought up the idea for a linear footway when there are already exists a satisfactory footpath system all along the A59 to Burscough! The existing linear footpaths across the pads from here to the rail interchange is always a disgusting mess of litter and general detritus which is never cleared away on a regular basis!! This new one will become just the same given time I will bet on it! Two vehicular access points on to the A59 – which idiot thought up this proposal – has anybody done a traffic census/survey, particularly morning/evening work/school runs?? It is difficult at the best of times to get out of Burscough Road on to the A59, with the current volume of traffic – what a nightmare will unfold with a further 300++ vehicular movements on to this already congested route.

Attachments included?

Council response:

The Council acknowledges concerns in relation to flood risk for the site and surrounding area. However, the Development Brief and wider planning policy requires that a sustainable drainage system is included within the design of this site. SuDS provide an opportunity to address existing flood risk issues and those that may be generated as a result of development. The existing brook, which is currently channelised, will form a central part of this drainage system and improvements are likely to reduce the occurrence of any localised flood risk. Early engagement with Lancashire County Council, the Lead Local Flood Authority is required and all SuDS will need to be approved by them as part of the planning application process. In addition, the Development Brief requires the development of this site to remove an amount of surface water out of the existing network to be treated on site that is the equivalent to the foul flows that will be generated through the site. This should result in no net increase in flows through the existing system to the waste water treatment works at New Lane, Burscough.

The proposal for a "linear footway" is actually a linear park. The justification for this is the need for an off road cycle and walking link to connect Burcough and north of Ormskirk with Ormskirk town centre and transport links. Lancashire County Council Highways Authority Officers have carried out a high level initial assessment of the traffic implications for the Grove Farm site. Two vehicular access points at this location are considered both deliverable and appropriate. Through the Development Brief, the Council will require the applicant to produce a full Traffic Assessment and Travel Plan for the site and that the scope of these documents is agreed in advance with the Highways Authority. This requirement ensures that the specific concerns referred to within your representation, such as speed of traffic and congestion along the A59, will be given full consideration before planning consent may be granted.

Mrs Lynda Snape

Organisation

Comments:

When I visited Ormskirk Library I was very disappointed to see the number of houses proposed for Grove Park had risen to 300++!! Flooding has been a problem on "The Pines" estate in the past. I am now even more concerned that this will happen again. The land proposed for building lies low – below the existing housing and the culvert easily gets blocked with debris. Worse still is the position of the proposed walkway to Burscough – immediately behind our property – noise, litter, nuisance, lighting, all of which will increase with foot fall along the path. In addition – why –oh, why put the exit to Pine Avenue and not Burscough Road through the proposed exit path will go straight through the very small kiddies park adjacent to our property. The park was designed with raised "humps" to stop ballgames being played so the only route from the new walk way onto Pine Avenue will be within a couple of feet of our house boundary. In the past we have had problems with youths congregating on the park and one weekend I found 17 ¼ bottles of vodka empty!! Along with associated other litter – hypodermic needles (used), coke bottles, crisp packets and cigarette packets etc. The litter around Ormskirk is awful and this new path will only add to this problem. The obvious exit route would be onto the main Burscough Road – the Old Farm Gate entrance. At least then we would only have "passing traffic" walking/cycling passing the end of our garden and not going past two sides of our property. We live in a small cul-de-sac and the proposed traffic, walking and cycling will change the dynamics of the area we live – we thought we were living on the edge of countryside!!

Attachments included?

Council response:

The number of dwellings (300) was identified within the Local Plan some time ago and was subsequently adopted by the Council in October 2013.

The Council acknowledges concerns in relation to flood risk for the site and surrounding area. However, the Development Brief and wider planning policy requires that a sustainable drainage system is including within the design of this site. SuDS provide an opportunity to address existing flood risk issues and those that may be generated as a result of development. The existing brook, which is currently channelised, will form a central part of this drainage system and improvements are likely to reduce the occurrence of any localised flood risk. Early engagement with Lancashire County Council, the Lead Local Flood Authority is required and all SuDS will need to be approved by them as part of the planning application process.

The proposal for a "walkway" to Burscough is actually a linear park. The justification for this is the need for an off road cycle and walking link to connect Burcough and north of Ormskirk with Ormskirk town centre and transport links. However, it is noted that the siting of this immediately adjacent to existing properties has caused some concern amongst local residents. Therefore, the indicative plan within the Development Brief will be amended to show a location set further into the site. Whilst concerns regarding the location of the linear park exit have been noted, the Council does not consider that the impact on amenity of the nearest properties would be so great that this proposal should be amended. Furthermore, whilst access through to Burscough Road will also be encouraged, the route through Pine Avenue offers a safer option for walkers and cyclists to link up with the Ormskirk linear path to the station.

The existing play area is a small equipped play area which does not currently comply with the Council policy of providing "Fewer, Bigger, Better" equipped play areas. This would mean that our current policy would be to remove it rather than replace it when it became degraded. This site provides an opportunity to improve and expand this existing play area into the Grove Farm site to provide new and improved open space provision for existing and future residents of the area.

Ms	Alice	Ullathorne
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Organisation	
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Comments:

The grade II* listed Bath Lodge was built in the mid-18th century and its function remains enigmatic. It seems to have been used as a folly, hunting lodge and intriguingly the site might have originated as a cold water plunge bath in the late 17th century. The lodge was built by the Stanley family on the Lathom Hall estate. The building has been subject to some modification since its original construction but retains a distinctive appearance in red brick embattled Gothic style. The grade II* status places Bath Lodge within the top 8% of listed buildings nationally. Key elements that add to the significance of the building include its intriguing history; its Gothick style represented by architectural detailing and symmetry; and its materials and craftsmanship. To the east of the development site adjacent to the proposed linear park is the site of Burscough Augustinian Priory scheduled monument. The above ground remains (listed at grade I) are just a fragment of the priory but the underground remains are believed to be extensive with evidence documenting all elements of monastic life. The priory was founded by Robert Fitz Henry Lord of Lathom and Knowsley in c. 1190 and most of the buildings had been demolished by the end of the 16th century following the dissolution of the monasteries. The monument is significant for its evidential value in the below ground remains; in its aesthetic value in the fragments that remain as well as those yet to be discovered; and in its historical value telling the story of one of the most important parts of our national story as well as one of its most turbulent episodes. The development brief is for 300 houses on Grove Farm including a linear park connecting Ormskirk to Burscough. The development site is at a sensitive heritage location being positioned 100m to the north of the grade II* listed Bath Lodge and within 2km of Burscough Scheduled Monument. The development of the houses on Grove Farm will have an impact on the setting of the grade II* Bath Lodge. The rural setting of the surroundings in which it is experienced so cannot be limited to what can be seen from the building itself. We would hope that the harm caused by the development could be mitigated through other heritage benefits such as heritage interpretation within the development, connection through the linear park to Burscough Priory Scheduled Monument or even repairs to the remains of Burscough Priory. To assess the visual impact of the development we recommend that you use the methodology in English Heritage's setting guidance (<http://www.helm.org.uk/guidance-library/setting-heritage-assets/>) and Seeing the History in View (<http://www.helm.org.uk/guidance-library/seeing-history-view/>). The design and heights of the new house on Grove Farm will affect the level of harm caused by the development. We would hope that a high quality of design would be achieved in line with NPPF paras 56-61. We welcome a development brief to inform the appropriate development of houses on Grove Farm, however, we would like to see it address the opportunities for the mitigation to harm to Bath Lodge; such as the use of heritage interpretation, the connection of the development to Burscough Priory or the repair of the priory. These could be specified in the section of the document detailing potential planning contributions.

Attachments included?

Council response:

The Council notes the proximity of the development site to the Grade II* Bath Lodge. However, it is considered that the existing railway line and proposed linear park will act as a substantial buffer, not only from a visual point of view but as a physical barrier limiting the interaction between the Grove Farm site and Bath Lodge surroundings. Any planning application for the Grove Farm site will be required to provide a Heritage Statement and engage with the HER date record and the County Archaeologist. If, through the planning application, it is considered that there is a requirement for mitigation to any of the surrounding heritage features near to Grove Farm as a result of the proposals, the Council could use a Section 106 obligation to secure this. However, it is not considered appropriate at this stage to include a specific requirement as this would need to be demonstrated at the time of the planning application and clearly show how the obligation accords with the tests of securing a Section 106 in line with Community Infrastructure Levy Regulation 122.

CONSULTATION SUMMARY REPORT

Development Brief
Firwood Road,
Lathom / Skelmersdale

Feb-Mar 2014

CONTENTS

1. Introduction
2. Consultation & publicity methods
3. Summary of comments
4. Council response
5. Changes to the Development Brief
6. Next steps

Appendix 1

Consultation summaries and the Council's response

1. Introduction

Development briefs give guidance on development on specific sites and state which policies of the Local Plan apply to a site. They inform developers and other interested parties of the constraints and opportunities of a site and the type of development that the site should accommodate.

Development briefs are normally prepared in consultation with the public and, where appropriate, the developer. In accordance with this, the Council prepared a draft Development Brief for the Firwood Road site and consulted on this Brief between 6 February and 21 March 2014.

This Consultation Summary Report outlines how the Council consulted, the general issues raised through representations and the Council's response to those issues. It also sets out how the Development Brief has been changed as a direct result of the comments received, to illustrate how consultation informs decision making.

It should be acknowledged that the Council do give careful consideration to all comments received, although may not always agree with the points or requests made. Therefore changes cannot be made in all cases. The Council are required to make balanced decisions, taking into account the views from all parties, and relevant planning policy.

2. Consultation and publicity methods

In consulting, the Council adhered to, and exceeded, the requirements of its adopted Statement of Community Involvement. Those methods used are set out below.

The Council publicised consultation on the Development Brief through the following methods:

- Letter sent to residents of the neighbouring area of the Firwood Road site
- Email / letters to all consultees on the consultation database, including statutory consultees
- Press release
- Council website and social media (Facebook)

Throughout the consultation, planning officers were available to answer questions:

- At one drop-in session at Skelmersdale Cricket Club (held midweek 2-9pm)
- By email
- By phone
- In person at Council offices

Consultation materials were available to read at:

- Council website
- Libraries
- Post Offices
- Council offices

Comments were invited through:

- An online form available from the Council website (powered by surveymonkey)
- By returning forms through email or post

3. Summary of comments received

51 comments were received in relation to Firwood Road. A report containing those comments, in full, can be found on the Council website at www.westlincs.gov.uk/planningpolicy . This document provides a summary of those comments received, but does not purport to review every comment in detail. The Council responses to each individual comment can be found in an accompanying document.

Comments generally focused on a series of key concerns, as set out below.

Traffic, Transport and Access

Objections were received in relation to the proposed use of Firwood Road as an access road to the site, albeit a secondary access. Many respondents considered that the lane is unsuitable for extra traffic and that this would exacerbate health and safety issues. It was emphasised that Firwood Road is a minor road with narrow, or no, footpaths and the road would need to be significantly widened if it were to be included as part of the development. It was stressed that Firwood Lane has a humpback bridge, is used by speeding motorists as a rat run, and has a dangerous blind bend. It was stated that cars regularly park close to the junction of Blaguegate Lane and Firwood Road due to insufficient parking facilities elsewhere, and that visibility for road users on Firwood Road is poor. It was felt that Firwood Road is not suitable for any increase in traffic, or as an access road. It was also stated that a 7.5 ton weight limit is in place on Firwood Road.

Objections were also received to the proposed use of Old Engine Lane as the main access road into the site. It was stated that Old Engine Lane is a private road and public footpath, rather than a minor public road (as stated in the draft Development Brief), and that this should be corrected. Respondents stated that the road is in poor repair and is unsuitable for further traffic. The road serves a small number of properties at present. There is also insufficient space at the entrance for two lanes of traffic, and there is no scope for widening of the road at this location due to existing buildings and the duck pond. Furthermore, private land ownership would prevent the existing road from being widened or straightened.

Similarly, Slate Lane is privately owned, and the owners confirmed they would not agree to additional dwellings being accessed from this private road. It was considered that public footpaths would need to be improved, in and around the site.

Questions were raised as to how site occupants would be able to safely cross Neverstitch Road and there were concerns over the speed of traffic using Neverstitch Road. There were concerns over the increase in cars on local roads and cars accessing the site, with many quoting upwards of 800 cars.

It was suggested that primary access (singular or multiple) should be located to the south corner of Neverstitch Road, instead of the proposed accesses onto Old Engine Lane and Firswood Road.

Concerns were registered by Newburgh Parish Council about the impact that site traffic, along with traffic from Grove Farm and Yew Tree Farm development sites, would have on Newburgh village.

Open Space and Linear Park

Concerns were registered that the creation of public open space / play areas and the linear park would lead to, or exacerbate, crime, litter and anti-social behaviour.

There were concerns about the proposed Linear Park, which includes walking and cycling provision along the former railway line. Some existing residents requested that adequate security provision be put in place to ensure no-one can enter properties.

There were suggestions that a green buffer should be provided to blend between old and new areas of development. Some respondents raised concerns over the possibility of alterations to the duck pond and adjacent woods.

Drainage

There were concerns about increased risk of flooding and poor drainage on the development site, which would affect both new and existing properties. Questions were raised as to who would be responsible for responding to issues should problems occur. Flooding on the site was reported, with reports of waterlogged gardens and foul water flooding. Some stated that flooding issues are exacerbated as a result of an 18 inch layer of sand having previously been removed from much of the site for use in nearby glass-making industries.

It was pointed out that some of the more historic properties in the area have no footings or solid foundations and therefore are more susceptible to subsidence, particularly if flooding were to occur. It was also felt that it could also make them more susceptible to damage from vibrations from heavy plant machinery.

One request was received to remove a particular property out of the area identified as flood risk as there have not been any flooding events affecting the property in question.

Some expressed the opinion that SuDS do not count as biodiversity areas.

Utilities

It was stated that many of the existing properties have separate septic tanks, water and electrical supplies which are distributed across the fields and lanes, some requiring easements onto private land. It was considered that this would have an impact on the ability to deliver development on this site. Some said there was no piped gas supply to properties which instead rely on gas or oil and so raised questions about how gas supply would be delivered to the site.

Respondents suggested that new utilities being delivered to the site could be extended to existing residents in the local area, thereby providing some low level of recompense to occupiers. However, not all residents were keen to be supplied with, for example, mains sewerage.

Some stated that private water supplies should be protected (Slate Lane) by increasing the proposed landscaping belt width to accommodate such supplies. Some respondents reported that there are cess pit outlets running across the field into the rear of the houses to the brook, in which case there were questions over what will happen to the outlets. Others requested that existing properties' rights to drainage over currently undeveloped land on the site be referred to in the Brief and protected.

It was highlighted that the Brief does not mention the power line which feeds the properties down Slate Lane using an overhead pole. Some also pointed out that there are occasional electric power cuts and that water pressure is low.

The existence of an underground ethylene pipeline close to the site was highlighted, along with mineral works (coal mining) including coal shafts and shallow mines.

Heritage / Landscape / Layout

Many felt that the historic "powder hut" building towards the north of the site should be protected and given an appropriate setting within the new development. It was considered that some properties have links to the glassmaking and mining history of the area and therefore their setting and surroundings should be protected (in particular Sandwash Farm, Old Engine Lane), which would add to the attractiveness of the development.

There were criticisms that the Development Brief does not specifically mention Slate Brook, nor provide any protection for Slate Farm buildings and their settings.

Concerns were raised that the land to the west of the Stanley Industrial Estate is not being considered as part of the Brief. It was stated that a commonality between the two sites should be recognised and there should be continuity between the current Development Brief and an older Supplementary Planning Guidance note relating to

the Stanley Industrial Estate and XL Business Park to the north of the Firwood Road site.

There were complaints that the land use plan had omitted certain existing properties on Firwood Road and Slate Lane, and it was asked that these be reinstated on the plan.

It was stated that although the Development Brief does highlight the mining heritage of the proposed development area, the site contains high risk development areas which are not shown on the images within the brief. It was advised that the location / layout of existing properties centred around the 'Old Engine' pit suggest that there are problems with the quality of the land in that area.

It was also suggested that the land use plan should be less prescriptive and instead take the form of a parameters plan, indicating general zones and accesses. It was stated that there is the potential for some land sterilisation due to worked coal seams and subsequently there is a need for greater flexibility in the design of the proposed layout.

Wildlife

Several respondents took exception to the draft Development Brief's statement that the site was likely to have low species diversity. Lists of species seen on site, in particular bird species, were provided by several individuals. There were concerns over the likely impact of the site's development on current wildlife on the site, for example bats and barn owls, and the loss of their living and feeding habitats. It was reported that the barn owls have already been moved once and development will result in the loss of at least 75% of their hunting area. Other species listed as likely to be affected included bats, tawny owls, little owls, sparrowhawks, woodpeckers, badgers, foxes and water voles.

It was felt that ecological surveys should be undertaken independently by the Council, rather than on behalf of the developer.

There were demands that trees should be left at the bottom of existing gardens to provide privacy, and that hedgerows should be retained to provide habitat.

It was felt that the pond and woodland at the east and north of Old Engine Lane should be protected and be given an appropriate setting within any new development.

It was stated that there is Japanese Knotweed present on part of the site and any development on site should be mindful in removing this.

Housing / Design

Support was expressed for good, residential design which is reflective of existing, local housing and ensures that height does not exceed 3 storeys or include mews housing. Respondents supported a contrast of styles to avoid blandness. Some felt that Lathom is a historic area and should be protected from tall buildings. There was broad support for requiring all properties to be built to a higher Code (for Sustainable Homes) than that currently specified in the brief, and for a proportion to be entirely carbon neutral.

Conversely, housing developers expressed concerns that the Code for Sustainable Homes targets are too ambitious, as sales values for the site may not off-set the added cost of such a requirement.

There was support for retaining a strong landscape character and having green spaces and green homes. It was requested that density should reflect the existing area, by providing a low density near existing properties, with the higher density to the centre of the site which would minimise the impact on surrounding areas.

There were fears registered by existing residents of being overlooked and their privacy being affected. There were further concerns over crime and vandalism and safety.

Some stated their wish that phased development should occur on the site to minimise impact and disruption to residents and property prices.

It was expressed that a children's play area should not be sited near to older people's accommodation. Others considered that children's play areas should be located in the centre of the site, away from all existing properties.

There were concerns that the density of elderly accommodation should be considered, and provision should be based on need, not density.

It was pointed out that there is an inconsistency between the affordable housing targets quoted within the Brief – with 30% and 35% both quoted. It was also pointed out that the Brief is inconsistent in referring to “400”, “in the order of 400” and “at least 400” dwellings.

It was suggested that an aggregate requirement for both elderly and affordable housing could potentially affect the viability of the site. It was questioned whether the site's location is suitable to meet the needs of the elderly or whether the provision would best be located off-site.

A request was made that the Brief refer to, and support, self-build development, with suggestions an area could be set aside specifically for this purpose, possibly as part of the affordable housing provision.

There were calls that a Places Matter! Design Review Panel should be held in public, with local representatives allowed to make comments.

Retail / Services

Concern was expressed that retail outlets on site may have a detrimental impact on existing businesses at Sandy Lane, and could become a focal-point for anti-social behaviour.

It was pointed out that primary and secondary schools are not located exclusively in Skelmersdale, and the Brief should acknowledge other schools, including Ormskirk School. It was stated that Ormskirk Hospital and West Lancashire Health Centre should also be referenced.

Other

Some respondents stated that no viability assessments have been undertaken to support the assumptions in the draft Development Brief that the site is deliverable, particularly in relation to the proportion of affordable dwellings that are proposed for the site.

Lathom South Parish Council supported the planning of the whole of the site to ensure the site is not developed in a piecemeal approach. They raised questions as to how the Council will control phasing on the site and suggested that the Brief should contain more detailed guidance and requirements.

There were concerns over noise from traffic and development.

There were concerns over the loss of house values and demands for compensation.

Support was expressed for ensuring the flexibility of the Brief, in order that it does not prevent parts of the site coming forward for residential development. Protecting the viability of the site in relation to sustainability and housing requirements was also emphasised as highly important in order to ensure the site can be delivered.

Consultation

Concerns were registered by South Lathom Residents Association that the consultation event at Skelmersdale Cricket Club had been uninformative, that officers had been evasive in answering questions, and that just one public consultation event, held on a weekday, was inadequate.

4. Council response

This section is designed to provide a summary of the Council's response to the general comments received, to answer some of those questions raised and to clarify certain matters. Individual responses to each comment received can be found in an accompanying report.

Traffic, Transport and Access

The initial Development Brief proposed that the primary access should be taken off Neverstitch Road onto Old Engine Lane, with the possibility of secondary access(es) off Firswood Road, although it has been emphasised that this was an indicative suggestion. Comments made through this consultation are noted. In particular, the Council has agreed that the use of Old Engine Lane as a main access is inappropriate, and the revised Brief proposes that access to the site from Neverstitch Road be taken from a point somewhere between Old Engine Lane and Ormskirk Road, and that Old Engine Lane continue to serve only the properties it currently serves.

The Borough Council has received advice from Lancashire County Council (LCC), the local highways authority, that any access onto the site from Firswood Road should not result in more than 60 additional vehicle movements at peak times. The wording of the Brief has been amended to reflect this. The Borough Council will work with LCC and landowners to identify the most suitable locations for access. The revised Brief refers to the possibility of access onto Blaguegate Lane, although it is recognised at present that this is unlikely to be deliverable, owing to the need to, and cost of, purchasing land outside the development site boundary to facilitate access onto Blaguegate Lane.

As part of any planning application, developers / landowners will be required to engage with LCC and submit a Transport / Traffic Statement to support their application. Such a statement will be assessed as part of any planning application.

Traffic calming measures will be dealt with by LCC once a Traffic Assessment is submitted as part of the planning application process. Modern residential design can create natural traffic calming measures which are more visually appealing than road humps and speed tables.

Parking will be set out in accordance with policies in the West Lancashire Local Plan, national design guidance, and any other relevant document.

Linear Park / Open Space

The location of the linear park is not set to that identified on the land use plan and its actual route will likely be determined through any planning application. The linear park provides multi-functional greenspace and is required to connect Skelmersdale with Ormskirk.

There is no evidence to suggest that crime or anti-social behaviour will increase as a result of a linear park being created.

Drainage

On site SuDS will be required to manage surface water drainage to attenuate to a greenfield run off rate. Lancashire County Council, as the Lead Local Flood Authority (LLFA), will need to adopt all SuDS and so responsibility for any problems will lie with the LLFA.

The applicant will be required to address all drainage matters, including drainage rights, through a drainage report, and submit this as part of any planning application. This will be independently checked and assessed by Lancashire County Council.

In relation to the safety of the duck pond, or any open SuDS, this can be remediated through fencing and buoyancy aids strategically located in the area. The Council's Leisure Services Department will be able to advise developers on what health and safety measures are required.

Utilities

The developer will be required to undertake full site investigations as part of any planning application.

Utilities will not be affected on the site and any current problems should be brought to the attention of service providers.

Housing / Design

Details in relation to the height and design of buildings will be only be available at the planning application stage. However, in order to protect residential amenity and to respect the character of the surrounding area, development will not be promoted to exceed 2.5 storeys in height. All design aspects will be required to meet the criteria in policy GN3 of the Local Plan and the Design Guide SPD.

Council policy specifies that there should be 20% elderly provision and 30% affordable provision. These targets have been established and informed from viability evidence gathered through the preparation of the Local Plan. The Brief (and Local Plan) allows for overlap between these two requirements and states that the viability of specific schemes will be taken into account when assessing developer contributions. Based on information more recently provided by the Council's Housing Strategy and Development Programme Manager, the finalised Development Brief sets out what numbers (or percentages) of affordable, elderly and affordable elderly units would be expected on the site.

Sustainable homes will be required to be delivered on the site in line with policies set out in the Local plan. In terms of the Code for Sustainable Homes, the requirement to meet Code Levels has recently been rescinded by central government. However, it ties in closely with Part L of the Building Regulations, and the updated Development Brief consequently refers to 'Part L' rather than to the Code for Sustainable Homes.

Heritage / Landscape / Land use

As stated within the Brief, the land use plan is not a definitive layout but sets out how the *principles* of development could possibly be delivered. It is possible that the layout of the site could change once detailed site investigations (e.g. a ground condition survey) have been undertaken.

Any planning application for the Firwood Road site will be required to provide a Heritage Statement and engage with the HER date record and the County Archaeologist with regards to the Powder Hut and other surrounding heritage assets.

The Council seeks to retain Slate Brook; the Development Brief has been amended to clarify this. Slate Farm is not a listed building and therefore holds no statutory protection. Any concerns relating to the heritage value of buildings will be dealt with through the planning application process, as required by the NPPF.

The Development Brief was sent to the Council's Conservation and Design Officer for consideration before publication.

The red crosses indicating the location of mine shaft entries were removed from the constraints plan in the draft Development Brief, as the data was considered old and possibly inaccurate. Land owners will be required to undertake thorough site investigations as part of their planning application(s).

The site is located over a kilometre from the designated Area of Landscape History of Regional Importance, north of Vale Lane / Spa Lane. Industrial buildings also separate the site from a significant part of this designated area.

The recent clearance of vegetation in the field to the rear of Spa Lane is not linked to this Development Brief.

Wildlife

The Council acknowledges and is grateful for the responses made by various stakeholders regarding various different species observed on the site. As such, it is agreed that the reference to the site being expected to have 'low species diversity' should be removed from the Brief. The wording of the Brief reflects the Habitats Regulations Assessment carried out by professional consultants on the Council's behalf during the Local Plan preparation process.

As part of any planning application, the applicant will be required to submit a supporting ecological survey identifying species on site and any mitigation measures that may be required. The Council is aware of natural habitat being lost in previous areas of development and mitigation is a high priority. The ecological survey will need to show the impact of the development on the natural habitat and outline mitigation measures required. Protection of wildlife will be considered through the creation of green links and the wildlife corridor.

On submission of a planning application the developers/landowners will also be required to supply a full tree survey assessing the impacts upon arboriculture and a full landscaping scheme.

The Council agree that the land use plan should be amended to show a green landscape buffer to the west.

Retail / Services

It is not in the Council's interest for the development of the Firwood Road site to cause any significant harm upon the Sandy Lane local centre. The Council have allowed for the possibility of a small element of retail on the site in the Development Brief to support the new residential development. It is not a requirement that this retail be delivered, but is an option that is available if located in a sustainable location.

Other

The reasons for the allocation of the site for housing have been set out through the preparation of the West Lancashire Local Plan, and the site's proposed allocation has been part of several consultation exercises, as well as the Local Plan's

Examination. It is not the responsibility of the Development Brief to set out the justification for the site's selection, as this debate has been concluded.

As a rule of thumb, Masterplans are prepared for Strategic Development Sites and development briefs prepared for some site allocations. As Firwood Road is not a Strategic Development Site, a development brief, rather than a Masterplan, is considered most appropriate.

The Development Brief does not refer directly to the older Brief for the XL Business Park, which is now largely developed out. However, attention has been paid to the provisions of the older Brief, and to the resulting employment development adjacent to the Firwood Road site.

It is not the Council's intention at this time to compulsorily purchase any land on, or adjacent to, the Firwood Road site in order to facilitate development.

The Brief allows for the possibility of phasing on the site, having had regard to the accessibility and ease of deliverability of different parcels of land on the site, and through dialogue with the consortium of land owners.

It is not the intention of the Development Brief to repeat guidance and policies stated in other policy guidance, including the Local Plan and the NPPF.

Due to the costs involved in undertaking supporting surveys, this is not something which the Council is able to carry out. Surveys and thorough investigations will be required from landowners, and these will then be independently checked and assessed by the Borough and County Council.

The Council will also amend ownership details to take account of owners' preferences to sell.

Consultation

Consultation on the draft Brief was undertaken in line with the Council's adopted Statement of Community Involvement (SCI) and went beyond the requirements of the Planning Regulations. At the consultation event, officers consider they responded in a professional manner to all questions. However, areas such as highways and drainage are dealt with by the County Council and therefore Borough Council officers did not have full knowledge on these issues, and thus referred consultees to the County Council. In addition, many details cannot be known until the planning application stage; the Brief merely sets out the principles for development, not the detail.

A drop-in session is an opportunity for people to come in and ask questions to officers. Events are often heavily attended and busy and it is not functional to note all questions and comments, although officers did make some notes during the

event. Officers have a de-brief session after each drop in session to discuss the main issues and concerns highlighted in the event. Formal representations are required, containing names and full postal addresses, in accordance with the SCI to ensure the Council have a full audit of comments received. This is standard practice for all consultation exercises undertaken by most Councils.

Although it is not a requirement of developers to undertake pre-application consultation, many major house builders do now follow this practice. Any decision on whether the application is acceptable will be made via the formal planning application process under which neighbours and interested parties will have 21 days to make representations.

5. Changes to the Development Brief

The list below outlines the main changes that have been made to the updated Development Brief as a result of representations made during the consultation. This list is not exhaustive:

- The Brief has been amended in relation to site access. Primary access to the site will be taken from a point south of the junction between Neverstitch Road and Old Engine Lane, rather than via Old Engine Lane.
- Old Engine Lane will be maintained solely for its existing properties.
- Wording has been amended to reflect that Old Engine Lane is a private road.
- A secondary access may still be appropriate, although would need to be limited to a small portion of the site.
- The additional number of vehicle movements on Firswood Road as a result of any access to the site should not exceed 60 per hour at peak times.
- Wording has been amended to clarify the number of dwellings on site.
- Clarification has been provided on elderly / affordable homes and the split between these types of dwelling.
- The inconsistency relating to the percentage of affordable housing required has been corrected, the actual figure being 30%.
- Wording of the ecology section of the site has been amended to reflect representations made regarding various species observed on the site.
- Reports of surface water flooding issues from existing residents are now noted in the technical constraints.
- Concerns over drainage rights for existing residents' septic tanks are now noted in the technical constraints.
- Wording has been amended to clarify the site is located within a coal mining development area and mineral safeguarding area.
- The Land Use Plan has been amended to identify all private properties / dwellings on the map.

6. Next steps

The consultation responses have highlighted that people have a number of concerns in relation to specific issues including transport, traffic, drainage, design, housing provision, linear park and open space and heritage and wildlife. The Council acknowledges that these are valid concerns, and hopes that several of these can be addressed through the amendments to the Development Brief, and also through the planning application process, by ensuring that appropriate assessments / studies are undertaken and that the resulting development proposals respond accordingly to address and mitigate identified issues.

Based on the comments received through the consultation process, the Development Brief has been refined and a final version published. The final Firswood Road Development Brief will be used to inform and guide the preparation of planning applications for the site.

Appendix 1 to this document provides a summary of the consultation responses received and the Council's response to points made. The full text of consultation responses can be found on the Council's website at www.westlincs.gov.uk/planningpolicy

Appendix 1

Consultation responses on Firswood Road Development Brief: Summaries of representations and comments made

Firswood Road consultation - Comments received and Council response

Unknown

Organisation

Council summary

Due to corrupt data within the database, these incomplete comments cannot be attributed to a person/group. If anyone recognises them as theirs, please inform WLBC - localplan@westlancs.gov.uk

Attachments included?

Council response

Mr Peter Ashcroft

Organisation

Council summary

1. It will not be possible to require a particular phasing programme.
2. Flexibility is welcomed.
3. Should consult with the County Council on heritage, ecology and minerals safeguarding.
4. The precise locations of former mineworkings have been omitted.
5. An active frontage is encouraged on Firswood Road.
6. Will the Development Brief be subject to a design review?
7. Development requirements should not render the site undeliverable.
8. Too much information is sought from developers at planning application stage.

Attachments included?

Council response

1. The Council will indicate phasing on the site with regards to accessible land and through negotiation with the consortium of land owners.
2. Noted.
3. The Borough Council has liaised and continues to liaise with the County Council on this Development Brief.
4. The red crosses indicating the location of mine shaft entries were removed from the constraints plan as the data was considerably old and possibly inaccurate. Land owners will be required to undertake thorough site investigations as part of their planning application.
5. Noted.
6. The draft development brief does not contain significant detail that would benefit from attending a design review panel, it nearly sets out the principles for development of the site. The development brief was sent to the Council's Conservation and Design Officer for consideration before publication.
7. The list of planning obligations set out within the development brief is not exhaustive; they nearly indicate the requirements as set out within policies of the Local Plan and those on the IDS. It is agreed that these should not make the site undeliverable, hence the built-in flexibility and allowance for consideration of viability in Local Plan policies.
8. The "validation documents" listed are all considered necessary for a site of this size and significance.

Mr Ellis Banks

Organisation

Council summary

Field at Spa Lane has been cleared.
Concerns raised regarding traffic, especially on Firswood Road.

Attachments included?

Council response

The clearing of the field to the rear of Spa Lane is not associated with the Firswood Road Development Brief.

With regards to the traffic on Firswood Road, a transport/traffic assessment undertaken by landowners /developers will be required to inform a planning application. The highways authority has advised that Firswood Road can accommodate a modest increase in traffic. Levels of traffic on Firswood Road resulting from the site's development will be limited so as to not allow an unacceptable increase for local residents and other users of Firswood Road.

Mrs Joan Berry

Organisation

Council summary

Concerns raised about the possible use of Old Engine Lane as an access point. Trees at the bottom of gardens should be left to provide privacy.

Attachments included?

Council response

The revised development brief proposes the primary access to be taken off Neverstitch Road somewhere between Old Engine Lane and Ormskirk Road, rather than at Old Engine Lane itself. A transport/traffic assessment undertaken by landowners /developers will be required to inform a planning application. With regard to trees, as part of a planning application the developers/landowners will be required to supply a full tree survey assessing the impacts upon arboriculture and a full landscaping scheme. It often makes sense to retain mature trees, especially those that perform an important amenity function.

Mr and Mrs	Blank	Bibby
Organisation		

Council summary

The site does not have "low species diversity" as stated. It is dubious whether development can take place without detriment to existing wildlife, for example barn owls.
Existing properties have non-mains or separate utility provision; this may hinder the overall site's development. Access should not be taken from Firswood Road.
Variation in design, density, and house types across the site, and energy-efficient homes are encouraged; Code Level 3 is an insufficient requirement The site slopes more thn a5 metres.
Retail facilities must not have a negative impact on Sandy Lane shops.

Attachments included?

Council response

As part of the planning application process the applicant will be required to provide a supporting ecological survey highlighting the impact of the development on the natural habitat and outlining any mitigation measures required. The Council are aware of natural habitat being lost in previous areas of development and mitigation is a high priority.
With regards to drainage rights over the Firswood Road site the applicant will be required to address this issue as part of the planning application process through a drainage report.
The development brief proposes the primary access to be taken off Neverstitch Road and the possibility of secondary access off Firswood Road. With regards to the traffic on Firswood Road, a transport/traffic assessment undertaken by landowners /developers will be required to inform a planning application. Levels of traffic on Firswood Road as a result of the site's development will not be allowed to increase so significantly as to be unacceptable for local residents and other users of Firswood Road.
The Brief will endeavour to ensure that the development of the Firswood Road site would be in keeping with the character of the surrounding area, this could be from elements of single storey to 3 storey development in suitable areas. All design aspects will be required to meet the criteria in policy GN3 of the Local Plan and the Design SPD. It is not in the Council's interest to cause any significant harm to the Sandy Lane local centre. The Council have included a small element of retail on the site in the development brief to support the new residential development. It is not a requirement that this is delivered, but is an option that is available if located in a sustainable location.

Mr	Gavin	Black
Organisation		

Council summary

Need more information before I can comment.

Attachments included?

Council response

-

Mr Andrew Bond

Organisation

Council summary

1. No viability assessment has been undertaken; the Brief's policy obligations will threaten viability.
2. The site's development will threaten barn owls currently nesting in Slate Barn.
3. The Council should undertake its own, unbiased, ecological survey.
- 4./5. A strip of land should be left as a landscaping belt at the north of the site to provide barn owl habitat and avoid the need to move the water supply to Slate Lane.
6. There should be no increase in traffic on Firswood Road as a result of the site's development.
7. Pavements on Firswood Road need improving to accommodate additional pedestrian use.
8. The Powder Hut should be protected and given an appropriate setting.
9. A suitable pedestrian crossing over Neverstitch Road is required.
10. The pond and woodland at Old Engine Lane need to be protected.

Attachments included?

Council response

1. The Council instructed Keppie Massie throughout the development of the Local Plan regarding viability, there was work undertaken that established 30% affordable and 20% elderly care provision would be acceptable on site, this could also be delivered through a combination of elderly and affordable housing provision.
2. It is agreed that mitigation measures will be required to minimise to an acceptable level the impact on barn owls.
3. Owing to financial constraints, the Council is not in a position to undertake their own ecological surveys. Surveys carried out on behalf of landowners / developers will be scrutinised by Council officers
- 4./5. Landscape buffers will be required on parts of the site, but these need to be balanced against a number of other factors. With regards to drainage rights over the Firswood Road site the applicant will be required to address this issue as part of the planning application process through a drainage report.
6. A transport/traffic assessment undertaken by landowners /developers will be required to inform a planning application. The highways authority has advised that Firswood Road can accommodate a modest increase in traffic. Levels of traffic on Firswood Road as a result of the site's development will be limited so as to not allow an unacceptable increase for local residents and other users of Firswood Road.
7. Noted
8. Any planning application for the Firswood Road site will be required to provide a Heritage Statement and engage with the HER date record and the County Archaeologist with regards to the powder hut and other surrounding heritage assets.
9. It is agreed that pedestrians and cyclists need to be able to cross Neverstitch Road safely.
10. Noted and agreed.

Mrs Susan Breeze

Organisation

Council summary

1. Firswood Road is unsuitable for an increase in traffic; access south of the railway bridge is dangerous. Both accesses to the site should be from Neverstitch Road.
2. Security measures requested if the Linear Park runs adjacent to their property.

Attachments included?

Council response

1. The highways authority has advised that Firswood Road can accommodate a modest increase in traffic. Levels of traffic on Firswood Road as a result of the site's development will be limited so as to not allow an unacceptable increase for local residents and other users of Firswood Road. The Council does not consider that having both accesses onto Neverstitch Road is a realistic option.
2. The creation of the linear park is not necessarily limited to the location identified on the land use plan. Whilst it is agreed that a Linear Park should not compromise neighbours' security, the Council cannot itself provide security systems for neighbouring residents.

Mrs Elizabeth-Anne Broad

Organisation

Council summary

Lathom South Parish Council is concerned at not being involved earlier in the preparation of the Brief, and would like more involvement in future.
No motor vehicle access should be taken on Firswood Road, either temporary or permanent.
How will the Council control phasing of the site?
The Brief should show how to bring about a tasteful, complementary development.

Attachments included?

Council response

The Council has conducted consultation in line with its adopted SCI and welcomes these comments from LSPC. The highways authority has advised that Firswood Road can accommodate a modest increase in traffic. Levels of traffic on Firswood Road as a result of the site's development will be limited so as to not allow an unacceptable increase for local residents and other users of Firswood Road. A transport / Traffic Assessment undertaken by landowners / developers will be required to inform a planning application.
The Brief will contain a section on phasing on the site. In theory, developers can build dwellings faster than anticipated in the Council's housing trajectory, provided they comply with conditions e.g. on infrastructure, open space, and mitigation measures. In reality, the greatest influence on development rates is likely to be the viability of development at a particular time, and the speed at which homes are sold (i.e. the strength of the local housing market).
It is intended that the Development Brief will show how the site can be developed in a complementary way.

Mrs	Elizabeth-Anne	Broad
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Organisation	Lathom Parish Council
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Council summary

Lathom South Parish Council is concerned at not being involved earlier in the preparation of the Brief, and would like more involvement in future.

No motor vehicle access should be taken on Firwood Road, either temporary or permanent.

How will the Council control phasing of the site?

The Brief should show how to bring about a tasteful, complementary development.

Attachments included?

Council response

The Council has conducted consultation in line with its adopted SCI and welcomes these comments from LSPC. The highways authority has advised that Firwood Road can accommodate a modest increase in traffic. Levels of traffic on Firwood Road as a result of the site's development will be limited so as to not allow an unacceptable increase for local residents and other users of Firwood Road. A transport / Traffic Assessment undertaken by landowners /developers will be required to inform a planning application.

The Brief will contain a section on phasing on the site. In theory, developers can build dwellings faster than anticipated in the Council's housing trajectory, provided they comply with conditions e.g. on infrastructure, open space, and mitigation measures. In reality, the greatest influence on development rates is likely to be the viability of development at a particular time, and the speed at which homes are sold (i.e. the strength of the local housing market).

It is intended that the Development Brief will Council will show how the site can be developed in a complementary way.

Mr and Mrs	Robert	Burns
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Organisation	
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Council summary

Utilities and drainage arrangements on Slate Lane need to be taken into account. Concern expressed regarding the impact of the site's development on wildlife.

3 storey development and late-opening retail (that can lead to anti-social behaviour) should be avoided.

Access should not be taken from Firswood Road.

Support for landscape buffers, environmentally friendly dwellings, and comprehensive planned (rather than piecemeal) development.

Attachments included?

Council response

It is agreed that utility etc. arrangements for Slate Lane properties need to be taken into account.

With regards to drainage rights over the Firswood Road site the applicant will be required to address this issue as part of the planning application process through a drainage report.

It is agreed that impact on wildlife should be minimised. As part of the planning application process the applicant will be required to provide a supporting ecological survey highlighting the impact of the development on the natural habitat and outlining any mitigation measures required.

The Brief will endeavour to ensure that the development of the Firswood Road site would be in keeping with the character of the surrounding area; this could be from elements of single storey to 3 storey development in suitable areas. All design aspects will be required to meet the criteria in policy GN3 of the Local Plan and the Design SPD. The highways authority has advised that Firswood Road can accommodate a modest increase in traffic. Levels of traffic on Firswood Road as a result of the site's development will be limited so as to not allow an unacceptable increase for local residents and other users of Firswood Road.

Support for environmentally friendly homes, landscape buffers, and comprehensive planned development noted.

MR AND MRS

ROBERT

BURNS

Organisation

Council summary

Utilities and drainage arrangements on Slate Lane need to be taken into account. Concern expressed regarding the impact of the site's development on wildlife.

3 storey development and late-opening retail (that can lead to anti-social behaviour) should be avoided. Access should not be taken from Firswood Road. Support for landscape buffers, environmentally friendly dwellings, and comprehensive planned (rather than piecemeal) development.

Attachments included?

Council response

It is agreed that utility etc arrangements for Slate Lane properties need to be taken into account. With regards to drainage rights over the Firswood Road site the applicant will be required to address this issue as part of the planning application process through a drainage report.

It is agreed that impact on wildlife should be minimised. As part of the planning application process the applicant will be required to provide a supporting ecological survey highlighting the impact of the development on the natural habitat and outlining any mitigation measures required.

The Council endeavour to ensure that the development of the Firswood Road site would be in keeping with the character of the surrounding area, this could be from elements of single storey to 3 storey development in suitable areas. All design aspects will be required to meet the criteria in policy GN3 of the Local Plan and the Design SPD. The highways authority have advised that Firswood Road can cope with a modest increase in traffic; the Brief reflects this.

Support for environmentally friendly homes, landscape buffers, and comprehensive planned development noted.

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Organisation

Council summary

No action.

Attachments included?

Council response

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Ms Clare Carruthers

Organisation

Council summary

Property is marked as being at risk of flooding, but does not, as the land levels are 18 or so inches higher than surrounding land.
Concern regarding secondary access onto Firswood Road.

Attachments included?

Council response

The information regarding surface water flooding uses data from Lancashire County Council, the Lead Local Flood Authority; if this data is considered inaccurate, it is suggested that this be raised with LCC.
The development brief proposes the primary access to be taken off Neverstitch Road and the possibility of a secondary access off Firswood Road. The highways authority has advised that Firswood Road can accommodate a modest increase in traffic. Levels of traffic on Firswood Road as a result of the site's development will be limited so as to not allow an unacceptable increase for local residents and other users of Firswood Road. A transport/traffic assessment undertaken by landowners /developers will be required to inform a planning application.

Mrs Lynne Clayton

Organisation

Council summary

Owners of part of the site have no intention of selling their property / land.
Safeguards are needed to protect existing trees and hedges during development.

Attachments included?

Council response

Comments noted.
Protection of existing trees and hedges during development can be achieved by means of appropriate (standard or otherwise) conditions when planning permission for the site's development is granted.

South Lathom Residents

Roger

Clayton

Organisation

Council summary

Comprehensive representation several pages long, covering all aspects of the Development Brief, as well as the consultation on it. (Full representation can be seen on Council website.)

Attachments included?

Council response

The Council is grateful for the detailed and comprehensive comments submitted. The points of information have been noted, and several amendments have been made to the Brief as a result. A number of issues are referred to below, providing a summary (note this is not exhaustive) of the Council's response to this representation: Council officers consider they responded in a professional manner to all questions they could answer at the drop-in session. Areas such as highways and drainage are dealt with by Lancashire County Council. The document is a 'brief' and not a planning application; this brief sets out the principles for development whereas an application will address the detail.

A drop in session is an opportunity for people to ask questions. Events are often heavily attended and it is not feasible to record all questions and comments. Officers have a de-brief session after each drop in session to discuss the main issues and concerns highlighted in the event. In order to submit comments, formal representations are required containing names and full postal addresses in accordance with the Council's Statement of Community Involvement. Resources did not permit the running of extra consultation events for the Firwood Road Development Brief. Yew Tree Farm is a Masterplan and holds ["higher"] Supplementary Planning Document status. This is reflected in the varying levels of consultation undertaken for the two documents. The Council has undertaken consultation in line with the adopted Statement of Community involvement which exceeds the requirements set out within the Planning Regulations.

Although it is not a requirement of developers to undertake pre application consultation many major house builders do now follow this practice. Any decision on whether the application is acceptable will be made through out the formal planning application process whereby interested parties are given 21 days to make representations.

The Council seeks to retain Slate Brook and this will be stated within the Development Brief. Slate Farm is not a listed building therefore holds no statutory protection. The heritage value of all buildings on the site will be taken into consideration through the planning application process as required to do so by the NPPF.

References to the number of dwellings will be amended to ensure consistency through the Brief.

The Development Brief has been prepared having regard to what has happened at neighbouring XL Business Park, but given this northern site already has planning permission and is largely complete, it is not referenced directly in the Firwood Road Brief.

Land use plan to show some green landscape buffer to the west – noted.

With regards to the application of the Brief – the phasing section will address which parcels of land will be brought forward first.

It is confirmed that the affordable housing contribution required is 30%, not 35% - inconsistency has been corrected.

With regard to the Linear Park, it is confirmed there a commitment to the Linear Park. The Development Brief does not set out the specific location for the Linear Park; the plan is used to illustrate to possibilities. A planning application will ultimately determine its location. The wording of the Brief has been amended to remove ambiguity with regard to the principle of the Linear Park / commitment to provide it through the site.

The ownership references will be amended to take account of the owner's preferences to sell / not sell. The Brief will still cover such land in order to provide appropriate guidance in case owners in future change, or change their mind regarding the development of their land.

It is agreed that careful attention needs to be paid to ecological considerations. A full ecology survey will be required as part of the planning application process, and developers must comply with the law in respect to, for example, protected species. Reference to "low species diversity" is to be removed from the Brief in the light of representations made about species observed on the site. Remaining text reflects the Habitats Regulations Assessment carried out for this site during the Local Plan preparation.

Parking standards will be set out in accordance with polices in the local plan/SPD and national design guidance.

Wider context – local facilities have been highlighted that are within walking distance of the site. Amendments have been made to this section as appropriate.

Historic environment – this will be addressed during the application process through a heritage statement as required by the NPPF. At present the buildings mentioned have no statutory listing, although it is accepted that this does not necessarily mean their loss is appropriate or acceptable.

A full tree survey of the site will be undertaken as part of the planning application process. It is agreed that the protection of certain trees on site has merit, both to nearby occupiers, for ecological and aesthetic reasons, and even from the developer's point of view.

Information in the Brief regarding the surrounding development sets the scene for any potential developer. Even though there are roads surrounding the site it is still described as residential to the east and south and industrial to the north.

Flooding issues will be dealt with through the SuDS. A full drainage and flood risk assessment will form part of the planning application. All SuDS will be required to be adopted by Lancashire County Council, who will be the Lead Local Flood Authority.

Traffic calming measures would be dealt with by LCC the Highways authority once a Traffic Assessment had been submitted as part of the planning application process. Modern residential design can create natural traffic calming measures which are more visually appealing than road humps and speed tables.

The references to the locations of the mineshafts were removed due to the data being 24 years old, and at risk of being inaccurate. An applicant would be required to undertake full site investigations as part of the planning application process.

The site is located at least 1km from the designated area of Landscape History of Regional Importance, and commercial buildings also separate the site from part of this designated area.

Mr Robert Coventry

Organisation

Council summary

Weekend consultation would have been helpful. Why does the scheme have no Masterplan?

Attachments included?

Council response

Consultation was undertaken in line with the Council's adopted Statement of Community Involvement and went beyond the requirements of the Planning Regulations. Resources did not permit the holding of a weekend event. The timing of the midweek event was extended to allow more people to attend. Firswood Road was taken forward as a development brief due to a number of factors including the size of the site and it being solely for one use; that of residential. Yew Tree Farm is a mixed used site with areas of land that is to be safeguarded for post 2027 development. As a rule of thumb, Masterplans accompany strategic sites, development briefs accompany larger residential land allocations.

Mr	Marco	De Pol
Organisation	De Pol Associates	

Council summary

Supportive of Brief, but its requirements need to be flexible.
Commenting upon housing / transport / sustainability requirements and the land use plan.
Affordable housing target is given at 35% and 30%. Either way, it needs to be flexible.
Affordable and elderly housing requirements combined could threaten viability.
Questionable whether this site is an appropriate location for elderly housing provision.
If the elderly housing were to be bungalows, it may be difficult to achieve 400 units on site.
Site accesses should not be specified in the Brief until site investigation works have been carried out.
A pragmatic approach is needed for providing sustainability requirements.
The Land Use Plan should be less prescriptive, maybe use a parameters plan to allow for flexibility and avoid undue constraints.
Not all the existing properties appear to have been identified on the Plan.
To conclude, the Brief may be over-ambitious. It needs to be flexible to ensure the site is deliverable.

Attachments included?

Council response

The brief allows for flexibility (as do the overarching Local Plan policies) with regards to the affordable and elderly housing provision if backed up by viability evidence from the developer. The development brief will seek to establish the principles of access, it is inevitable the main access will be located off Neverstitch Road with the possibility of secondary access(es) if supported by evidence.
Sustainable homes will be required to be delivered on the site in line with policies set out in the Local Plan.
Impact on viability can be taken into account.
The land use plan is not a definitive layout of the site. As stated within the Brief it sets out how the principles within the brief could possibly be delivered. It is possible the layout of the site could change once site investigations have been undertaken.

mr

Paul

Dickie

Organisation

Council summary

Site development should not be piecemeal

1. There is no public vehicular access to the site
2. There are some pre-war dwellings
3. Four properties are missing from plan
4. Parts of the document are inconsistent with the vision
5. Clarification of "secondary access" is needed
6. Specify how to make a transition between the site and Green Belt
7. Brief requires more detail, e.g. on phasing
8. Should involve Parish Council and Residents Association in preparing Brief
9. There should be no access to the site from Firwood Road
10. Development at SW of site should be single storey dwellings
11. Need to take account of septic tanks
12. Existing power supply is intermittent
13. Should show a transitional zone on maps
14. Building work should commence on the Neverstitch Road side
15. Ethylene pipeline west of the site needs to be taken into consideration.

Attachments included?

Council response

1. Noted; Brief amended to reflect this
2. Noted
3. Noted; Brief amended to reflect this
4. Some rewording has taken place; the Council considers the document is sufficiently in line with its vision
5. Noted; Brief amended to reflect this
6. The principle of a buffer is agreed.
7. The Brief cannot provide detail on all points; some amendments made; overall it is considered that the level of detail is adequate.
8. LSPC and SLRA have participated in this consultation.
9. The highways authority has advised that Firwood Road can accommodate a modest increase in traffic. Levels of traffic on Firwood Road as a result of the site's development will be limited so as to not allow an unacceptable increase for local residents and other users of Firwood Road.
10. SW part of site should reflect the surroundings, but does not necessarily all have to be bungalows.
11. Noted
12. Noted
13. It is not agreed that such a zone needs to be shown on the map.
14. Noted, but not necessarily agreed. Depends on which part of the site is most deliverable at the outset.
15. Noted

Dr Carol Fenlon

Organisation

Council summary

Concern over proposed secondary access onto Firswood Road.

Attachments included?

Council response

The development brief proposes the primary access to be taken off Neverstitch Road and the possibility of secondary access(es) off Firswood Road. The highways authority has advised that Firswood Road can accommodate a modest increase in traffic. Levels of traffic on Firswood Road as a result of the site's development will be limited so as to not allow an unacceptable increase for local residents and other users of Firswood Road. A transport/traffic assessment will be required to inform a planning application.

Mr Alan Fleming

Organisation

Council summary

Rather than 400 new homes, a cemetery is needed.

Attachments included?

Council response

This site has been allocated for housing in the Local Plan, adopted by the Council in October 2013, and thus the principle of housing in this location is already established.

Mrs Lynn Fletcher

Organisation

Council summary

This site should not be developed when there is undeveloped land elsewhere e.g. at Cobbs Clough. The site's development will cause traffic problems. Brownfield development and refurbishment would be a better way to proceed.

Attachments included?

Council response

The land at Cobbs Clough is also allocated for housing. The principle of housing on the Firswood Road site is long established. Brownfield development and refurbishment is supported, but site allocations are needed in addition to meet housing targets. All development generates traffic. The highways authority have agreed that the development of this site is acceptable, although the increase in traffic on Firswood Road needs to be minimal.

Mrs Lynn Fletcher

Organisation

Council summary

Concern over access onto Firswood Road;
Leave established trees on site as buffers between old and new development;
Concern over the possibility of subsidence;
Ecology needs to be thoroughly investigated;
Concern over noise and vibration and extra traffic;
Any 3 storey dwellings should not overlook existing properties

Attachments included?

Council response

The development brief proposes the primary access to be taken off Neverstitch Road and the possibility of secondary accesses off Firswood Road. The highways authority has advised that Firswood Road can accommodate a modest increase in traffic. Levels of traffic on Firswood Road as a result of the site's development will be limited so as to not allow an unacceptable increase for local residents and other users of Firswood Road. As part of the planning application process the applicant will be required to provide a supporting ecological survey highlighting the impact of the development on the natural habitat and outlining any mitigation measures required. With regards to drainage rights over the Firswood Road site the applicant will be required to address this issue as part of the planning application process through a drainage report. The Brief will endeavour to ensure that the development of the Firswood Road site would be in keeping with the character of the surrounding area, this could be from elements of single storey to 3 storey development in suitable areas. All design aspects will be required to meet the criteria in policy GN3 of the Local Plan and the Design SPD.

Mr Anthony Harford

Organisation

Council summary

Concern over possibility of access road and footpath adjacent to property.

Attachments included?

Council response

The highways authority has advised that Firswood Road can accommodate a modest increase in traffic. Levels of traffic on Firswood Road as a result of the site's development will be limited so as to not allow an unacceptable increase for local residents and other users of Firswood Road. Any new access to the site would need to conform to relevant highways safety standards and should not detrimentally impact upon existing accesses. The Brief will endeavour to ensure that the development of the Firswood Road site would be in keeping with the character of the surrounding area, this could be from elements of single storey to 3 storey development in suitable areas. All design aspects will be required to meet the criteria in policy GN3 of the Local Plan and the Design SPD. The creation of the linear park is not defined to the location identified on the land use plan, the linear park however is a multifunctional greenspace that is required to connect Skelmersdale with Burscough an element of this will be required to be delivered on the Firswood Road site. Attention will be paid to security and protecting the privacy of any neighbouring properties.

Mrs. Roma Harvey

Organisation

Council summary

Concern over, and opposition to, the site's development in general, and impact of development on the surrounding area. Other parts of Skelmersdale remain undeveloped.

Attachments included?

Council response

The principle of the site's development has already been established. Development sites are proposed elsewhere in Skelmersdale; ultimately sites need to be deliverable.

The development brief proposes the primary access to be taken off Neverstitch Road and the possibility of secondary accesses off Firswood Road. A Transport/Traffic Assessment undertaken by landowners /developers will be required to inform a planning application. The Council endeavour to ensure that the development of the Firswood Road site would be in keeping with the character of the surrounding area, this could be from elements of single storey to 3 storey development in suitable areas. All design aspects will be required to meet the criteria in policy GN3 of the Local Plan and the Design SPD.

Ms Iris Hayde

Organisation

Council summary

General concern over site's development; particular mention of impact of development on utilities of existing properties, some of which are currently subject to issues / problems.

Attachments included?

Council response

The land was allocated for housing in the Local Plan which was adopted by Council in October 2013. Thus the principle of housing in this location to deliver 400 dwellings is inevitable.

With regards to drainage rights over the Firswood Road site the applicant will be required to address this issue as part of the planning application process through a drainage report, there will also be sufficient SuDS located on the site to deal with surface water drainage, these will be adopted by the Lead Local Flood Authority. The developer is also required to undertake full site investigations as part of the planning application.

It is agreed that impact on utilities needs to be mentioned / taken into account in the Brief. It is intended that current utilities on the site will not be affected by the site's development and any current problems should be brought to the attention of your service provider.

Mr and Mrs Gary and Gillian Hayhurst

Organisation

Council summary

Concerns over:

- a) Firwood Road should not be subject to construction traffic, nor should be used for access to the site
- b) Impact on substandard utilities / inadequate utility provision
- c) Ecology – there are significant different species on site

Attachments included?

Council response

- a) The highways authority has advised that Firwood Road can accommodate a modest increase in traffic. Levels of traffic on Firwood Road as a result of the site's development will be limited so as to not allow an unacceptable increase for local residents and other users of Firwood Road. A transport/traffic assessment undertaken by landowners /developers will be required to inform a planning application.
- b) Noted. With regards to drainage rights over the Firwood Road site the applicant will be required to address this issue as part of the planning application process through a drainage report. There will also be sufficient SuDS located on the site to deal with surface water drainage, these will be adopted by the Lead Local Flood Authority. The developer is also required to undertake full site investigations as part of the planning application.
- c) Noted – Brief amended to reflect this and other representations. As part of the planning application process the applicant will be required to provide a supporting ecological survey highlighting the impact of the development on the natural habitat and outlining any mitigation measures required; this will be emphasised by the creation of green links and the wildlife corridor.

Ms Emily Hrycan

Organisation English Heritage

Council summary

No objections

Attachments included?

Council response

Comments noted

Mr and Mrs GJ Hurst

Organisation

Council summary

These respondents were not notified directly by the Council of the consultation.

Concerns over:

- a) Firswood Road should not be subject to construction traffic, nor should be used for access to the site
- b) Impact on substandard utilities / inadequate utility provision
- c) Ecology – there are significant different species on sit

Attachments included?

Council response

The consultation was undertaken in line with the Council's adopted SCI and went beyond the requirements of the regulations.

The highways authority has advised that Firswood Road can accommodate a modest increase in traffic. Levels of traffic on Firswood Road as a result of the site's development will be limited so as to not allow an unacceptable increase for local residents and other users of Firswood Road. A transport/traffic assessment undertaken by landowners /developers will be required to inform a planning application.

b) Noted. With regards to drainage rights over the Firswood Road site the applicant will be required to address this issue as part of the planning application process through a drainage report. There will also be sufficient SuDS located on the site to deal with surface water drainage, these will be adopted by the Lead Local Flood Authority. The developer is also required to undertake full site investigations as part of the planning application.

c) Noted – Brief amended to reflect this and other representations. As part of the planning application process the applicant will be required to provide a supporting ecological survey highlighting the impact of the development on the natural habitat and outlining any mitigation measures required; this will be emphasised by the creation of green links and the wildlife corridor.

Mrs Sandra Jones

Organisation

Council summary

Newburgh Parish Council have concerns over extra traffic passing through Newburgh as a result of development from sites including Firswood Road. These impacts need to be addressed.

Attachments included?

Council response

The development brief proposes the primary access to be taken off Neverstitch Road and the possibility of secondary accesses off Firswood Road. The highways authority has advised that Firswood Road can accommodate a modest increase in traffic. Levels of traffic on Firswood Road as a result of the site's development will be limited so as to not allow an unacceptable increase for local residents and other users of Firswood Road. A transport/traffic assessment undertaken by landowners /developers will be required to inform a planning application.

With regards to drainage rights over the Firswood Road site the applicant will be required to address this issue as part of the planning application process through a drainage report, there will also be sufficient SuDS located on the site to deal with surface water drainage, these will be adopted by the Lead Local Flood Authority.

Babette Kenyon

Organisation

Council summary

Concerns over traffic impact, drainage and utilities, crime, impact of retail, lack of detail on house types.

Attachments included?

Council response

The development brief proposes the primary access to be taken off Neverstitch Road and the possibility of secondary accesses off Firswood Road. The highways authority has advised that Firswood Road can accommodate a modest increase in traffic. Levels of traffic on Firswood Road as a result of the site's development will be limited so as to not allow an unacceptable increase for local residents and other users of Firswood Road. A transport/traffic assessment undertaken by landowners /developers will be required to inform a planning application.

With regards to drainage rights over the Firswood Road site the applicant will be required to address this issue as part of the planning application process through a drainage report, there will also be sufficient SuDS located on the site to deal with surface water drainage, these will be adopted by the Lead Local Flood Authority.

Utilities will not be affected on the site and any current problems should be brought to the attention of your service provider.

Types of housing will not be finalised until a detailed planning application is submitted for the site. However Council policy specifies that there should be 20% elderly provision and 30% affordable provision. The Council included the potential of a small element of retail on the site. It is not in the Council's interest for any significant harm upon the Sandy Lane local centre to be brought from this development, the Council have included a small element of retail on the site in the development brief to support the new residential development. It is not a requirement that this is delivered, it is an option that is available if located in a sustainable location.

PETER KENYON

Organisation

Council summary

Concern over the capacity of Firswood Road to cope with extra traffic generated.

Attachments included?

Council response

The development brief proposes the primary access to be taken off Neverstitch Road and the possibility of secondary accesses off Firswood Road. The highways authority has advised that Firswood Road can accommodate a modest increase in traffic. Levels of traffic on Firswood Road as a result of the site's development will be limited so as to not allow an unacceptable increase for local residents and other users of Firswood Road. A transport/traffic assessment undertaken by landowners /developers will be required to inform a planning application.

Mr Jonathan Mc Garvey

Organisation

Council summary

Should be 100 rather than 400 dwellings on the site to avoid problems such as traffic issues on Firswood Road.

Attachments included?

Council response

The land was allocated for housing in the Local Plan which was adopted by Council in October 2013, the principle of housing in this location to deliver 400 dwellings is inevitable.
The development brief proposes the primary access to be taken off Neverstitch Road and the possibility of secondary accesses off Firswood Road. The highways authority has advised that Firswood Road can accommodate a modest increase in traffic. Levels of traffic on Firswood Road as a result of the site's development will be limited so as to not allow an unacceptable increase for local residents and other users of Firswood Road. A transport/traffic assessment undertaken by landowners /developers will be required to inform a planning application.

Mrs Jeanette McConkey

Organisation

Council summary

Will the Council Compulsorily Purchase land?

Attachments included?

Council response

It is not the Council's intention at this time to compulsorily purchase any land in order to facilitate development.

Mrs Dorothy Ann Molyneux

Organisation

Council summary

Concerns over the possibility of extra traffic on Firswood Road, and safety of proposed play area.

Attachments included?

Council response

The development brief proposes the primary access to be taken off Neverstitch Road and the possibility of secondary accesses off Firswood Road. The highways authority has advised that Firswood Road can accommodate a modest increase in traffic. Levels of traffic on Firswood Road as a result of the site's development will be limited so as to not allow an unacceptable increase for local residents and other users of Firswood Road. A transport/traffic assessment undertaken by landowners /developers will be required to inform a planning application.

With regard to the safety of the pond at Old Engine Lane, this can be remediated through fencing and buoyancy aids strategically located in the area. The Council's Leisure Service will be able to advise developers on what health and safety precautions are required.

mr gerard neil

Organisation

Council summary

Why is there no development brief for the Whalleys site?

Attachments included?

Council response

Whalleys is at an outline application stage and works had progressed on that site during the preparation of the Local plan. A development brief was prepared for this site.

With regards to affordable homes there will be an allocation of 30% which will be required to be affordable on the Firswood Road site.

Mr Gerard Neil

Organisation

Council summary

Concern over:

Impact on lifestyle, impact on wildlife, secondary access, how the new development will relate to existing septic tank arrangements, Whitemoss Landfill proposals, who buys the new properties (e.g. buy-to-let landlords).

Attachments included?

Council response

Comments noted; amendments made to Brief with respect to ecology, secondary access, utilities (including septic tanks).

The Council will not control who buys private properties but may have some influence over the assignment of affordable properties.

The land was allocated for housing in the Local Plan which was adopted by Council in October 2013, the principle of housing in this location to deliver 400 dwellings is established.

As part of the planning application process the applicant will be required to provide a supporting ecological survey highlighting the impact of the development on the natural habitat and outlining any mitigation measures required, this will be emphasised by the creation of green links and the wildlife corridor.

The development brief proposes the primary access to be taken off Neverstitch Road and the possibility of secondary accesses off Firwood Road. The highways authority has advised that Firwood Road can accommodate a modest increase in traffic. Levels of traffic on Firwood Road as a result of the site's development will be limited so as to not allow an unacceptable increase for local residents and other users of Firwood Road. A transport/traffic assessment undertaken by landowners /developers will be required to inform a planning application.

With regards to drainage rights over the Firwood Road site the applicant will be required to address this issue as part of the planning application process through a drainage report, there will also be sufficient SuDS located on the site to deal with surface water drainage, these will be adopted by the Lead Local Flood Authority.

It will be in the interest of the developers to undertake their own site history and site appraisal works which will look into the site history and that of the surrounding area in order to gather information on the White Moss site. The development at Firwood Road is expected to be delivered over the plan period which covers 2012-2027.

mr ged neil

Organisation

Council summary

Concern over:

Impact on lifestyle, impact on wildlife, secondary access, how the new development will relate to existing septic tank arrangements, Whitemoss Landfill proposals, who buys the new properties (e.g. buy-to-let landlords).

Attachments included?

Council response

Comments noted; amendments made to Brief with respect to ecology, secondary access, utilities (including septic tanks). The Council will not control who buys private properties but may have some influence over the assignment of affordable properties.

The land was allocated for housing in the Local Plan which was adopted by Council in October 2013, the principle of housing in this location to deliver 400 dwellings is established.

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The development at Firwood Road is expected to be delivered over the plan period which covers 2012-2027.

Mrs	Rosemary	Parker
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Organisation	
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Council summary

Concern over proposed use of Firswood Road for secondary access and the impact of extra traffic, also utilities and impact on ecology. Support for a green buffer between existing and new development.

Attachments included?

Council response

As part of the planning application process the applicant will be required to provide a supporting ecological survey highlighting the impact of the development on the natural habitat and outlining any mitigation measures required, this will be emphasised by the creation of green links and the wildlife corridor.

The development brief proposes the primary access to be taken off Neverstitch Road and the possibility of secondary accesses off Firswood Road. The highways authority has advised that Firswood Road can accommodate a modest increase in traffic. Levels of traffic on Firswood Road as a result of the site's development will be limited so as to not allow an unacceptable increase for local residents and other users of Firswood Road. A transport/traffic assessment undertaken by landowners /developers will be required to inform a planning application.

With regards to drainage rights over the Firswood Road site the applicant will be required to address this issue as part of the planning application process through a drainage report, there will also be sufficient SuDS located on the site to deal with surface water drainage, these will be adopted by the Lead Local Flood Authority.

The Brief will endeavour to ensure that the development of the Firswood Road site would be in keeping with the character of the surrounding area, this could be from elements of single storey to 3 storey development in suitable areas. All design aspects will be required to meet the criteria in policy GN3 of the Local Plan and the Design SPD.

Mrs Jacquelynn Pass

Organisation

Council summary

Objection to the proposed use of Old Engine Lane as primary access; request a different access point.
Layouts of dwellings should result in gardens rather than driveways backing onto existing properties.
Green space (pond and woodland) on site should be retained
Any 3 storey buildings should be located away from existing properties.
Development should be phased appropriately to minimise impact on current residents.
Utilities supplying new development could be offered to existing properties on site.
A full survey of wildlife should be carried out.
Address of site should be Lathom, not Skelmersdale.

Attachments included?

Council response

It is agreed that the main access should not be along Old Engine Lane, but from a point further south.
Other comments noted.
The developer will be required to carry out a comprehensive wildlife survey.
The site will be treated as part of Skelmersdale, although it will remain in Lathom South Parish.
The development brief proposes the primary access to be taken off Neverstitch Road and the possibility of secondary accesses off Firwood Road. The highways authority has advised that Firwood Road can accommodate a modest increase in traffic. Levels of traffic on Firwood Road as a result of the site's development will be limited so as to not allow an unacceptable increase for local residents and other users of Firwood Road. A transport/traffic assessment undertaken by landowners /developers will be required to inform a planning application.
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Utilities will not be affected on the site and any current problems should be brought to the attention of your service provider.
As part of the planning application process the applicant will be required to provide a supporting ecological survey highlighting the impact of the development on the natural habitat and outlining any mitigation measures required, this will be emphasised by the creation of green links and the wildlife corridor.

Mr Mark Pass

Organisation

Council summary

Objection to the proposed use of Old Engine Lane as primary access; request a different access point.
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Green space (pond and woodland) on site should be retained
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Attachments included?

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All design aspects will be required to meet the criteria in policy GN3 of the Local Plan and the Design SPD.
Utilities will not be affected on the site and any current problems should be brought to the attention of your service provider.
As part of the planning application process the applicant will be required to provide a supporting ecological survey highlighting the impact of the development on the natural habitat and outlining any mitigation measures required, this will be emphasised by the creation of green links and the wildlife corridor.

Mr Thomas Alexander Pattern

Organisation

Council summary

1. Roadway crossing cycle track (old railway track).
 2. Childrens play area near to pensioners dwellings.
 3. Only a footpath for ¼ of the length of Firswood Road on one side.
 4. Firswood Road is not wide enough for regular traffic, at present two vehicles passing in opposite directions one has got to be in the kerb.
 5. There is a weight restriction on Firswood Road 7.5 tonnes.
 6. Exit from the estate at the foot of a railway bridge.
 7. Exit from the estate at Old Engine Lane and Slate Lane is a blind spot in both directions.
 8. Access in to Neverstitch Road is coming out on a bend on a major road
- (Full text of representation.)

Attachments included?

Council response

The development brief proposes the primary access to be taken off Neverstitch Road and the possibility of secondary accesses off Firswood Road. Any accesses must conform to relevant highway standards. A transport/traffic assessment undertaken by landowners /developers will be required to inform a planning application.

Mrs Kathleen Pennington

Organisation

Council summary

- Concern over proposed main and secondary accesses.
Careful consideration needs to be given to existing wildlife and habitat on site.
3 storey dwellings should not be adjacent to current dwellings.
Houses should be of varying styles and eco-friendly.

Attachments included?

Council response

The development brief proposes the primary access to be taken off Neverstitch Road and the possibility of secondary accesses off Firswood Road. The highways authority has advised that Firswood Road can accommodate a modest increase in traffic. Levels of traffic on Firswood Road as a result of the site's development will be limited so as to not allow an unacceptable increase for local residents and other users of Firswood Road. A transport/traffic assessment undertaken by landowners /developers will be required to inform a planning application.

The Brief will endeavour to ensure that the development of the Firswood Road site would be in keeping with the character of the surrounding area, this could be from elements of single storey to 3 storey development in suitable areas. All design aspects will be required to meet the criteria in policy GN3 of the Local Plan and the Design SPD. As part of the planning application process the applicant will be required to provide a supporting ecological survey highlighting the impact of the development on the natural habitat and outlining any mitigation measures required; this will be emphasised by the creation of green links and the wildlife corridor.

Mr Kenneth Radford

Organisation

Council summary

Firswood Road cannot take increased traffic. A landscape buffer should be provided.

Attachments included?

Council response

The development brief proposes the primary access to be taken off Neverstitch Road and the possibility of secondary accesses off Firswood Road. The highways authority has advised that Firswood Road can accommodate a modest increase in traffic. Levels of traffic on Firswood Road as a result of the site's development will be limited so as to not allow an unacceptable increase for local residents and other users of Firswood Road. A transport/traffic assessment undertaken by landowners /developers will be required to inform a planning application.

Mt Iain Stanmore

Organisation

Council summary

Comments relate to Slate Lane – lack of solid foundations; should be a buffer between these properties and the rest of the site, cess pit drainage over adjacent land needs to be taken into account. Concern over potential increased traffic on Firswood Road and impact on wildlife.

Attachments included?

Council response

The development brief proposes the primary access to be taken off Neverstitch Road and the possibility of secondary accesses off Firswood Road. A transport/traffic assessment undertaken by landowners /developers will be required to inform a planning application.

As part of the planning application process the applicant will be required to provide a supporting ecological survey highlighting the impact of the development on the natural habitat and outlining any mitigation measures required, this will be emphasised by the creation of green links and the wildlife corridor.

With regards to drainage rights over the Firswood Road site the applicant will be required to address this issue as part of the planning application process through a drainage report, there will also be sufficient SuDS located on the site to deal with surface water drainage, these will be adopted by the Lead Local Flood Authority.

The creation of the Linear Park is not constrained to the location identified on the land use plan. The Linear Park is a multifunctional greenspace that is required to connect Skelmersdale with Burscough an element of this will be required to be delivered on the Firswood Road site.

Ms	Emma	Steele
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Organisation	
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Council summary

Concerns over:
Primary access using Old Engine Lane;
Building on land susceptible to flooding and mining-related issues;
Impact on wildlife.

Attachments included?

Council response

The development brief proposes the primary access to be taken off Neverstitch Road and the possibility of secondary accesses off Firswood Road. The highways authority has advised that Firswood Road can accommodate a modest increase in traffic. Levels of traffic on Firswood Road as a result of the site's development will be limited so as to not allow an unacceptable increase for local residents and other users of Firswood Road. A transport/traffic assessment undertaken by landowners /developers will be required to inform a planning application.

As part of the planning application process the applicant will be required to provide a supporting ecological survey highlighting the impact of the development on the natural habitat and outlining any mitigation measures required. This will be emphasised by the creation of green links and the wildlife corridor.

With regards to drainage rights over the Firswood Road site the applicant will be required to address this issue as part of the planning application process through a drainage report, there will also be sufficient SuDS located on the site to deal with surface water drainage, these will be adopted by the Lead Local Flood Authority. The developer is also required to undertake full site investigations as part of the planning application.

Mr Darren Steele

Organisation

Council summary

Concerns over:

Primary access using Old Engine Lane;
Building on land susceptible to flooding and mining-related issues;
Impact on wildlife.

Attachments included?

Council response

The development brief proposes the primary access to be taken off Neverstitch Road and the possibility of secondary accesses off Firswood Road. The highways authority has advised that Firswood Road can accommodate a modest increase in traffic. Levels of traffic on Firswood Road as a result of the site's development will be limited so as to not allow an unacceptable increase for local residents and other users of Firswood Road. A transport/traffic assessment undertaken by landowners /developers will be required to inform a planning application.

With regards to drainage rights over the Firswood Road site the applicant will be required to address this issue as part of the planning application process through a drainage report, there will also be sufficient SuDS located on the site to deal with surface water drainage. These will be adopted by the Lead Local Flood Authority. The developer is also required to undertake full site investigations as part of the planning application.

The Brief will endeavour to ensure that the development of the Firswood Road site would be in keeping with the character of the surrounding area, this could be from elements of single storey to 3 storey development in suitable areas. All design aspects will be required to meet the criteria in policy GN3 of the Local Plan and the Design SPD. As far as West Lancashire Borough Council is aware, there are no archaeological constraints which would preclude the development at Firswood Road. However, applicants will be required to consult with Lancashire County Council's Scheduled Monuments Register regarding any designations on the development site. Located on the site is a historic Powder hut, a 19th century explosives store for the Lathom Colliery. The developer will be required to undertake a significance or heritage report for the Powder Hut and will ultimately be encouraged to retain this nominated locally listed feature in order for the historic role of the site to be reflected in the new development.

Mr Andrew Taylor

Organisation

Council summary

Brief needs to be amended with respect to:
Access, in particular from Firswood Road
Ground conditions – mining legacy and flooding
Linear Park – how do access and wildlife relate; the Linear Park will be severed by a road
Wildlife – “low species diversity” comment is unsubstantiated

Attachments included?

Council response

The development brief proposes the primary access to be taken off Neverstitch Road and the possibility of secondary accesses off Firswood Road. The highways authority has advised that Firswood Road can accommodate a modest increase in traffic. Levels of traffic on Firswood Road as a result of the site's development will be limited so as to not allow an unacceptable increase for local residents and other users of Firswood Road. A transport/traffic assessment undertaken by landowners /developers will be required to inform a planning application.

The developer is also required to undertake full site investigations as part of the planning application, the location of the mines are not evident within the draft document as they are not precise and will only be come apparent during further investigations undertaken by the landowner/developer.

With regards to drainage rights over the Firswood Road site the applicant will be required to address this issue as part of the planning application process through a drainage report, there will also be sufficient SuDS located on the site to deal with surface water drainage, these will be adopted by the Lead Local Flood Authority.

The creation of the linear park is not contrained to the location identified on the land use plan. The linear park is a multifunctional greenspace that is required to connect Skelmersdale with Burscough an element of this will be required to be delivered on the Firswood Road site.

As part of the planning application process the applicant will be required to provide a supporting ecological survey highlighting the impact of the development on the natural habitat and outlining any mitigation measures required; this will be emphasised by the creation of green links and the wildlife corridor.

Ms

Lindsay

Turner

Organisation

Council summary

1. Representations made on behalf of Barratt Homes and Rowland Homes.
2. Supportive of Brief, but its requirements need to be flexible.
3. Commenting upon housing / transport / sustainability requirements and the land use plan.
4. Affordable housing target is given at 35% and 30%. Either way, it needs to be flexible.
5. Affordable and elderly housing requirements combined could threaten viability.
6. Questionable whether this site is an appropriate location for elderly housing provision.
7. If the elderly housing were to be bungalows, it may be difficult to achieve 400 units on site.
8. Site accesses should not be specified in the Brief until site investigation works have been carried out.
9. A pragmatic approach is needed for providing sustainability requirements.
10. The Land Use Plan should be less prescriptive, maybe use a parameters plan to allow for flexibility and avoid undue constraints.
11. Not all the existing properties appear to have been identified on the Plan.
12. To conclude, the Brief may be over-ambitious. It needs to be flexible to ensure the site is deliverable.

Attachments included?

Council response

- 1-3. Noted.
4. Noted. There is an error and it will be changed accordingly to 30%, as the brief suggests there can be some cross over of elderly/ affordable housing provision.
5. As stated in the brief - The housing aspect of the development will need to include a good mix of housing types to meet all local needs, including 30% affordable and up to 20% to meet the needs of older persons. Cross over between these two types of provision may be acceptable subject to the needs at the time of development i.e. some of the affordable housing element may also count toward meeting the provision for the elderly the precise percentages being determined taking viability into account. These requirements are in accordance with policies RS1 and RS2 of the Local Plan.
6. The allocation of a small retail/community facility is not a definitive requirement of the delivery of Firwood Road, however, it was incorporated into the brief if the developer wishes to provide such a facility. The Council do not wish to cause any impact to the retail offer at Sandy Lane local centre.
7. Noted.
8. The Land Use plan is for illustrative purposes only as stated in the brief to show how the items could possibly be delivered on the site. The primary access for the site, however, will be delivered from Neverstitch Road with the possibility of secondary access off Firwood Road in order to assist in the delivery of the site. This would need to be justified at the planning application stage by a full transport/traffic assessment
9. Sustainability requirements for the site are set in accordance with the adopted policy GN3 of the Local Plan and building regulations.
- 10-12. Noted.

Mr and Mrs William Westby

Organisation

Council summary

Concern over impact of the development on Blaguegate Lane properties as a result of increased traffic and loss of privacy and peace at the back of properties, and traffic impacts on Firwood Road and elsewhere.

Attachments included?

Council response

The Brief will endeavour to ensure that the development of the Firwood Road site would be in keeping with the character of the surrounding area, this could be from elements of single storey to 3 storey development in suitable areas. All design aspects will be required to meet the criteria in policy GN3 of the Local Plan and the Design SPD. As part of the planning application process the applicant will be required to provide a supporting ecological survey highlighting the impact of the development on the natural habitat and outlining any mitigation measures required, this will be emphasised by the creation of green links and the wildlife corridor.

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Mrs Alison Whitehead

Organisation

Council summary

Concern over impact of increased traffic on Firwood Road and how "temporary" this would be. There is a lack of open space shown between the west of the site and the neighbouring Green Belt. A buffer is needed.

Attachments included?

Council response

Consultation is undertaken in accordance with the adopted Statement of Community Involvement. All responses are read and responded to during this process. The development brief proposes the primary access to be taken off Neverstitch Road and the possibility of secondary accesses off Firwood Road. The highways authority has advised that Firwood Road can accommodate a modest increase in traffic. Levels of traffic on Firwood Road as a result of the site's development will be limited so as to not allow an unacceptable increase for local residents and other users of Firwood Road. A transport/traffic assessment undertaken by landowners /developers will be required to inform a planning application.

The site once developed will be required to deliver a section of the linear park which is a multifunctional greenspace. The developer will also be required to deliver the specified amount of public open space as set out in the latest adopted Open Space SPD.



development brief

Grove Farm

July 2014

John Harrison, DipEnvP, MRTPI
Assistant Director Planning
West Lancashire Borough Council

www.westlancs.gov.uk

WEST LANCASHIRE



LOCAL PLAN

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The Site: Grove Farm and Linear Park



Executive Summary

Introduction & Purpose

This development brief has been produced to guide developers and applicants in their proposals and planning applications for the development of Grove Farm. It is not a blueprint for the development, but a set of principles that when applied, will significantly contribute to the aim of creating a high quality sustainable development of the site.

Vision

The Vision for Grove Farm is to develop land at High Lane in a sustainable manner to complement the existing residential areas and diversify the choice and range of housing to meet local needs, whilst creating a high quality linear park to connect to Ormskirk and Burscough.

Existing Site

The site comprises of approximately 13.2 ha of land on the northern edge of Ormskirk that is allocated for residential development and a linear park. The topography of the site is relatively flat with a slight change in level towards the eastern boundary. The site is currently accessed via High Lane (A59).

Opportunity

The site will deliver at least 300 new residential dwellings along with an associated linear park which will act as a multifunctional green space providing recreational uses, walking and cycling facilities and help provide non vehicular connection between Ormskirk and Burscough. The development will also deliver open space/ landscaping and assist in meeting the Borough's housing requirement over the plan period to 2027.

Sustainability, in all its aspects, will sit at the core of all that is developed on the site.

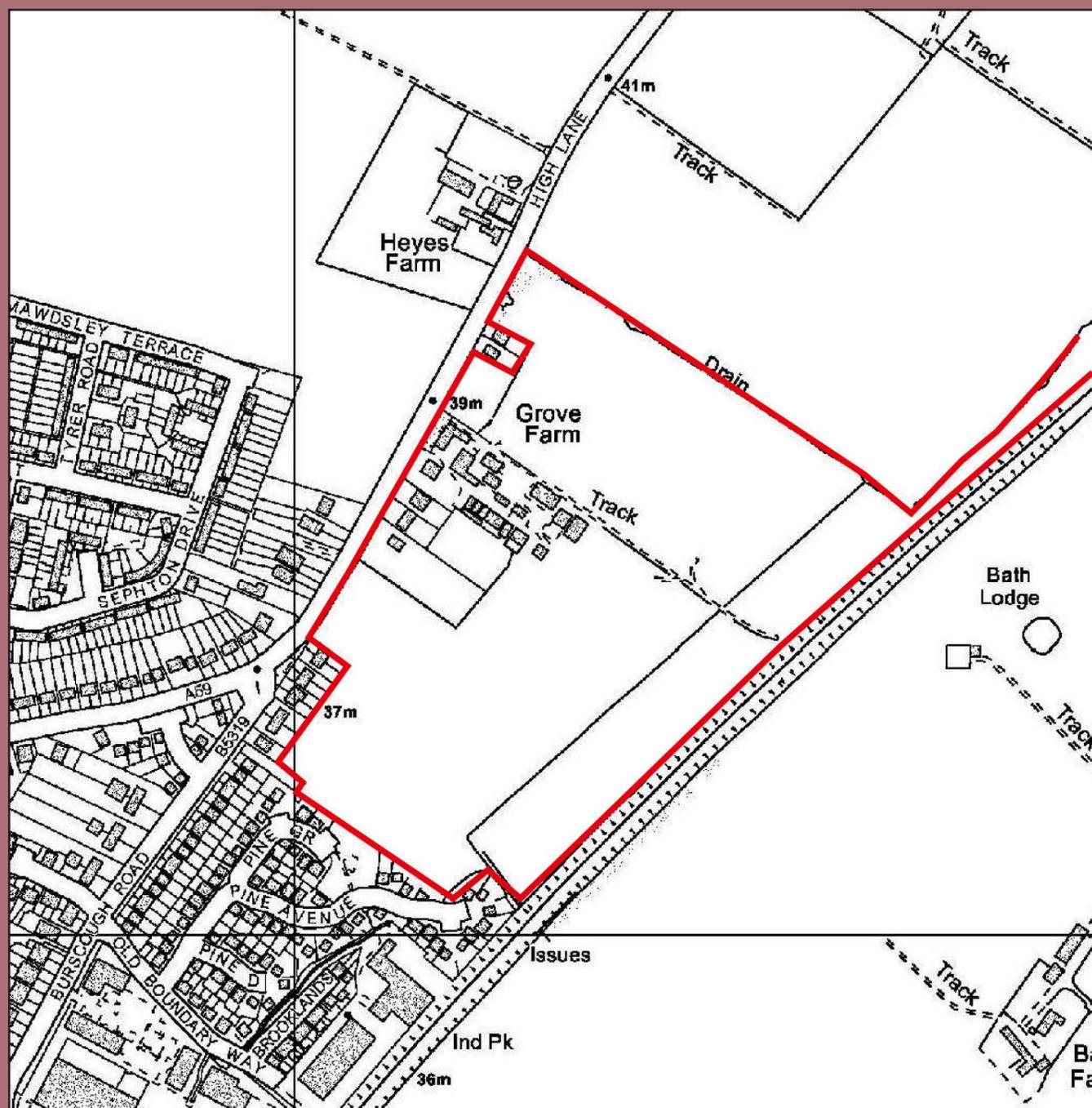
Phasing

It is anticipated that the site will be brought forward in a complementary not competing fashion, and this should be reflected in a more detailed phasing programme for the site at the time of application.

Next Steps

This document will be a material consideration in the determination of any planning applications on the Grove Farm site.

Residential Development Site Boundary



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Introduction

Background

Grove Farm was identified as a site to assist in the delivery of housing supply for West Lancashire. The site was released from the Green Belt and allocated as a housing location in the Local Plan which was adopted on 16th October 2013.

As part of policy RS1 Residential Development, several allocated housing sites are required to provide a masterplan/development brief to be produced to assist in the delivery of the site, of which Grove Farm is one.

Document Preparation

This document has been subject to consultation which included a 6 week consultation period for representations to be made and a drop in session which complies with our current Statement of Community Involvement.

Purpose of the brief

This document sets the agenda for the development of Grove Farm as a residential development site. It promotes high quality design and provides a contextually sensitive approach to architecture and place-making. Development at Grove Farm will have a lasting impact on the surrounding area, incorporating a high quality residential development in Ormskirk. The purpose of the brief is to help achieve a vision for the site by establishing appropriate design principles.

The Local Plan 2012-2027 envisages the delivery of Grove Farm for at least 300 dwellings along with access and associated landscaping and the provision of a linear park. This development brief provides a design framework with principles and guidance, which should inform detailed design solutions, but it also recognises the importance of retaining flexibility to respond to changing market conditions and social and technical demands. The development brief includes illustrations to show how future development might be laid out, these are not intended as prescriptive blueprints for the site, but as an indication of how the principles might be achieved.

By preparing the brief, the Council is establishing a strategic approach to the site's development. The brief will provide guidance and a basis for review whereby future development proposals can be assessed against the brief.

Using the brief

The brief is intended to act as a guide, assisting any developers interested in the development of Grove Farm. It sets out an understanding of what is required and what is acceptable. The brief acts as a reference document and a platform for further detailed design in a single or suite of planning applications. It does not however provide all the information necessary to inform a successful development proposal; applicants should also refer to the 'Supporting Information Required' section at the end of this document. Consultation with West Lancashire Borough Council, the Local Planning Authority, will therefore be essential to develop a full and detailed appreciation of the planning position and expectations for the site.



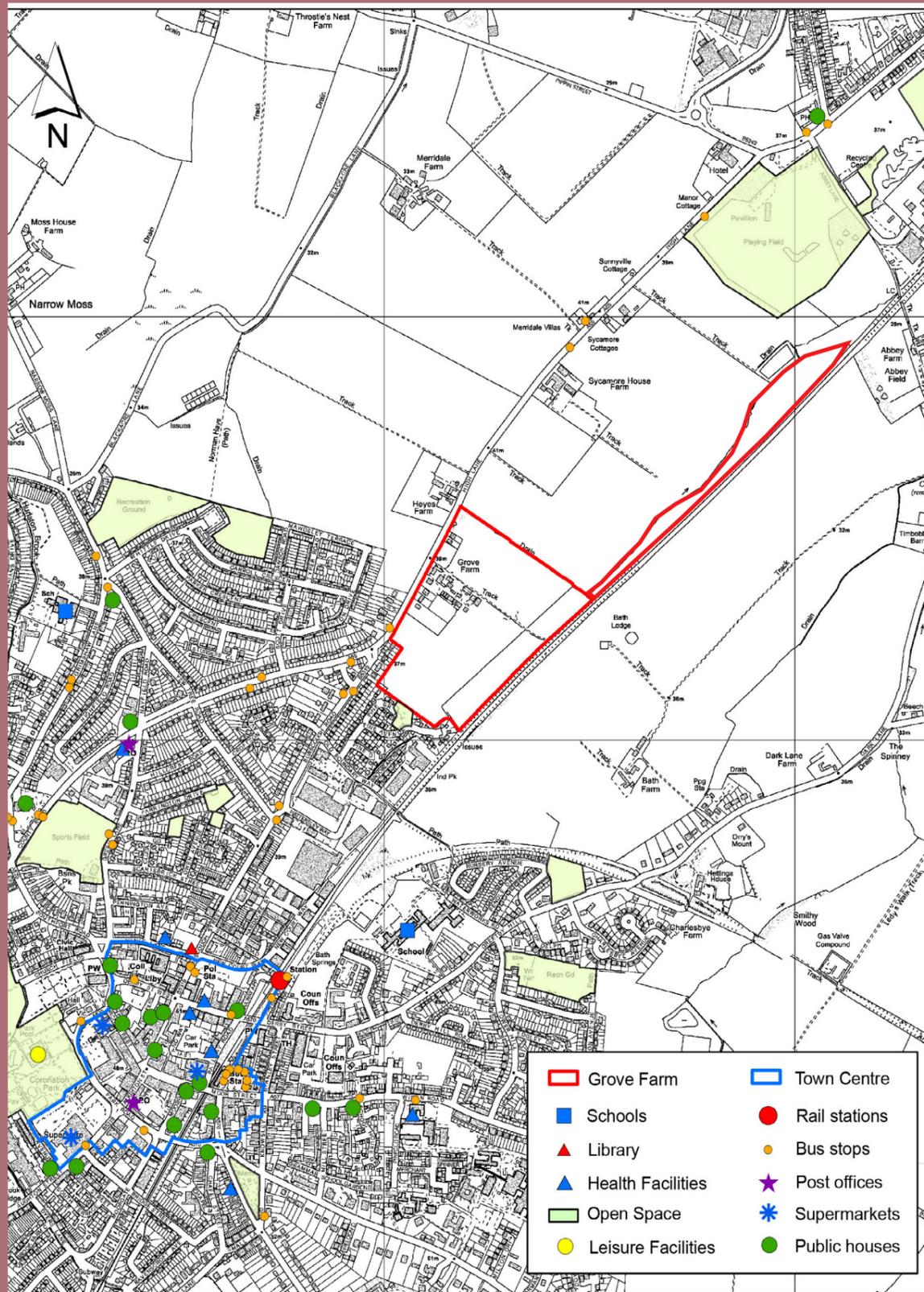
Vision and Key Principles

The Vision for Grove Farm is to develop land at High Lane to complement the existing residential areas and diversify the choice and range of housing to meet local needs.

The following principles set out the expectations at a strategic level:

- A range of high quality, well designed, low carbon homes will be encouraged;
- The housing aspect of the development will need to include a good mix of housing types to meet all local needs, including 35% affordable and up to 20% to meet the local needs of older persons. Cross over between the two types of provision may be acceptable subject to the needs at the time of development, i.e. some of the affordable housing element may also count toward meeting the provision of the elderly, if suitably adapted. These requirements are in accordance with policies RS1 and RS2 of the Local Plan.
- Any new development should incorporate an innovative design approach through the building fabric, orientation and resource use in order to reduce carbon emissions and energy requirements;
- Access to public transport and walking and cycling provision will be central to the development site, ensuring connections through the site and to the surrounding areas;
- A Sustainable Drainage System (SuDS) will be provided to deal with existing and the future increase in surface water discharge, along with a solution to manage waste water flows to the waste water treatment works.
- Biodiversity – development will incorporate biodiversity and safeguard protected sites (species/habitats). Natural ‘green’ spaces and routes throughout the site will be provided for people and wildlife.

Local Facilities Plan



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The Site and Context

The site

Grove Farm comprises of 13.2ha of land enclosed by residential development to the south and part of the western boundary, with the railway embankment to the east. The existing agricultural access to the land is via High Lane.

Site context

The site is situated on the northern edge of the built up area of Ormskirk and is sited on the eastern side of High Lane (A59). The site is located just less than 1km to the north of Ormskirk Town Centre.

The site is bounded to the north by an established line of trees, hedgerows and a ditch. Beyond the site boundary to the north lies agricultural land and a working agricultural holding.

To the south is an established residential neighbourhood comprising of properties fronting Burscough Road, Pine Grove and Pine Avenue. The general styles of these dwellings are 20th century detached/semi detached properties.

The existing properties located within the western portion of the Grove Farm site comprise Grove Farm house, farm shop and ancillary stone built and pre-fabricated agricultural buildings along with the domestic gardens of the properties fronting onto High Lane and Burscough Road.

To the east of the site lies the Ormskirk – Preston railway line which is elevated by an embankment. Further to the east outside the boundary of the proposal site lies the Grade II* Listed Bath Lodge, Bath Farm and associated agricultural land.

Wider site context

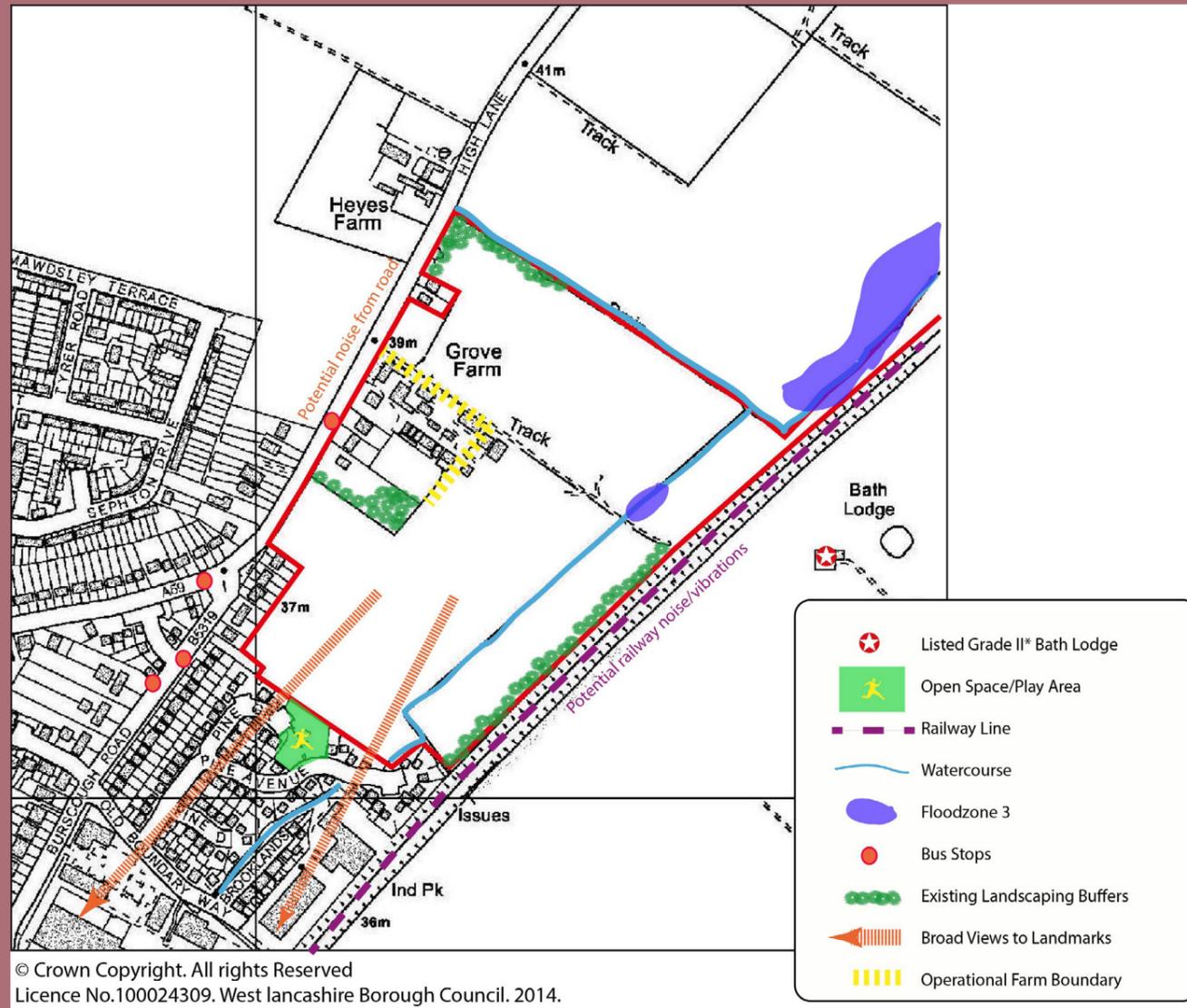
With regards to open space the nearest facilities are located at Pine Avenue (small play area) directly to the south of the site, with a larger recreation ground off Grimshaw Lane (850 metres away). The nearest primary schools are Ormskirk West End and Ormskirk Church of England Primary Schools, slightly further away from the site is St Bedes Catholic High School and Ormskirk High School.

On County Road (Located just over 700 metres away) is a local centre offering convenience stores, post office and hot food takeaway.

Existing uses and topography

The site consists of fields used as arable and pasture for poultry with the exception of some existing residential dwellings on the western boundary fronting High Lane. The topography of the land slopes gently away from High Lane towards the watercourse which passes through the site on the eastern boundary.

Constraints and Opportunities Plan



Technical Constraints

Historic Environment

Bath Lodge, a Grade II * listed Building is the nearest building of historical importance. It is located outside of the development site boundary and is screened from the majority of the site by the railway line. As far as West Lancashire Borough Council is aware, there are no archaeological constraints which would preclude the development at Grove Farm. However, applicants should contact the Lancashire County Council Archaeology Unit for information regarding the HER – Heritage Environmental Record. Archaeological Service Officer, 01772 533404, archaeology@lancashire.gov.uk

Ecology

Grove Farm holds the potential for a variety of breeding birds. However this would not constrain the development of the site. An ecological survey and Habitat Regulations Assessment Screening will be required for the site.

Grove Farm maintains a habitat relatively typical of that of the surrounding farmland area with low species diversity, some of which may potentially be priority species due to the proximity to Martin Mere.

Located on the site are an English Oak tree and an Ash tree which potentially could provide natural habitat for roosting bats. These trees are located in the small block of broad-leaved woodland in the North West corner of the site. The brick barn building and Grove Farmhouse also hold potential for the roosting of bats.

Potential locations for badger setts were noted to the east of the site boundary, on the railway sidings. These potential locations need to be the subject of further investigations.

The site is not currently home to any wolverine. However, there could be potential for such habitat on the site and suitable mitigation measures would be required if evidence of such species is identified.

No records of Great Crested Newts have been identified on the site and none have been recorded within a 2km radius of the site.

Flooding

Grove Farm is primarily located within Flood Zone 1, which indicates that the site is at a low risk of flooding. However, a small section of land is located within Flood Zone 3 deemed to be high risk. This can be seen on the Constraints and Opportunities Plan. This area of land will be required to remain open, unless mitigated, and areas of flooding (including surface water flooding) will need to be addressed in the development of the site.

Noise

Due to the proximity of the site in relation to the Ormskirk-Preston railway line, it is important to consider the noise and vibration measurements. The site falls within noise exposure areas during both daytime and night time periods. A small narrow band of the site which runs adjacent to High Lane suffers from traffic noise. No noise or vibration constraints are evident from the railway line. The frequency of the train line is currently minimal. However, any applicant must take into consideration the increase in a frequency of the train services; the results of ground borne vibration measurements during each pass-by have been assessed in accordance with BS6472-1:2008.

Noise mitigation for the proposed properties along High Lane will need to be considered in the design layout of the site and incorporate appropriate building fabrication and installation of localised acoustic measures where required.

Contamination

Ground conditions at Grove Farm comprise of Sandstone overlying Glacial Till. A number of potentially contaminated land issues have been identified in the site, associated with the operation of the farmstead. However it is considered that the environmental risk for redevelopment is low.

Drainage and Sewerage

At present there are currently no public surface water sewers serving the Grove Farm site. Consultation with the Environment Agency has concluded that, in principle, they would allow the use of the designated watercourse which crosses the site for receiving restricted surface water flows from the development. This, in principle, will allow for attenuation to be provided within the site boundary to store surface water up to 100 year storm event including allowance for climate change.

Foul water drainage within Ormskirk and Burscough is constrained due to capacity of the network and the receiving waste water treatment works located on New Lane, Burscough. It is acknowledged by United Utilities that to accommodate future development of the Grove Farm and nearby Yew Tree Farm sites there is a need to improve the sewage network and increase flow capacity to accommodate new demand. This will ensure that there is no deterioration on existing service levels.

Prior to the commencement of development, a solution is required to ensure that all surface water generated from the site must be managed on site through a sustainable drainage system and attenuated at greenfield run off rate so as not to increase the risk of flooding in the surrounding drainage network. In addition, a volume of surface water equal to or greater than the amount of foul water generated from the development of the site is required to be removed from the existing public sewerage system network and attenuated on site.

Landscape

Grove Farm is located within Landscape Character Area 2D (Natural Areas and Areas of Landscape History Importance Supplementary Planning Guidance) and there are no tree constraints located on the site. Vegetation runs along the northern boundary which adds character to the defensible landscape of the site boundary and should be maintained.

Transport

There is capacity within the highway network to accommodate the proposed 300 dwellings, with highway improvements to be determined through the planning application process.

Access to the Grove Farm development site can be taken off High Lane at two locations one serving the southern portion of the site, opposite Priory Mount and the second access serving the northern portion of the site, to the north of Martland's Farmshop.

These vehicular access points are in accordance with Manual for Streets 2 guidance. However, discussion will need to be undertaken with the Highways Authority, Lancashire County Council, before an application is submitted.

Bus stops are located along High Lane with services to Ormskirk, Burscough, Tarleton, Hesketh Bank, Skelmersdale, Chorley and Preston. These can be seen on the Constrains and Opportunities Plan. Ormskirk Railway Station is located approximately 1km away with services to Liverpool and Preston.

Links to bus and rail should be strengthened through the development of this site and, in particular, the non vehicular connections made via the Linear Park.

Utilities

Located on the site is an existing 11kV overhead line that crosses the site; however it is thought that this can be diverted underground. Gas services are located on the site and can be accommodated within the development.

Gas, water, electricity and telecommunications can be provided to the development site, without adversely impacting on the provision of services to the wider community.

Mineral Safeguarding Area

A small area in the southwest of the site should be investigated to ascertain whether mineral resource could be extracted prior to (or during) development of the site.

Policy Context

Planning policy should be referred to with respect to the future of the development of the site. However, it is not appropriate for this brief to repeat the content of guidance and policies. Instead it should guide developers, investors and their design teams to operate within the context of appropriate national and local policy guidance. There is an obligation on design teams to establish the policy context and the elements of their proposal in addition to the requirements of this brief. The main policies are summarised below:

National Planning Policy Framework

At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking.

The NPPF supports growth of areas to supply new homes, stating that this can be best achieved through planning for larger scale development, such as new settlements or extensions to existing villages and towns.

Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Development should:

- Function well and add to the overall quality of the area,
- Have a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit,
- Accommodate development whilst creating and sustaining an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks,
- Respond to the local character and history, whilst reflecting the identity of the local surroundings and materials, and not preventing or discouraging appropriate innovation,

- Create safe and accessible environments where crime, disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- Be visually attractive as a result of good architecture and appropriate landscaping.

The design elements of the National Practice Guidance should also be considered when preparing applications for development at Grove Farm.

Local Planning Policy

The West Lancashire Local Plan 2012-2027 was adopted by the Council on 16th October 2013. Policy RS1 allocates Grove Farm for residential development to assist in the delivery of 4,860 homes across the Borough over the period 2012-2027.

The following policies of the Local Plan are the most relevant to development at Grove Farm:

GN3	Criteria for Sustainable Development
RS1	Residential Development
RS2	Affordable Housing
IF2	Enhancing Sustainable Transport Choice
IF3	Service Accessibility and Infrastructure for Growth
IF4	Developer Contributions
EN1	Low Carbon Development and Energy Infrastructure
EN2	Preserving and Enhancing West Lancashire's Natural Environment
EN3	Provision of Green Infrastructure and Open Recreation Space
EN4	Preserving and Enhancing West Lancashire's Built Environment, Cultural and Heritage Assets

Design Guidance

Developers, investors and their design teams should also be aware of design best practice and this should be referred to in the preparation of proposals for this site. Particular attention should be paid to the Design Guide SPD 2008 and national guidance such as Building for Life 12 (Design Council CABE 2012) or any subsequent replacement documents should also be referred to.

Open Space and Recreation Provision in New Residential Development

Supplementary Planning Document

The Open Space and Recreation Provision in New Residential Development SPD is designed to provide more detailed guidance on the Borough Council's approach to the protection and enhancement of existing open space and the provision of additional open space and associated facilities as part of new housing developments. The latest and most up to date SPD should be referred to in the production of any planning application for the site.

General Place Making Principles

The planned growth for West Lancashire provides an opportunity to create sustainable and vibrant new communities. It is crucial that we build high quality housing with a unique identity that will provide visually pleasing environments where people will want to live. The Local Plan and Design SPD set out core principles for the level of quality to be expected in new developments.

This section describes the Quality of the Character.

The Four Cs of Place Making

It is important that Grove Farm is designed to be a distinctive and attractive place in its own right, and also one that integrates with and benefits Ormskirk. To ensure distinctiveness and integration we have established four main place-making principles:

- Community
- Connectivity
- Climate
- Character

Community

Individuals and families build into communities that live in and use places. The following community focused place-making principles provide a basis for ensuring that Grove Farm will be a well designed and successful place whose community has the best chance to thrive:

- Consult the community on the draft development brief and at pre-application stage.
- A range of housing tenures should be available, and homes should be built in a way that allows adaptation to different stages of life.
- Individuals should feel able to get involved in managing their communities.
- There should be a mix of formal and informal greenspace and links between them.
- Community activities should be encouraged by the provision of places to meet informally and formally.

- Public space should promote social interaction and healthier lifestyles.

Connectivity

Whilst private cars will remain important they should not over-dominate the design process or the completed development. The following connectivity principles provide a basis for ensuring that Grove Farm will be well connected within and beyond itself by a range of transport choices and opportunities to safely walk and cycle:

- Development should be easily accessible by public transport services.
- Development should enhance the feasibility of walking and cycling.
- Streets, footpaths and other links should provide for ease of mobility for all sectors of the community.
- Bus stops should be well designed and should provide information on services and local facilities.
- Road designs should include permeable surfaces and service infrastructure should go into green space corridors or service ducts.

Climate

All new development and environmental infrastructure at Grove Farm will be built to meet the latest environmental standards, using the following climate change focused place making principles:

- Generally, the pattern of development should allow people to easily adopt sustainable lifestyles.
- Parts of the development should aim to achieve the highest standards and act as examples of good practice as the development proceeds.
- New development should not be located in areas liable to environmental risks.
- If possible, sustainable waste management systems should be built into new developments to make recycling easy and unobtrusive and encourage people to waste less.

- All buildings should be designed to anticipate the potential impacts of climate change and have a capability to be easily adapted.
- Biodiversity and wildlife should be encouraged through a network of green spaces and sustainable drainage systems that are specifically designed to foster greater ecological variety.
- Sustainable energy partnerships or trusts should be encouraged as part of the new development.
- Trees and planting should be used to provide shading and cooling in summer and to soak up rain as well as providing attractive landscapes.

Character

The following design character focused place-making principles provide a basis for ensuring that Grove Farm will be a well-designed and attractive place:

- Existing landscape features should be identified and used to create a locally distinctive place.
- Densities and massing should vary to reflect the surrounding area.
- Creative but simple designs, well built with good materials and detailing are often the most successful and durable approaches.
- Open space should be designed to be integrated with buildings and good landscapes are as important as good buildings.
- All buildings should be designed to be flexible and adaptable.
- Car and cycle parking, storage and waste recycling should be integrated into the design process of all buildings.

Site Specific Urban Design Principles

Design Principles

The following design principles underpin the proposals:

- To integrate development and support community cohesion, new development on the site should include a link to the existing residential neighbourhood south of the site on to adopted highways or Council controlled land;
- The area of land closest to the Green Belt boundary to the east of the site should be treated as a buffer zone between the development and the surrounding countryside. Areas of open space and landscaping will be encouraged here and, where appropriate, sensitively designed, lower density development that will not detract from the openness of the surrounding Green Belt.
- The existing landscape, including topography and tree areas suggest an opportunity for a linear park and public open space, each with its own distinctive character responding to the landscape.

Surrounding Character

The site is located within an existing arable farming area, displaying typical characteristics of field margins, tree and hedge planting and ponds. The hedging provides an opportunity as a framework for development. Typical of this area are the meandering roads which have served the settlements through the development of the town.

The northern site boundary features existing vegetation and a ditch creating a strong and defensible boundary to the site. Appropriate landscape treatments within the development can be used to strengthen the existing boundary and to create a strong defensible boundary to the urban area.

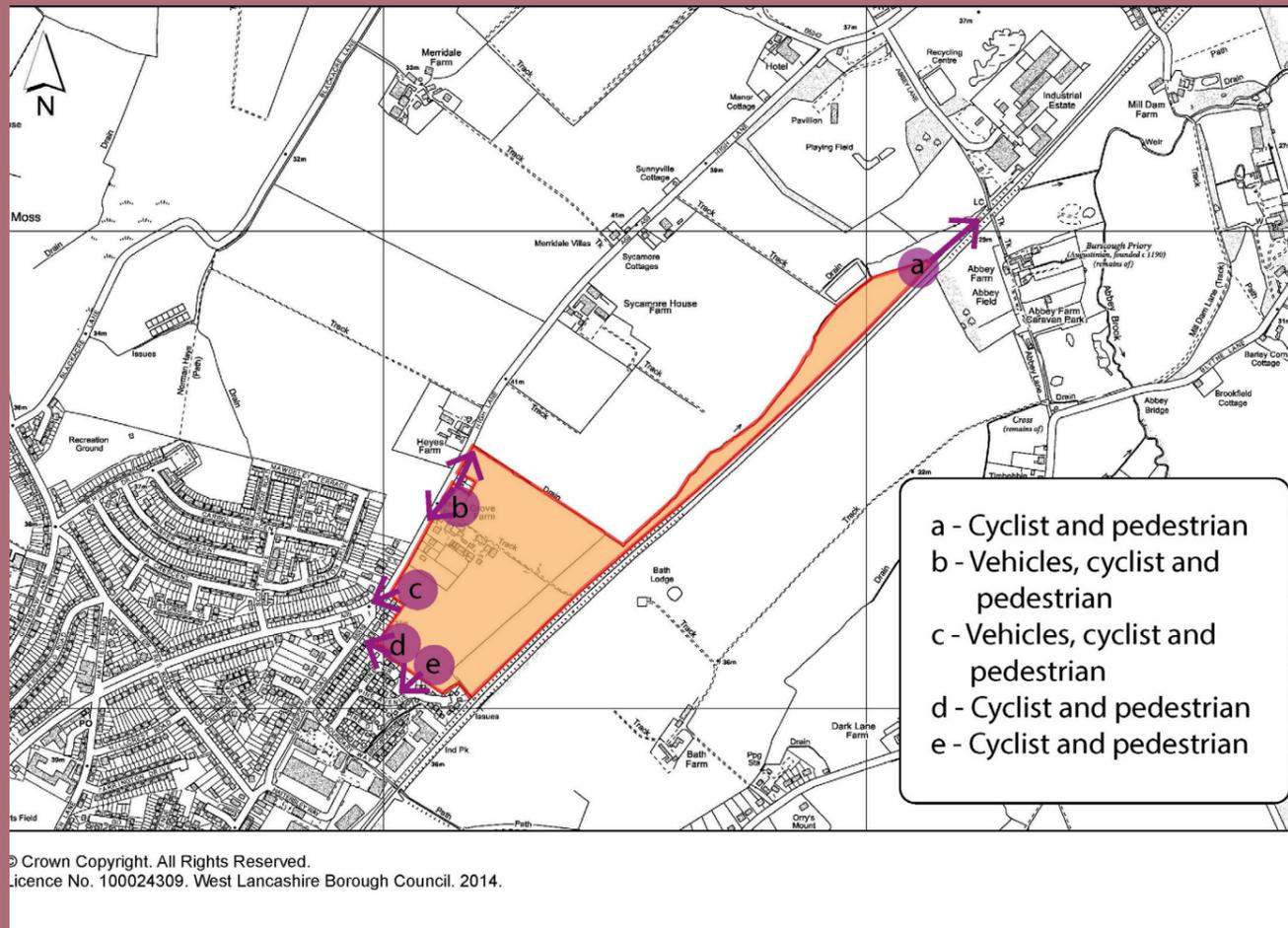
A variety of housing styles and densities of development can be found in the area immediately surrounding the Grove Farm site. The proposals for Grove Farm should complement and reflect the most successful elements of building character and distinctiveness, including building scale, massing and height. Building density should be lower towards to the northern boundary and the eastern boundary to respect the surrounding Green Belt.

Connections

The Connections plan addresses movement around the site, including provision for pedestrians, cycle and public transport, and motorists in presenting a hierarchy of street types prioritising different movements. It presents an opportunity, opening this site to public access and linking it into the existing residential community to the south.

The cohesive connection of existing and new communities will aid access to public transport and increase and support opportunities for walking and cycling in particular accessing the established existing links to Pine Grove and Burscough Road. There are no existing footpaths or cycle ways through the site. Existing facilities are located within Ormskirk town centre and bus stops are located along High Lane.

Potential Connections Plan



The potential connections and links are illustrated on the Connections Plan:

a – Linear Park pedestrian and cycle link, this will help contribute to linking Ormskirk with Burscough through the creation of the Linear Park.

b – North of Grove Farm Access – vehicle, cycle and pedestrian access, this access onto the A59 will allow development located in the northern section of the site to enter/exit. The two vehicular access points could provide an opportunity for a bus service to be delivered through the site.

c – South of ‘Hilbre’ vehicle, cycle and pedestrian access, this access onto the A59 will allow development located in the southern section of the site to enter/exit. The two vehicular access points could provide an opportunity for a bus service to be delivered through the site.

d – Burscough Road pedestrian and cycle access - this would allow, not only for people from the Grove Farm site to access the proposed cycle way into Ormskirk, but also allow opportunities for people outside of the site to access the Linear Park. This will be delivered subject to land ownership and adopted highway constraints.

f – Pine Grove pedestrian and cycle links, this access is the point at which the Linear Park will allow connections through Pine Avenue to the public right of way that passes under the railway line at Old Boundary Way and to the proposed Linear Park which will run from Ormskirk to Skelmersdale thereby connecting to the wider Green Infrastructure Network. It also provides connections through to the rail and bus stations and the town centre in general.

Key Landscape Elements

The countryside in West Lancashire is well known for contributing to a green landscape. The landscape setting for the development will play a key part in retaining a strong landscape character.

The West Lancashire Local Plan outlines some of the open space standards for new development.

An approach including a variety of Green Infrastructure opportunities should be embraced and located appropriately for:

- Driving character and memorable identity,
- Access,
- Recreation and Facilities,
- Biodiversity,
- Symbiotic relationships with the built form, where development is proposed; and
- Promoting links, where appropriate, to the broader landscape offer.

The design of Green Infrastructure should seek to:

- Consider native planting for biodiversity in the first instance,
- Limit the use of paved surfaces to locations whose function determines their necessity. Porous surfaces should always be considered in the first instance;
- Promote on-site water attenuation including grey water recycling within the development;
- Include elements of a Sustainable Drainage System, including ponds, ditches, swales and wetlands as appropriate. These need to be considered with new habitat creation in mind;
- Pay careful attention towards the provision of gardens, which can add to the overall Green Infrastructure objectives around reducing flood risk and promoting biodiversity, but their function could be tackled separately; and
- Include multi-functional open spaces which allow flexible uses and long term adaptability.

Reducing Climate Change

In order to assist in the reduction of climate change it is important that any development takes into consideration sustainable design and sustainable construction methods, in the context of policy EN1 of the West Lancs Local Plan 2012-2027.

Consideration shall be given to the use of renewable energy and innovate, low carbon design, where feasible and viable.

Transport

There is capacity within the highway network to accommodate the proposed 300 dwellings, with limited highway improvements.

Access to the Grove Farm development site can be taken off High Lane at two locations one serving the southern portion of the site, opposite Priory Mount and the second access serving the northern portion of the site, to the north of Martland's Farm Shop. These vehicular access points are in accordance with Manual for Streets 2 guidance. However, discussion will need to be undertaken with Lancashire County Council before an application is submitted.

Urban Design Opportunities

The site offers a significant opportunity to sustainably deliver much needed residential development in West Lancashire over the plan period to 2027, on the edge of Ormskirk.

A well-considered internal layout will open up the site, whilst minimising the impact of the wider community.

The site is located on the edge of the urban settlement and already displays landscaping boundaries to the north reducing the impact upon the Green Belt. The eastern boundary of the site, together with a 1km stretch of land to the north of the site adjacent to the railway line, provides a valuable opportunity for the creation of a linear park, connecting Ormskirk to Burscough. The existing watercourses and drains once realigned will assist in the creation of Sustainable Drainage Systems. The site allows for green space to be located on the boundaries adjoining the Green Belt, thus again reducing the visual impact to the surrounding areas.

The farm buildings, large dwellings and gardens to the west of the site provide a pleasant frontage to High Lane and are characteristic of the semi-rural location. However, the generous plot sizes also lend themselves to potential scope for future development. Any proposals for this area of land (washed over in red-brown on the indicative plan) should seek to integrate with the wider site and conform with other Local Plan policies in respect of design, form and layout.

Furthermore, any access to such sites should in the first instance, look to integrate with the wider site and avoid direct links onto High Lane unless it can be demonstrated that it is safe and appropriate to do so.

Development Requirements

Quantum and mix of development

The overall quantum of housing required (2012-2027) in the Local Plan is heavily influenced by demographic and economic changes over the plan period, including the requirement for 35% affordable housing.

Development on Grove Farm is proposed to deliver at least 300 dwellings and associated public open space.

The requirement of affordable homes and elderly provision originates from policies RS1 and RS2 of the Local Plan; the figures 35% affordable homes and 20% homes designed for the elderly have been derived taking into account the housing needs study for West Lancashire, and population and household projections. The Council will have regard to the impact of these and other policy requirements on the viability of the overall scheme.

Below is a table setting out how the housing mix could be split:

	Affordable Housing General Needs	79	35% affordable housing requirement
	Affordable Housing Older Persons	26	
20% elderly housing requirement	Market Housing Older Persons	34	
	Market Housing General Needs	161	
	Overall Total	300	

With regard to the provision of elderly accommodation, it should, if possible, be located within a suitable walking distance of shops and/or public transport. The typical perception of elderly persons' accommodation is bungalows or sheltered housing. However, this need not be the case, and such types of development may not always be appropriate, e.g. from a density point of view. Elderly persons' housing could simply be individual private dwellings that contain features designed specifically for the elderly (as opposed to Lifetime Homes, which are able to be adapted to suit older or disabled people). The provision could, if appropriate, be met through an Extra Care Facility or other purpose built elderly accommodation. The Council recommend that any applicant should consult with the Housing Strategy and Development Programme Manager, 01695 585244 jonathan.mitchell@westlancs.gov.uk

Grove Farm has the potential to provide up to 60 older persons units with up to 26 of those units being regarded as affordable housing type tenure and up to 34 units consisting of market housing for older people, this is based on evidence data in April 2014. Developers should use the most up to date data available at the time of making their planning application.

A hierarchical approach could be adopted such as:

1. Sheltered Housing
2. Bungalows and smaller scale apartment developments.

An Extra Care type / Assisted Living scheme could also be considered, although the above delivery approaches are currently considered more appropriate for this site.

Each approach complying with Housing our Ageing Population: Panel for Innovation (HAPPI) principles.

As part of any planning application the developer should provide an older persons statement that aims to justify their intended approach in respect of the provision of older person's accommodation on the site. In that regard, and particularly in the case of affordable housing for the elderly they would be expected to have:

- Liaised with Health / County / CCG's /Housing Associations to ensure that due regard has been given to trying to develop the housing as indicated by the delivery hierarchy. If they cannot deliver such housing then we need to know why.
- Explained how their approach has complied with HAPPI principles and any other good practice guidance related to design.
- Identified relevant delivery partners such as Housing Associations

Sustainable development requirements

The required minimum design standards for Grove Farm are, to achieve Part L of the Building Regulations as a minimum requirement. The Council will also encourage all major developments to explore the potential for a district heating system or decentralised energy network through Policy EN1 of the Local Plan.

Any subsequent application or applications will be required to attend a Places Matter design review panel, at the expense of the applicant.

Open space public realm requirements

The site, once developed, will need to provide usable greenspace along the northern and eastern edges of the site. The greenspace is to be multifunctional by creating appropriate buffers between the proposed housing and the open countryside beyond the site to the north, the railway line to the east and the nearby Bath Lodge Listed Building beyond the railway line.

A Linear Park is required to connect the site to the wider Borough, the developer of the site will be expected to contribute to this by providing a Linear Park which stretches to Abbey Lane in Burscough and connects with the Pine Grove estate through the existing public open space. This is demonstrated in the Connections Plan.

The development will also be required to ensure it connects with existing cycle/footpaths to the south through to Ormskirk and north, through to Burscough via Yew Tree Farm. The Council currently own the existing public open space on Pine Grove.

The Play Area is a small equipped play area, which does not currently comply with the Council policy of providing "Fewer, Bigger, Better" equipped play areas. This would mean that current Council policy would be to remove it rather than replace it when it became degraded. However, should the developer of Grove Farm wish to utilise this play area as part of a larger facility by "straddling" the boundary into the development site open space then the Council would support this, provided that the future maintenance of the whole site "including small play area" could be managed independently through a Management Trust.

Open space will need to develop a relationship with the proposed landscape treatments, seeking to preserve a semi-rural character and maximising wildlife value within the open spaces throughout the development.

The location of the informal amenity space should carefully consider:

- Access standards and connections to other green infrastructure,
- Physical and visual amenity,
- The design of the built form should not leave left over spaces; and
- The management and maintenance of the open space.

Grove Farm is expected to deliver at least 300 dwellings with a minimum requirement of 15 sqm per bedroom of each dwelling of on-site public open space; of which 13.5sqm will be in the form of informal open space and 1.5sqm of formal public open space including play equipment. These figures could include the area of the linear park within the main body of the site but should not include drainage features except where they are an integral functional part of any open space and are correct at the time of writing this development brief. Please refer to the most up to date requirements in the

Transport access and servicing requirements

There is the ability to have two access points entering the site from High Lane, one to the north of Martlands Farmshop and one to the south of Hilbre. Any development to the rear of existing properties on High Lane i.e. Hilbre, St Chads and Beltsville, should seek to access the site via the two access points to avoid highway implications along High Lane.

This will also ensure that all development is in keeping with the character of the area and the requirements of the Development Brief. Any alternative accesses will be required to demonstrate that they are acceptable in highways terms.

The design of all streets should comply with the Chartered Institution of Highways and Transportation's Manual for Streets 2.

Streets should be designed to encourage suitable behaviour from those who use them, particularly from drivers, through appropriate street design rather than simply relying on speed limits. All streets should be fronted by development.

The pedestrian, cycle and public transport networks should be complete as soon as is practicable to encourage travel by these modes. Development layout should ensure that a legible, connected street network is created.

There should be no single solution for the location of car parking spaces, but car parking on-plot is the preferred method with the preference for side parking, while parking to the rear of properties should be a last resort.

Car parking provision should be calculated using West Lancashire's Car Parking standards set out in Appendix F of the Local Plan. Attention is to be drawn to the requirement for Electric Vehicle Charging Points (Policy IF2), each dwelling is required to provide a charging point and communal parking areas should provide at least 1 space for charging or 10% of spaces on site, whichever is greater.

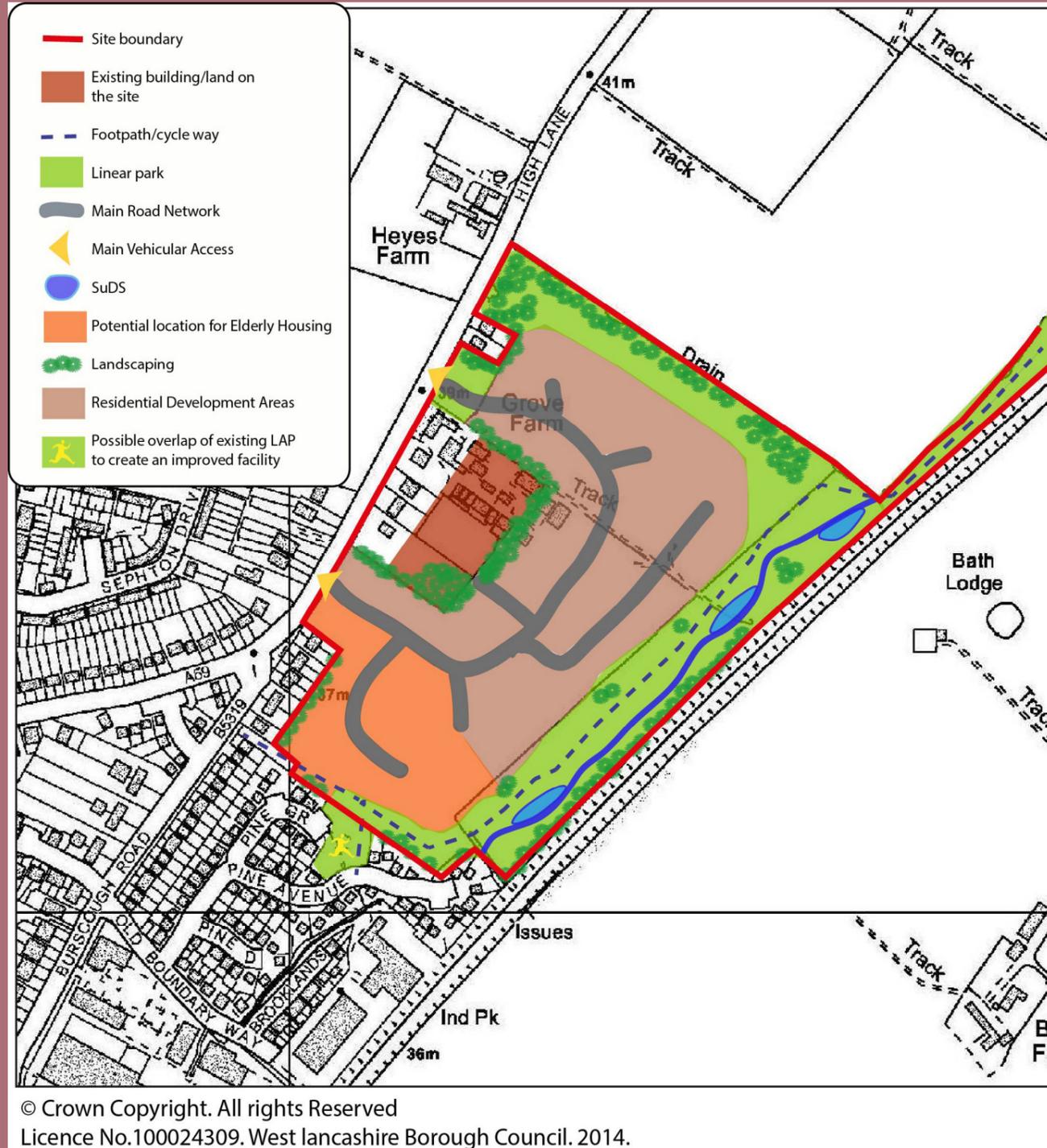
Land Use

The indicative plan on page 23 demonstrates that the site will be broken up into a number of areas respecting the character and surroundings of the site. The development proposes that through these respective areas the development comprises:

- Residential areas,
- Public open space and play equipment,
- SuD's; and
- Landscaping boundaries

The plan is indicative only and designed to show how the site could be laid out to achieve all of the site objectives including housing mix, open space, linear park, SuD'S and good integration and connectivity.

Indicative Plan



Development Process

Outline of potential planning obligations

Planning obligations are sensitive to the overall site viability assessment, development mix and quantum. They could also be significantly affected by the site constraints, underground utilities, and variables that are not yet known. Any development on site will make a proportionate contribution towards the strategic infrastructure through a S106 agreements and/ or CIL charges.

Required Supporting Information

Aside from the usual Planning Statement and Design & Access Statement, the following evidence is likely to be required to support any planning application in accordance with Policy RS1 of the Local Plan on the Grove Farm site:

Affordable/Elderly Housing Statement – providing details relating to the provision of affordable housing, including the number and mix of residential units with numbers of habitable units, plans showing the location of units and the number of habitable rooms and/or bedrooms and the floor space of the units. If different levels or types of affordability or tenure are proposed for different units this should be clearly and fully explained.

HRA Screening/ Ecological Survey – as a minimum, a Phase 1 Habitat Survey, with more detailed assessments required depending on what the Phase 1 Survey identifies.

Coal Mining Risk Assessment – the presence of a Coal Mining Referral Area and Mineral Safeguarding Area will require close liaison with the Coal Authority and LCC on any development proposals and potentially a Coal Mining Risk Assessment Report.

Contaminated Land Report – where a development proposal includes a particularly vulnerable use (e.g. a care home) or where there is any suspected history of contamination on any part of the site, a Contaminated Land Report is required in line with the latest national guidance.

Crime Impact Statement – to consider whether the development can help avoid / reduce the adverse effects of crime and disorder. This can be provided as part of the Design & Access Statement.

Energy Statement – an opportunity for the applicant to show how the consideration of energy efficiency and sourcing energy from a renewable source, together with the use of sustainable resources, has influenced the development proposals. In line with Policy EN1 of the Local Plan, low carbon design should be incorporated into the development proposals as required by Building Regulations and the potential for renewable, low carbon or decentralised energy schemes serving the site should be considered thoroughly.

EIA Screening - Seeking the Council's opinion on Scoping for Environmental Impact Assessment.

Site Waste Management Plan – should contain details of the types of construction waste to be removed from the site, the identity of the person who will remove the waste, and the site that the waste will be taken to. The plan should also include details of how waste will be minimised and materials re-used on site.

Statement of Community Involvement – setting out how the applicant has complied with the requirements for pre-application consultation provided in the Council's adopted Statement of Community Involvement and demonstrating that the views of the local community have been sought and taken into account in the formulation of development proposals.

Transport Assessment – required where any proposal would be likely to result in a material increase in traffic movements on roads, whether adjacent to or remote from the site.

Draft Section 106 Heads of Terms – depending on the precise requirements at the time of application and what is outlined on the Council's Regulation 123 list, this may address the provision of affordable housing, the provision / improvement of open space and / or contributions towards highways and transport improvements.

Flood Risk Assessment – provide a Flood Risk Assessment in line with the latest national guidance to assess any implications development may have on all forms of flood risk on the site and in the wider area, and address how sustainable drainage systems will be utilised in the development proposal.

Foul Sewerage Treatment Statement – all new buildings need separate connections to foul and storm water sewers and applications for such development should therefore be accompanied by a foul sewerage assessment. This should also include a statement indicating how the development will connect to existing utility infrastructure systems.

Heritage Statement – ensuring that the impacts on nearby Heritage Assets have been considered in the preparation of development proposals.

Landscape & Visual Impact Assessment – to ensure that the landscape and visual impacts of proposals are fully considered in the preparation of development proposals.

Landscaping Scheme – identifying the main areas and types of planting and hard surfaces (existing and proposed).

Parking & Access Arrangements – all applications requiring the provision of off-street parking and servicing will be required to demonstrate adequate on-site parking and servicing provision, including mobility spaces and provision for cycling and motorcycles as appropriate, in line with Policy IF2 of the Local Plan.

Travel Plan – should outline the way in which the transport implications of the development are going to be managed in order to ensure the minimum environmental, social and economic impacts. The travel plan should have a strategy for its implementation that is appropriate for the development proposal under consideration.

Tree Survey – in line with Policy EN2 of the Local Plan, consider the potential adverse effects of the development proposals on any existing trees or hedges on, or adjacent to, the site. This should be undertaken by a suitably qualified arboriculturist and in line with BS.5837:2012.



development brief

Firswood Road

July 2014

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Assistant Director Planning
West Lancashire Borough Council

www.westlancs.gov.uk

WEST LANCASHIRE



LOCAL PLAN

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The Site: Firswood Road



Executive Summary

Introduction & Purpose

This development brief has been produced to guide developers and investors in their proposals and planning applications for the future of the housing development site bounded by Firswood Road, Neverstitch Road, Slate Lane, and Ormskirk Road / Blaguegate Lane ("Firswood Road"), on the edge of Skelmersdale in the parish of Lathom South. This Brief is not a blueprint for development, but a set of principles that, when applied, will significantly contribute to the aim of creating a high quality, sustainable development of the site.

Vision

The Vision for the Firswood Road site is to develop the land in such a way as to complement the existing residential areas and to diversify the choice and range of housing to meet local needs, whilst helping to create a linear park to provide multifunctional recreation spaces, and improve opportunities for walking and cycling.

Existing Site

The site comprises approximately 22 ha of land allocated for residential use, of which up to 18 ha are considered to be developable. The topography of the site is relatively flat with a slight change in level towards the eastern boundary. The site is currently accessed via Neverstitch Road and Firswood Road and connected between the two access points by Old Engine Lane, a private road/footpath, with a public right of way.

Opportunity

The site will deliver approximately 400 new residential dwellings with an associated linear park and open space/landscaping. This will assist in meeting the housing requirement of the West Lancashire Local Plan 2012-2027 of 4,860 dwellings over the plan period.

Sustainability, in all its aspects, will sit at the core of all that is developed on the site.

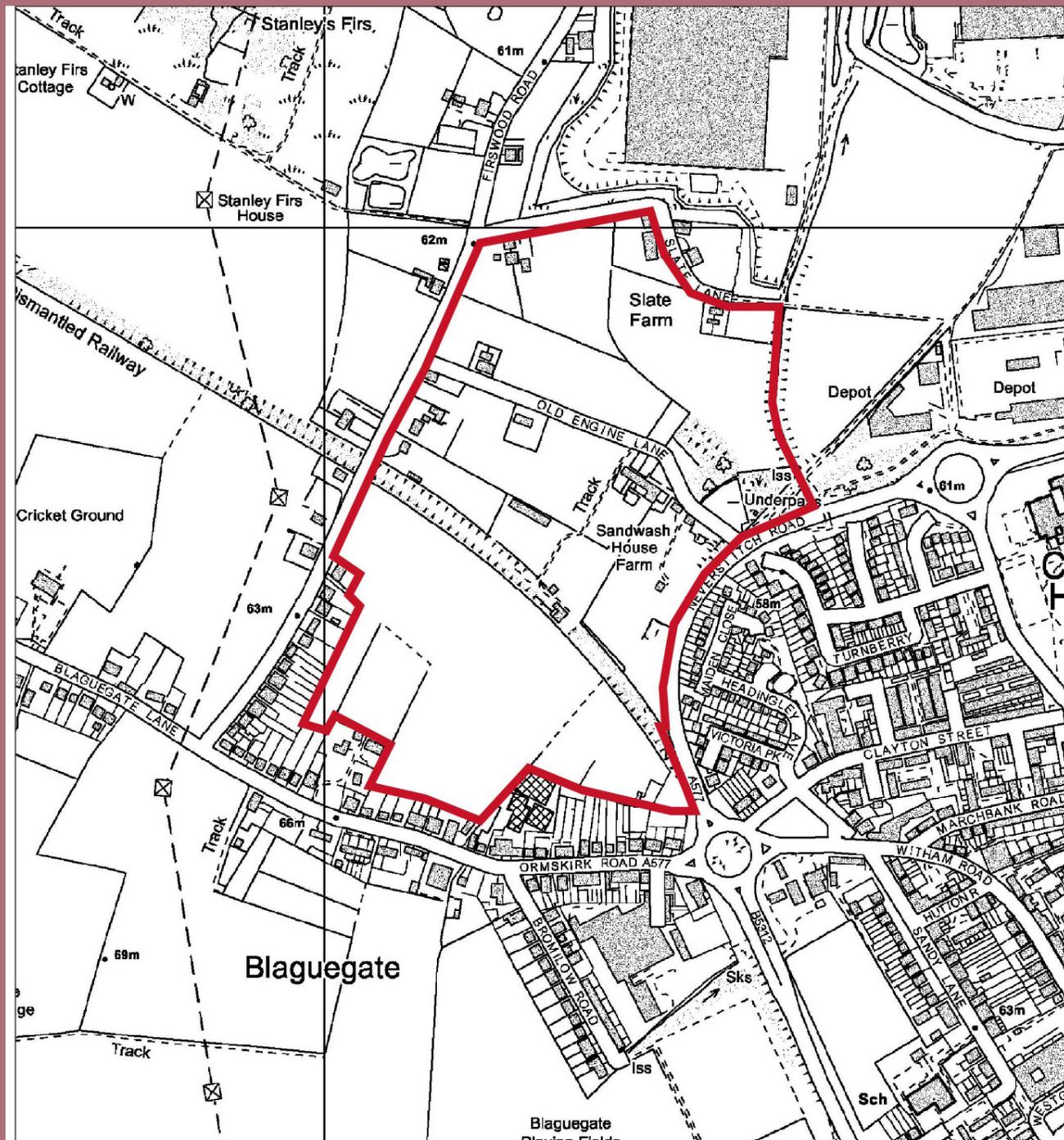
Phasing

It is anticipated that the site will be brought forward in a complementary not competing fashion, and this should be reflected in a more detailed phasing programme for the site.

Next Steps

This Brief will inform the nature and content of outline and reserved matters / full applications for planning permission that come forward involving this site. Once adopted, it will be a material consideration in the determination of such applications.

Residential Development Site Boundary



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Introduction

Background

Firwood Road has been identified from as far back as the early 1990s as a site to assist in the longer-term delivery of housing for West Lancashire Borough Council. From 1992-2013, the site was subject to a safeguarded land policy. However, in the current West Lancashire Local Plan 2012-2027 ("the Local Plan"), adopted in October 2013, the site has been judged necessary to meet the Plan's housing targets, and has thus been allocated for development within the Plan period.

As part of Local Plan policy RS1 Residential Development, several of the allocated housing sites, including the Firwood Road site, are required to have a masterplan/ development brief produced to assist in the delivery of the site.

Document Preparation

This document has been subject to consultation which included a 6 week consultation period for representations to be made and a drop in session which complies with our current Statement of Community Involvement.

Purpose of the Brief

This document sets the agenda for the development of Firwood Road as a residential development site. It promotes high quality design and a contextually sensitive approach to existing development and place-making. Development at Firwood Road will have a lasting impact on the surrounding area, thus it is important to achieve a high quality residential development at this location on the western edge of Skelmersdale, whilst maintaining a strong Green Belt boundary on Firwood Road. As it will be developers that will roll out the future development of the site, the purpose of this Brief is to help achieve a vision for the site by establishing appropriate design principles for the site. By preparing the Brief, the Council is establishing a strategic approach to site development.

The Local Plan envisages the delivery of Firwood Road for approximately 400 residential dwellings along with access and associated landscaping and the provision of a linear park link to assist in the delivery of the proposed Ormskirk – Skelmersdale Linear Park.

This Development Brief therefore provides a design framework with principles and guidance, which should inform detailed design solutions, but it also recognises the importance of retaining flexibility to respond to changing market conditions and social and technical demands. The Development Brief includes illustrations to indicate how future development might look. However these are not intended as prescriptive blueprints for the site, but as an indication of how the principles might be adhered to.

The Brief will provide guidance and a basis for review whereby future development proposals can be assessed against the Brief.

Using the Brief

The Brief is intended to be instructive, assisting any developers interested in the development of Firwood Road. It sets out an understanding of what is required and what is acceptable. The brief acts as a reference document and a platform for further detailed design and a single or suite of successful planning application(s). It does not, however, provide all the information necessary to inform a successful development proposal. Consultation and dialogue with West Lancashire Borough Council, the Local Planning Authority, will therefore be essential to achieve a full and detailed appreciation of the planning position and expectations for the site. This should be through the formal pre-application process.



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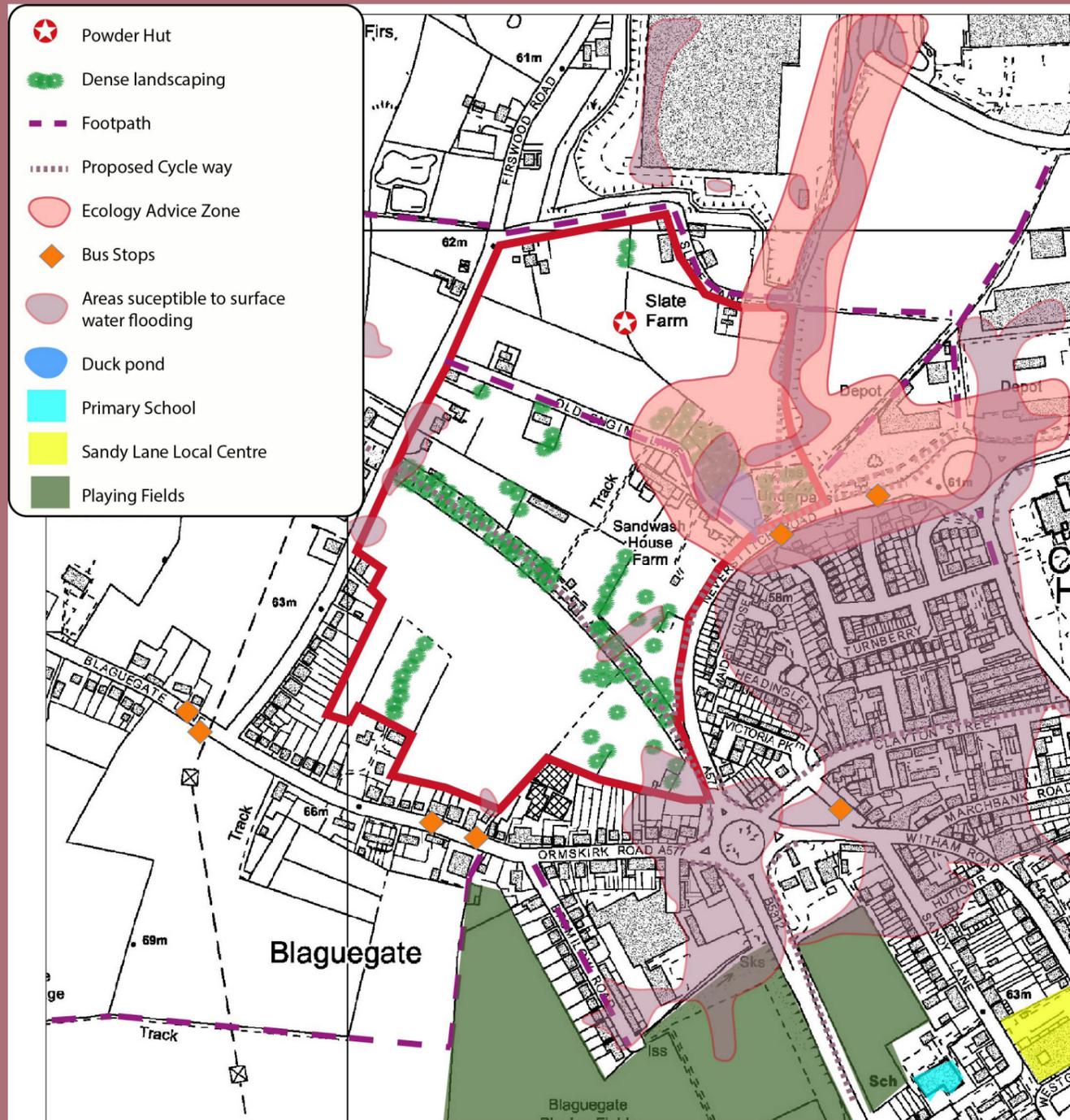
Vision and Key Principles

The Vision is for development at the Firwood Road site to develop the land in such a way as to complement the existing residential areas and to diversify the choice and range of housing to meet local needs, whilst helping to create a linear park to provide multifunctional recreation spaces, including walking and cycling.

The following principles set the expectations at a strategic level:

- A range of high quality, well designed, low carbon homes will be encouraged;
- The housing aspect of the development will need to include a good mix of housing types to meet all local needs. 30% of properties will be required to be affordable and 20% to meet the needs of older persons.
- Any new development will need to meet Part L of the Building Regulations as a minimum requirement;
- Access to public transport and walking and cycling provision will be improved within the development site and the surrounding areas, assisted by a linear park offering opportunity for recreational uses;
- A Sustainable Drainage System (SuDS) will be provided to deal with existing and the future increase in surface water discharge; and
- Development will incorporate biodiversity measures and safeguard protected sites (species / habitats). Natural 'green' spaces and routes throughout the site will be provided for people and wildlife.

Constraints and Opportunities Plan



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Technical Constraints

Historic Environment

As far as West Lancashire Borough Council is aware, there are no archaeological constraints which would preclude the development at Firwood Road. However, applicants will be required to consult with Lancashire County Council's Scheduled Monument Register regarding any designations on the development site.

Located on the site is a historic Powder Hut, a 19th century explosives store for the Lathom Colliery. The developer will be required to undertake a significance or heritage report for the Powder Hut and will ultimately be encouraged to retain this nominated locally listed feature in order for the historic role of the site to be reflected in the new development.

Applicants should contact the Lancashire County Council Archaeology Unit for information regarding the Heritage Environmental Record (HER) as follows:

Archaeological Service Officer, 01772 533404,
archaeology@lancashire.gov.uk

Ecology

Firwood Road maintains a habitat relatively typical of that of the surrounding area. The site is not designated as a nature conservation site on account of its species diversity. The Habitats Regulations Assessment for this site, undertaken during the preparation of the West Lancashire Local Plan 2012-2027, stated:

*This site is on the western boundary of Skelmersdale and is not located in an area currently identified as sensitive for qualifying bird species. Whilst the site supports grassland and/or arable habitat which may meet the basic needs of qualifying bird species, it is surrounded by existing residential and employment development and divided by linear belts of shrubs and trees. It is thus unlikely to be attractive to qualifying bird species due to proximity to human activity and lack of the wide open views preferred by these species.*¹

¹West Lancashire Local Plan Habitats Regulations Assessment, URS, Nov 2011, p207. Available online at: <http://www.westlancs.gov.uk/pdf/West%20Lancs%20HRA%20with%20appendices%20-%20opti.pdf>

However, during consultation on the site, the Council has been advised of a range of species observed on the site, including a number of protected species such as barn owls. It is important that development of the site be undertaken in such a way as to minimise to an acceptable level its impact on these species. A full investigation of the presence of protected species, and proposals for mitigation, will be required as part of any planning application on the site. Early engagement with the Council on the need for HRA screening is advised.

Located to the north east boundary of the Firwood site, in close proximity to Sandwash House Farm, lies an ecology standing advice zone. It is thought there could be potential breeding habitats for bats and birds located in this area, and further investigation will be required through a Phase 1 Ecology Survey to accompany any future planning application.

Tree Preservation Order ref: TP (WLBC 31 2004) applies to part of the site surrounding the pond north of Old Engine Road; the TPO covers a mixed woodland area, mainly consisting of Birch, Oak and Hawthorn with some ash, willow, sycamore, rowan, holly and wild cherry which could hold potential for the roosting of bats. Other trees on the site will be worthy of retention; liaison is encouraged with the Council's arboricultural officer on this matter.

The line of the former railway running west to south-east across the site is designated on the Local Plan Policies Map as a wildlife corridor, as well as being part of the proposed Ormskirk – Skelmersdale Linear Park.

Flooding

Firswood Road is located within Flood Zone 1, which indicates that the site is at low risk of flooding. However a small section of land along the north eastern boundary, to the east of Slate Farm, is prone to surface water flooding. This area of land already accommodates a brook (Slate Brook) which will be required to remain open; subsequently areas of flooding will need to be addressed in this area. The constraints map shows a number of areas that are subject to surface water flooding. However residents in the area have notified the Local Planning Authority that some other additional areas occasionally suffer from surface water flooding following heavy rainfall. This should be addressed through a Flood Risk Assessment (FRA) as part of any planning application.

Drainage and Sewerage

At present there are currently no public surface water sewers serving the Firswood Road site. On site SuDS will be required to manage surface water drainage to attenuate to a greenfield land run off rate. Therefore, early engagement with Lancashire County Council, the Lead Local Flood Authority is required. Some residential properties located on or surrounding the site currently have drainage rights over the Firswood Road site as a result of their not being connected to the wider drainage network.

Noise

Due to the proximity of the employment area to the north of the site, it is important to consider noise and vibration measurements. The site is also adjacent to Neverstitch Road (A577). Given the frequency of traffic running along this boundary, the land to the east would potentially have a slightly increased risk of noise.

Noise mitigation for the properties which may fall within a higher noise level, for example to the north of the site or along the eastern boundary, will need to be considered in the design layout of the site and incorporate appropriate building fabric and installation of localised acoustic fences where required.

Contamination

There are two seams of coal under the land at Firswood Road, one shallow, one deep. Initial indications are that the existence of the coal under the site will not compromise development to any significant extent, taking into account land stability issues, and the need to consider sterilisation of any workable coal deposits. It has not yet been possible to carry out a detailed ground condition survey, but the site is located within a Coal Mining Development area, and a number of mine entries have been located along Old Engine Lane and in the vicinity of Slate Farm. The site also contains high risk development areas along the eastern boundary. Any developer/applicant will need to engage with Lancashire County Council with regards to the minerals safeguarding area in the northern part of the site and undertake thorough site investigations as part of the planning application process.

Landscape

The site is within the Skelmersdale Landscape Character Area (Landscape Character SPD) but is not located within, or directly adjacent to, any Area of Landscape History Importance (the nearest such area is approximately 1km north of the site). The only tree constraints are located on the north eastern boundary at the junction of Old Engine Lane and Neverstitch Road, around Slate Farm and along the dismantled railway. Vegetation runs along all of the boundaries and the dismantled railway line, which adds character to the defensible landscape of the urban area.

Transport

There is capacity within the highway network to accommodate the anticipated traffic generated by the proposed 400 dwellings, with limited highway improvements.

The main access to the Firswood Road development site should be taken off Neverstitch Road between Old Engine Lane and the Ormskirk Road roundabout, at a point where maximum visibility can be achieved.

A minor secondary access to the site may be located on the southern part of Firswood Road (south of the bridge over the disused railway line).

This will ultimately increase traffic using the Firswood Road/ Blaguegate Lane junction. However, due to the limitations of this junction and of Firswood Road generally, this access would by necessity be limited to only a small portion of the site, and to access for emergency vehicles. Advice received from the highways authority (Lancashire County Council) is that the number of residential units served by an access onto Firswood Road should be limited such that no more than 60 extra trips at peak times be generated by the new housing. This could equate to approximately 100 3-bedroom dwellings, subject to detailed transport assessments demonstrating that the 2-way trip generation on Firswood Road does not exceed 60 vehicles per hour at peak travel times in order to maintain the rural nature of the lane.

If it is possible, the creation of a more significant secondary access directly onto Blaguegate Lane would be preferred, although it is acknowledged that this would be reliant on a landowner(s) outside of the site boundary being willing to sell their land.

The key issues with regard to secondary access to the site are safety at any new junction with Firswood Road, capacity of the Firswood Road / Blaguegate Lane junction, and amenity for existing residents.

The existing accesses onto Neverstitch Road or Firswood Road serving properties on Old Engine Lane will be maintained solely for their use, and preserved at least in their current form, if not improved, because they provide the routes for the two Public Rights of Way as well as for residents.

The internal road network must be in accordance with Manual for Streets 2 guidance. However, the vehicular access points penetrating the site from Firswood Road and Neverstitch Road must be in accordance with Design Manual for Roads and Bridges, or any subsequent relevant guidance.

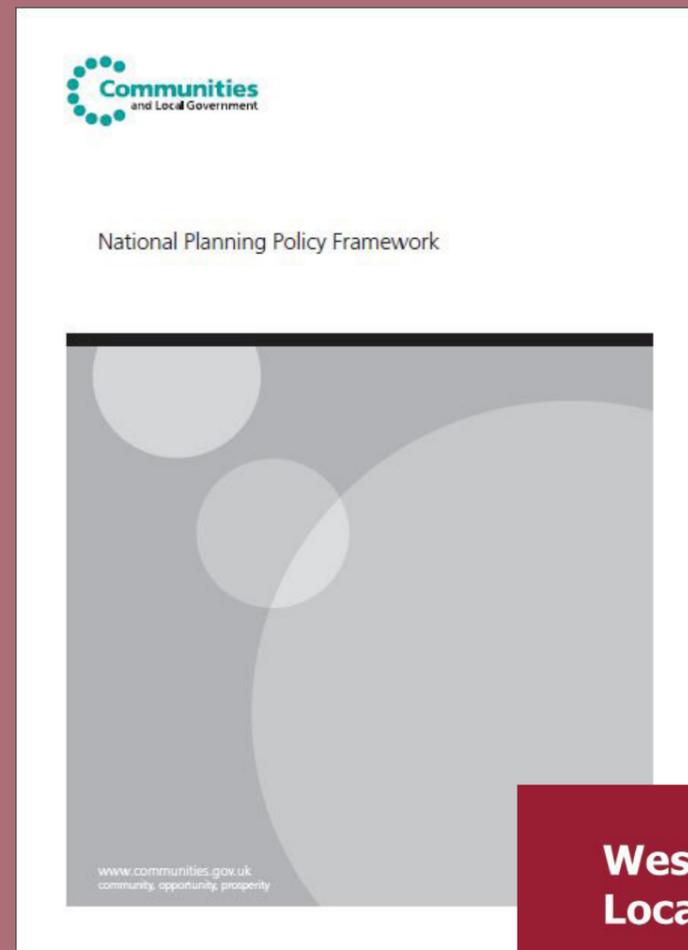
Bus stops are located along Neverstitch Road and Ormskirk Road / Blaguegate Lane, with services running to and from Ormskirk, Southport, Wigan and Skelmersdale Town Centre.

The site is surrounded by a number of existing and proposed cycle routes including the Southern Loop and the existing dismantled railway line which dissects the site. Footpaths 8-1-FP-24, 8-1-FP-26 and 8-2-FP-101 are located on the site and along the boundary of the site.

Utilities

An existing 11kV overhead line crosses the site; however it is thought that this can be diverted underground by the developer during site construction, subject to the electricity provider's authorisation.

Gas, water, electricity and telecommunications can be provided to the development site, without adversely impacting on the provision of services to the wider community. Developers also need to take into consideration the surrounding residents' right to drainage over the land as many currently use septic tanks.



**West Lancashire
Local Plan**
2012-2027
Development Plan Document


October 2013

Policy Context

Policy Context

Planning policy should be referred to in respect to the future of the development of the site. However, it is not appropriate for this brief to repeat the content of guidance and policies, but to guide developers, investors and their design teams to operate within the context of appropriate national and local policy guidance. There is an obligation on design teams to establish the policy context and the elements of their proposal in addition to the requirements of this brief. The main policies are summarised below:

National Planning Policy Framework

At the heart of the National Planning Policy Framework (NPPF) is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking.

The NPPF supports growth of areas to supply new homes, stating that this can be best achieved through planning for larger scale development, such as new settlements or extensions to existing villages and towns.

Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Development should:

- Function well and add to the overall quality of the area,
- Have a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit,
- Accommodate development whilst creating and sustaining an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks,
- Respond to the local character and history, whilst reflecting the identity of the local surroundings and materials, and not preventing or discouraging appropriate innovation,

- Create safe and accessible environments where crime, disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- Be visually attractive as a result of good architecture and appropriate landscaping.

The design elements of the National Practice Guidance should also be considered when preparing applications for development at Firwood Road.

Local Planning Policy

The West Lancashire Local Plan 2012-2027 was adopted by the Council on 16th October 2013. Policy RS1 allocates Firwood Road for residential development to assist in the delivery of 4,860 homes across the Borough over the period 2012-2027.

The following policies of the Local Plan are the most relevant to development at Firwood Road:

- GN3 Criteria for Sustainable Development
- RS1 Residential Development
- RS2 Affordable Housing
- IF2 Enhancing Sustainable Transport Choice
- IF3 Service Accessibility and Infrastructure for Growth
- IF4 Developer Contributions
- EN1 Low Carbon Development and Energy Infrastructure
- EN2 Preserving and Enhancing West Lancashire's Natural Environment
- EN3 Provision of Green Infrastructure and Open Recreation Space
- EN4 Preserving and Enhancing West Lancashire's Built Environment, Cultural and Heritage Assets

Design Guidance

Developers, investors and their design teams should also be aware of design best practice and this should be referred to in the preparation of proposals for this site. Particular attention should be paid to the WLBC Design Guide Supplementary Planning Document (SPD) 2008. In addition, reference should also be made to national guidance such as Building for Life 12 (Design Council CBE 2012).

Provision of Public Open Space in New Residential Developments

Supplementary Planning Document

The Open Space SPD is designed to provide more detailed guidance on the Borough Council's approach to the protection and enhancement of existing open space and the provision of additional open space and associated facilities as part of new housing developments. This document should be referred to in the production of any planning application for the site.

General Place Making Principles

The planned growth for West Lancashire provides an opportunity to create sustainable and vibrant new communities. It is crucial that we build high quality housing with a unique identity that will provide visually pleasing environments where people will want to live. The Local Plan and Design Guide SPD set out core principles for the level of quality to be expected in new developments.

This section describes the Quality of the Character.

The Four Cs of Place Making

It is important that the Firwood Road site is designed to be a distinctive and attractive place in its own right, and also one that integrates with and benefits South Lathom and Skelmersdale. To ensure distinctiveness and integration we have established four main place-making principles:

- Community
- Connectivity
- Climate
- Character

Community

Individuals and families build into communities that live in and use places. The following community focused place-making principles provide a basis for ensuring that the Firwood Road site will be a well-designed and successful place whose community has the best chance to thrive:

- Consult the community on the draft development brief and at pre-application stage.
- A range of housing tenures should be available, and homes should be built in a way that allows adaptation to different stages of life.
- Individuals should feel able to get involved in managing their communities.
- There should be a mix of formal and informal greenspace and links between them.

- Community activities should be encouraged by the provision of places to meet informally and formally.
- Public space should promote social interaction and healthier lifestyles.

Connectivity

Whilst private cars will remain important they should not over-dominate the design process or the completed development. The following connectivity principles provide a basis for ensuring that the Firwood Road site will be well connected within and beyond itself by a range of transport choices and opportunities to safely walk and cycle:

- Development should be easily accessible by public transport services.
- Development should enhance the feasibility of walking and cycling.
- Streets, footpaths and other links should provide for ease of mobility for all sectors of the community.
- Bus stops should be well designed and should provide information on services and local facilities.
- Road designs should include permeable surfaces and service infrastructure should go into green space corridors or service ducts.

Climate

All new development and environmental infrastructure at the Firwood Road site will be built to meet the latest environmental standards, using the following climate change focused place-making principles:

- Generally, the pattern of development should allow people to easily adopt sustainable lifestyles.
- Parts of the development should aim to achieve the highest standards and act as examples of good practice as the development proceeds.
- New development should not be located in areas liable to environmental risks.

- If possible, sustainable waste management systems should be built into new developments to make recycling easy and unobtrusive and encourage people to waste less.
- All buildings should be designed to maximise energy efficiency and anticipate the potential impacts of climate change while having the capability to be easily adapted.
- Biodiversity and wildlife should be encouraged through a network of green spaces and sustainable urban drainage systems that are specifically designed to foster greater ecological variety.
- Sustainable energy partnerships or trusts should be encouraged as part of the new development.
- Trees and planting should be used to provide shading and cooling in summer and to soak up rain as well as providing attractive landscapes.

Character

The following design character focused place-making principles provide a basis for ensuring that the Firswood Road site will be a well-designed and attractive place:

- Existing landscape features should be identified and used to create a locally distinctive place.
- Densities and massing should vary to reflect the surrounding area.
- Creative but simple designs, well built with good materials and detailing, are often the most successful and durable approaches.
- Open space should be designed to be integrated with buildings and good landscapes are as important as good buildings.
- All buildings should be designed to be flexible and adaptable.
- Car and cycle parking, storage and waste recycling should be integrated into the design process of all buildings.

Site Specific Urban Design Principles

Design Principles

The following design principles underpin the proposals:

- To integrate development and support community cohesion, new homes should link to the existing residential neighbourhood to the east of the site,
- The area of land closest to the Green Belt boundary to the west of the Firswood site should be treated as a buffer zone between the development and the surrounding countryside. Areas of open space and landscaping will be encouraged here and, where appropriate, sensitively designed, lower density development that will not detract from the openness of the surrounding Green Belt.
- The existing landscape including topography and dismantled railway suggest an opportunity for a linear park (as part of the proposed Ormskirk – Skelmersdale Linear Park) and public open space, each with its own distinctive character responding to the landscape.

Firswood Road is expected to deliver approximately 400 dwellings and appropriate public open space. Please refer to the most up to date requirements in the latest Provision of Public Open Space in New Residential Developments SPD.

Surrounding Character

The site is located within an existing arable farming area, displaying typical characteristics of field margins, tree and hedge planting and ponds. The hedging provides an opportunity as a framework for development. Typical of this character area are the meandering roads which serve the adjacent communities. Character areas draw on the unique landscape and physical form of the existing site.

The eastern site boundary features existing vegetation which creates a strong and defensible boundary to the site. Neverstitch Road acts as the outer periphery road for Skelmersdale and Ormskirk Road acts as a gateway for Skelmersdale from Lathom.

Appropriate landscape treatments within the development can be used to strengthen the existing boundary and to create a strong defensible boundary to the urban area.

A variety of housing styles and densities of development can be found in the area immediately surrounding the Firswood Road site. The proposals for Firswood Road should complement and reflect the most successful elements of building character and distinctiveness, including building scale, massing and height. A variety of house types and finishes is encouraged. Appropriate development on the site will be in the region of single, 2 to 3 storeys, in the form of mews, semi-detached and detached dwellings. Building density should be lower towards the south and west in order to respect the existing residential properties and Green Belt. Higher density development should be located to the eastern section of the site, ground conditions permitting.

Connections

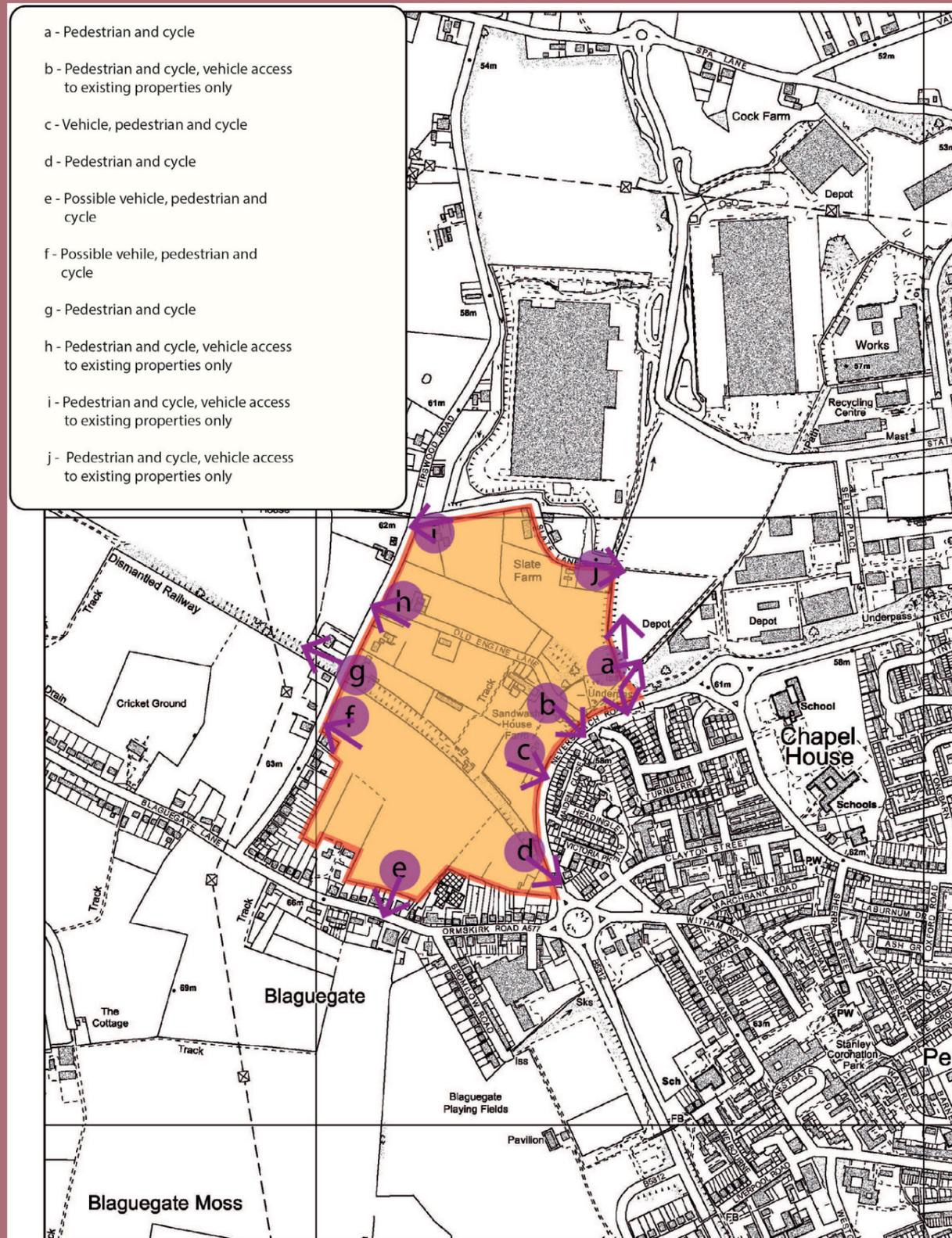
The Connections Plan addresses movement around the site, including provision for pedestrians, cyclists, public transport, and motorists in presenting a hierarchy of street types prioritising different movements. It presents an opportunity opening this site to public access and linking it into the existing residential community to the east.

The cohesive connection of existing and new communities will aid access to public transport and increase and support opportunities for walking and cycling.

A main access point from Neverstitch Road, with a potential secondary access point from Firswood Road or Blaguegate Lane, is achievable without impacting unacceptably upon the existing traffic flows.

There are a number of public footpaths located within or connecting to the development site including footpaths 8-1-FP-24, 8-1-FP-26 and 8-2-FP-101.

Potential Connections Plan



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The connections and links are illustrated on the Connections Plan and will be located at:

a – Pedestrian and cycle links to existing established footpaths / cycling links including the XL Business Park.

b – Old Engine Lane Access (Neverstitch Road). Pedestrian and cycle access with vehicle access to existing properties only, this access will retain the existing footpath throughout the site whilst allowing access to existing properties via Old Engine Lane. This will not create a vehicular access to enter the site for any new residential development. The footpath/cycle way provides access to bus stops located on Neverstitch Road and the wider footpath/cycle network.

c – Neverstitch Road Access. This access point will accommodate the main vehicular access to the development site. Pedestrian and cycle access at this location will also permeate the development site into the existing built up area.

d – Neverstitch Linear Park Access. This would allow not only for people from the Firswood Road site to access the proposed pedestrian/cycle way into Ormskirk/Skelmersdale but also allow opportunities for people outside of the site to access the Linear Park.

e – Blaguegate Lane – Subject to the willingness of a landowner(s) outside the current development site boundary to sell, or to allow access across their land, this could be a potential location for access to or from the site. A number of bus stops are located on Blaguegate Lane and there are existing foot/cycle paths that link to the south of Blaguegate Lane.

f – Firswood Road – There is the opportunity to develop an access off this southern part of Firswood Road, subject to a Transport Assessment specifically addressing the impact of the junction on Blaguegate Lane. The access would only serve a specified number of residential properties with no more than approximately 60 trip generations at peak time in the southern section of the development site. The number of trip generations will need to be supported by evidence documented in the Transport Assessment.

g – Firswood Road Linear Park Access. This would allow not only for people from the Firswood Road site to access the proposed pedestrian/cycle way into Ormskirk/Skelmersdale but also allow opportunities for people outside of the site to access the Linear Park.

h – Old Engine Lane Access (Firswood Road). Pedestrian and cycle access with vehicle access to existing properties only, this access will retain the existing footpath throughout the site whilst allowing access to existing properties via Old Engine Lane. This will not create a vehicular access to enter the site for any new residential development. The footpath/cycle way provides access to Blaguegate Road via Firswood Road with access to bus stops and the wider footpath/cycle network.

i – Slate Lane access to Firswood Road – Vehicular access for existing properties only.

j – Slate Lane (east) to access to the cycle route to XL Business Park and public footpaths north east of the site.

Key Landscape Elements

The countryside in West Lancashire is well known for contributing to a green landscape. The landscape setting for the development will play a key part in retaining a strong landscape character.

The West Lancashire Local Plan outlines some of the open space standards for new development.

An approach including a variety of Green Infrastructure opportunities should be embraced and located appropriately for:

- Driving character and memorable identity;
- Access;
- Recreation and facilities;
- Biodiversity;
- Symbiotic relationships with the built form, where development is proposed; and
- Promoting links, where appropriate, to the broader landscape offer.

The design of Green Infrastructure should specifically:

- Consider native planting for biodiversity in the first instance;
- Limit the use of paved surfaces to locations whose function determines their necessity. Porous surfaces should always be considered in the first instance;
- Promote on-site water attenuation including grey water recycling within the development;
- Include elements of a Sustainable Drainage System, including ponds, ditches, swales and wetlands as appropriate. These need to be considered with new habitat creation in mind;
- Add Green Infrastructure to the built form. Features such as green roofs, green walls, balconies and roof terraces could be considered;
- Pay careful attention towards the provision of gardens, which can add to the overall Green Infrastructure objectives around reducing flood risk and promoting biodiversity, but their function could be tackled separately; and
- Include multi-functional open spaces which allow flexible uses and long term adaptability.

Reducing Climate Change

In order to assist in the reduction of climate change it is important that any development takes into consideration sustainable design and construction methods, whilst meeting the sustainable development requirement as set out in policy EN1 of the West Lancashire Local Plan 2012-2027 and through the use of additional renewable energy where feasible.

Urban Design Opportunities

The site offers a significant opportunity to deliver much needed residential development in West Lancashire over the plan period to 2027, enhancing the Skelmersdale residential offer. A well-considered internal layout will open up the site whilst minimising the impact on the wider community.

The site is located on the edge of the urban settlement and already displays landscaping boundaries to the west reducing the impact upon the Green Belt.

The dismantled railway running west- south east across the site provides a valuable opportunity for the delivery of a key section of the proposed linear park from Skelmersdale to Ormskirk. Whilst the exact route of the linear park is not resolute, there is significant existing tree planting and a wildlife corridor designation along the line of the dismantled railway, therefore providing the opportunity for the basis of a route.

It is also noted that a concentration of constraints is present in the north eastern part of the site, around the existing waterbody and TPOs. This offers an opportunity for habitat / recreation provision. The existing watercourse in the north eastern corner of the site will assist in the creation of SuDS. The site allows for landscaping to be located on the boundaries adjoining the Green Belt, thus again reducing the visual impact to the surrounding areas.

Development Requirements

Quantum and mix of development

Development on Firswood Road is proposed to deliver approximately 400 dwellings (of which 30% should be affordable, and 20% designed for elderly people), associated public open space provision and, if required, ancillary retail floor space to support the development, such as a newsagent, hairdressers and hot food takeaway. Any retail development on site must not have a negative impact on the viability of the nearby Sandy Lane Local Centre.

The requirement for affordable homes and elderly provision originates from policies RS1 and RS2 of the Local Plan; the figures (30% affordable homes and 20% homes designed for the elderly) have been derived taking into account the housing needs study for West Lancashire, and population and household projections. The Council will have regard to the impact of these and other policy requirements on the viability of the overall scheme.

Below is a table setting out how the housing mix could be split:

Affordable Housing General Needs	72	30% affordable housing requirement
Affordable Housing Older Persons	48	
Market Housing Older Persons	32	20% elderly housing requirement
Market Housing General Needs	248	
Overall Total	400	

With regard to the provision of elderly accommodation, it should, if possible, be located within a suitable walking distance of shops and / or public transport. The typical perception of elderly persons' accommodation is bungalows or sheltered housing. However, this need not be the case, and such types of development may not always be appropriate, e.g. from a density point of view. Elderly persons' housing could simply be individual private dwellings that contain features designed specifically for the elderly (as opposed to Lifetime Homes, which are able to be adapted to suit older or disabled people). The provision could, if appropriate, be met through an Extra Care Facility or other purpose built elderly accommodation. Applicants are advised to consult with The Housing Strategy and Development Programme Manager, (01695 585244 jonathan.mitchell@westlancs.gov.uk) for further information.

The Firswood Road site has the potential to provide approximately 80 older persons units. The precise split of these 80 units between affordable and market units should be established at the time of any planning application. At the time of writing this development brief, and based on current needs evidence, the Council considers that 48 of the elderly accommodation units would need to be affordable housing type tenures, the other 32 units consisting of market housing for older people (i.e. of the 400 units overall, 12% would be affordable and for the elderly, 18% would be affordable and for any age, and 8% would be market housing for the elderly). These figures come from evidence dated April 2014; developers should use the most up to date data available at the time of making their planning application.

A hierarchical approach could be adopted such as:

1. Sheltered Housing
2. Bungalows and smaller scale apartment developments.

An Extra Care-type / Assisted Living scheme could also be considered, although the above delivery approaches are currently considered more appropriate for this site.

As part of any planning application, the developer should provide an older persons' accommodation statement that aims to justify the developer's intended approach in respect of the provision of older persons' accommodation on the site. In that regard, and particularly in the case of affordable housing for the elderly, they would be expected to have:

- Liaised with Health professionals / Lancashire County Council / Clinical Commissioning Groups / Registered Providers (Housing Associations) to ensure that due regard has been given to trying to develop the housing as indicated by the delivery hierarchy. If the developer cannot deliver such housing, then the Council needs to know why.
- Explained how their approach has complied with Housing our Ageing Population: Panel for innovation (HAPPI) principles and any other good practice guidance related to design.
- Identified relevant delivery partners such as Registered Providers (Housing Associations).

Sustainability requirements

The required minimum design standards for Firswood Road are to achieve the requirement of Part L of the Building Regulations and exceed this where possible.

Any subsequent applicant(s) will be required to be subject to attend a Places Matter design review panel, at the applicant's expense.

Open space public realm requirements

The site once developed will need to provide accessible open space for public use. The indicative layout in this Brief shows this along the dismantled railway and to the north east of the site around the existing pond to the advantage of what is already on the site in these locations. The greenspace and linear park is to be multifunctional by creating appropriate buffers between the proposed housing and the open countryside beyond the site to the west.

In addition, an element of formal open space and play facilities is required for a development of this scale. The indicative layout suggests this might link the Linear Park and the greenspace in the North East of the site.

Areas of greenspace, roads and non built development will need to be strategically located on the Firswood Road site following site investigations that will accompany any subsequent planning application.

Open space will need to develop a relationship with the proposed landscape treatments, seeking to preserve a semi-rural character and maximise wildlife value within the open spaces throughout the development.

The location of the Linear Park and informal amenity space should carefully consider:

- Access standards and connections to the green grid,
- Physical and visual amenity,
- The design of the built form(should not leave left over spaces); and
- The management and maintenance of the open space.

Firswood Road is expected to deliver 400 dwellings with a minimum requirement of 15 sqm per bedroom of each dwelling of on-site public open space. This figure is correct at the time of writing this development brief. Please refer to the most up to date requirements in the latest Provision of Public Open Space in New Residential Developments Supplementary Planning Document.

Transport access and servicing requirements

There is the ability to have a number of access points entering the site, but the primary access will be via Neverstitch Road. The possibility of a secondary access points located along Firswood Road in order to start development of the site and serve a limited number of dwellings would need to be supported by a Transport Assessment which will assess the impact of the junction of Firswood Road/ Blaguegate Lane and the surrounding junctions at the request of Lancashire County Council. Current evidence suggests that development serving 60 trips at peak time would be acceptable; flexibility of this figure would need to be supported by a Transport Assessment. This could equate to approximately 100 3-bedroom dwellings, subject to detailed transport assessments demonstrating that the 2-way trip generation on Firswood Road does

not exceed 60 vehicles per hour at peak travel times in order to maintain the rural nature of the lane. The key issues are safety at any new junction with Firswood Road, capacity of the junction with Blaguegate Lane and amenity for existing residents.

Slate Lane and Old Engine Lane need to be preserved at least in their current form if not improved, because they provide the routes for the two Public Rights of Way as well as for a handful of direct residents. If an access directly onto Blaguegate Lane is possible this would also need to be investigated further by any applicant through discussions with Lancashire County Council Highways and the preparation of a Transport Statement.

The design of all internal streets should comply with the Chartered Institution of Highways and Transportation's Manual for Streets 2. However, the penetrating vehicular accesses should comply with the Design Manual for Roads and Bridges, or any subsequent relevant guidance.

Streets should be designed to encourage suitable behaviour from those who use them, particularly from drivers, through appropriate street design rather than simply relying on speed limits. All streets should be fronted by development.

The pedestrian, cycle and public transport networks should be complete as soon as is practicable to encourage travel by these modes, whilst linking to existing cycle/ footpaths and public transport connections.

There should be no single solution for the location of car parking spaces, but on plot car parking with a preference for side drives is the preferred method, while parking to the rear of properties should be a second resort. Car parking provision should be calculated using West Lancashire's Car Parking standards set out in Appendix F of the Local Plan. Attention is to be drawn to the requirement for Electric Car Charging Points (Policy IF2), each dwelling is required to provide a charging point and communal parking areas should provide at least one space for charging or 10% of spaces on site, whichever is greater.

Land Use

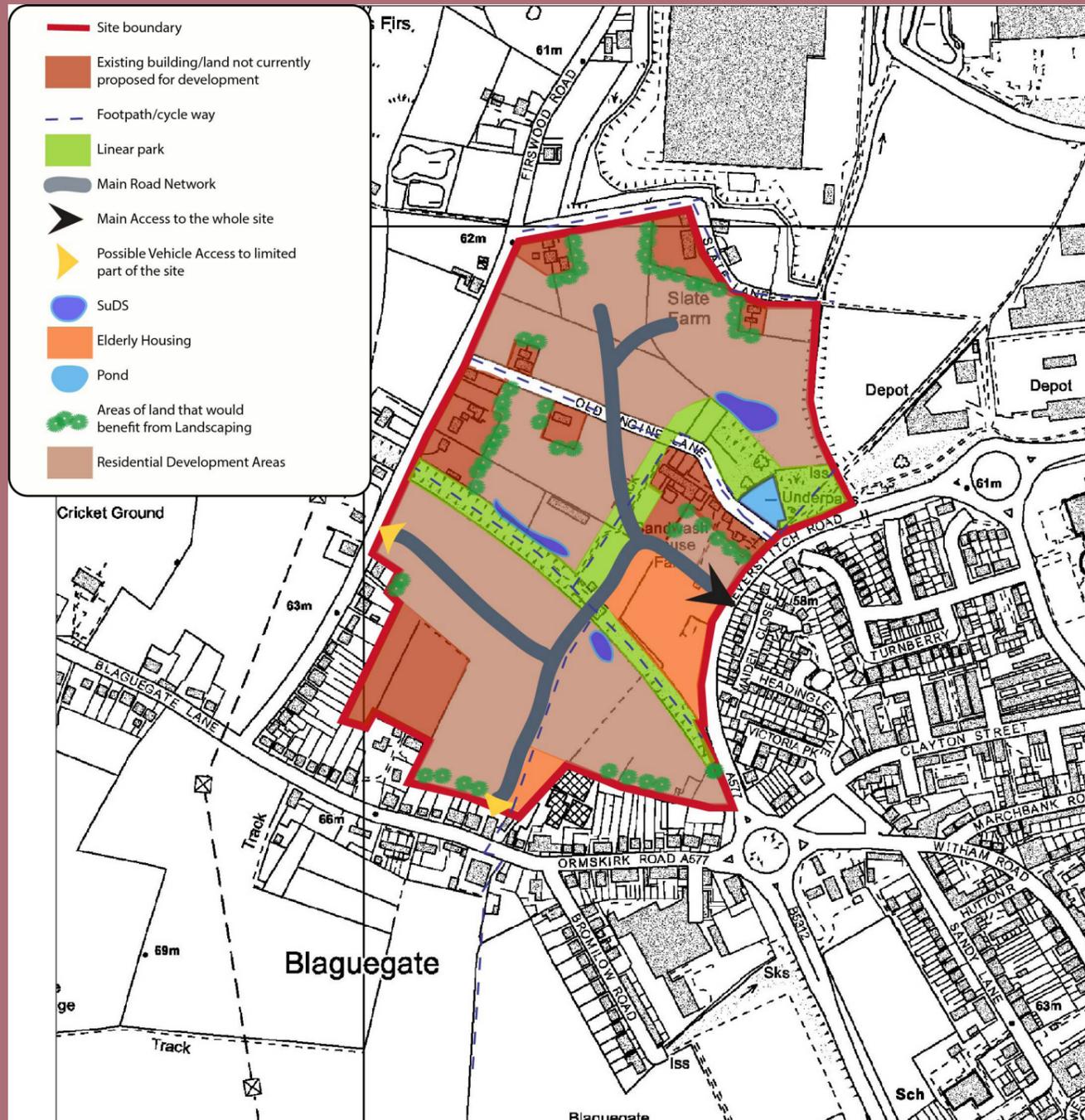
The indicative plan demonstrates that the site can be broken up into a number of areas respecting the character and surroundings of the site. It is proposed that through these respective areas the development comprises:

- Residential areas including that specifically for the elderly;
- Public open space and play equipment;
- Potential small retail area;
- SuDS; and
- Landscaping boundaries.

Currently there are a number of buildings/land identified on the indicative plan that are not proposed for development. However, should they come forward for development in the future, they should be integrated within the wider development proposal.

The plan is indicative only and designed to show how the site could be laid out to achieve all of the site objectives including housing mix, open space, linear park, SuD's and good integration and connectivity.

Indicative Plan



Phasing

It is assumed that, due to multiple ownerships, the Firswood Road site will come forward as several applications and it is currently understood that the intentions of owners at the time of writing this Brief would suggest that the development of the site would generally be phased south to north.

Clearly this may have an implication for highways access, with the intended primary access onto Neverstitch Road potentially not being developed in the first phase. As such, the Transport Assessment for Phase 1 will be critical in identifying an initial access for Phase 1 and how this will be managed once the primary access onto Neverstitch Road is delivered as part of a later stage.

Likewise, with a phased development of multiple ownerships, securing a fair contribution towards the on-site public open space from all landowners in all phases may necessitate the use of Section 106 (S106) agreements and financial contributions towards the creation of the open space on other ownerships.



Development Process

Outline of potential planning obligations

Planning obligations are sensitive to the overall site viability assessment, development mix and quantum. They could also be significantly affected by the site constraints, underground utilities, and variables that are not yet known.

Any development on site will make a proportionate contribution towards the strategic infrastructure through S106 agreements and/or CIL charges.

Required Supporting Information

Aside from the usual Planning Statement and Design & Access Statement, the following evidence will be required to support any planning application in accordance with Policy RS1 of the Local Plan on the Firswood Road site:

Affordable Housing Statement – providing details relating to the provision of affordable housing, including the number and mix of residential units with numbers of habitable units, plans showing the location of units and the number of habitable rooms and/or bedrooms and the floor space of the units. If different levels or types of affordability or tenure are proposed for different units this should be clearly and fully explained.

Ecological Survey – as a minimum, a Phase 1 Habitat Survey, with more detailed assessments required depending on what the Phase 1 Survey identifies.

Coal Mining Risk Assessment – the presence of a Coal Mining Referral Area and Mineral Safeguarding Area will require close liaison with the Coal Authority on any development proposals and potentially a Coal Mining Risk Assessment Report.

Contaminated Land Report – where a development proposal includes a particularly vulnerable use (e.g. a care home) or where there is any suspected history of contamination on any part of the site, a Contaminated Land Report is required in line with the latest national guidance.

Crime Impact Statement – to consider whether the development can help avoid / reduce the adverse effects of crime and disorder. This can be provided as part of the Design & Access Statement.

Draft Section 106 Agreement – depending on the precise requirements at the time of application and what is outlined on the Council's Regulation 123 list, this may address the provision of affordable housing, the provision / improvement of open space and / or contributions towards highways and transport improvements.

EIA Screening - Seeking the Council's opinion on Scoping for Environmental Impact Assessment.

Flood Risk Assessment – provide a Flood Risk Assessment in line with the latest national guidance to assess any implications development may have on all forms of flood risk on the site and in the wider area, and address how sustainable drainage systems will be utilised in the development proposal.

Foul Sewerage Treatment Statement – all new buildings need separate connections to foul and storm water sewers and applications for such development should therefore be accompanied by a foul sewerage assessment.

Heritage Statement – ensuring that the impacts on nearby Heritage Assets have been considered in the preparation of development proposals.

Landscape & Visual Impact Assessment – to ensure that the landscape and visual impacts of proposals are fully considered in the preparation of development proposals.

Landscaping Scheme – identifying the main areas and types of planting and hard surfaces (existing and proposed).

Parking & Access Arrangements – all applications requiring the provision of off-street parking and servicing will be required to demonstrate adequate on-site parking and servicing provision, including mobility spaces and provision for cycling and motorcycles as appropriate, in line with Policy IF2 of the Local Plan.

Renewable Energy Statement – an opportunity for the applicant to show how the consideration of energy efficiency and sourcing energy from a renewable source, together with the use of sustainable resources, has influenced the development proposals. In line with Policy EN1 of the Local Plan, low carbon design should be incorporated into the development proposals as required by Building Regulations and the potential for renewable, low carbon or decentralised energy schemes serving the site should be considered thoroughly.

Site Waste Management Plan – should contain details of the types of construction waste to be removed from the site, the identity of the person who will remove the waste, and the site that the waste will be taken to. The plan should also include details of how waste will be minimised and materials re-used on site.

Statement of Community Involvement – setting out how the applicant has complied with the requirements for pre-application consultation provided in the Council’s adopted Statement of Community Involvement and demonstrating that the views of the local community have been sought and taken into account in the formulation of development proposals.

Transport Assessment – required where any proposal would be likely to result in a material increase in traffic movements on roads, whether adjacent to or remote from the site.

Travel Plan – should outline the way in which the transport implications of the development are going to be managed in order to ensure the minimum environmental, social and economic impacts. The travel plan should have a strategy for its implementation that is appropriate for the development proposal under consideration.

Tree Survey – in line with Policy EN2 of the Local Plan, consider the potential adverse effects of the development proposals on any existing trees or hedges on, or adjacent to, the site. This should be undertaken by a suitably qualified arboriculturist and in line with BS.5837:2012.

Utilities Statement – to indicate how the development will connect to existing utility infrastructure systems.

Appendix E – Equality Impact Assessment

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.	<p>What sources of information have you used to come to this decision?</p>	<p>The development briefs seek to provide a policy framework to deliver sustainable development for all including affordable housing. Recent consultation feedback has helped inform this understanding.</p>
3.	<p>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)?</p>	<p>Engagement relating to the allocation of both sites took place through the Local Plan consultation and examination. A further subsequent consultation exercise was then carried out to seek views on the draft versions of these documents before finalising for adoption.</p>
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></p> <p><i>Advance equality of opportunity (removing or minimising disadvantage, meeting the needs of people); and</i></p> <p><i>Foster good relations between people who share a protected characteristic and those who do not share it.</i></p>	<p>Could help as it will seek to provide a policy framework that will, amongst other things, deliver affordable housing (helping minimise disadvantage).</p>
5.	<p>What actions will you take to address any issues raised in your answers above?</p>	N/A

Agenda item 6(g)

Grove Farm Development Brief and Firwood Road Development Brief

PLANNING COMMITTEE – 19 JUNE 2014

9. GROVE FARM DEVELOPMENT BRIEF AND FIRSWOOD ROAD DEVELOPMENT BRIEF

Consideration was given to the report of the Assistant Director Planning as contained on pages 85 to 211 of the Book of Reports which set out the final development briefs for the allocated housing sites at Grove Farm, Ormskirk and Firwood Road, Lathom/Skelmersdale are adopted by the Council in order to form part of the planning decision-making framework.

RESOLVED A. That the following agreed comments be forwarded to Cabinet in relation to Grove Farm:-

- (i) That careful consideration be given to buffer zones to protect the amenity and safety of existing properties between new development and Linear Park boundaries.
- (ii) That the affordable housing/elderly unit percentages and crossover split be adhered to as closely as possible, as laid out at Appendix 1 of the Report on page 188, having taken the viability test into account.
- (iii) That the Linear Park be considered as a public asset which will provide a major contribution to public amenity and therefore should be given significant priority within any scheme submitted.
- (iv) That it is considered important that the site is assessed for compliance with habitats regulation assessments in order to ensure maximum ecological protection of habitats and wildlife.

B. That the following agreed comments be forwarded to Cabinet in respect of Firwood Road:-

- (i) That careful consideration be given to buffer zones to protect the amenity and safety of existing properties between new development and Linear Park boundaries.
- (ii) That the eventual position and design layout of the Linear Park be optimised rather than compromised due to final site design layout between different landowners.
- (iii) That the affordable housing/elderly unit percentages and crossover split be adhered to as closely as possible, as laid out at Appendix 1 of the Report on page 205, having taken the viability test into account.

- (iv) That it is considered important the site is assessed for compliance with habitats regulation assessments in order to ensure maximum ecological protection of habitats and wildlife.
- (v) That the agreed road access/egress changes are implemented, although Members expressed concern about traffic flow numbers quoted by the Highways Authority.

(Note:- During consideration of this item Councillors Mrs. Atherley and McKay left the Chamber and therefore took no part in the debate or decision making process).



AGENDA ITEM: 10

**PLANNING COMMITTEE:
19 June 2014**

**CABINET:
1 July 2014**

**EXECUTIVE OVERVIEW AND
SCRUTINY COMMITTEE:
17 July 2014**

Report of: Assistant Director Planning

Relevant Managing Director: Managing Director (Transformation)

Relevant Portfolio Holder: Councillor M Forshaw

Contact for further information: Mr S Benge (Extn. 5274)
(Email: stephen.benge@westlancs.gov.uk)

SUBJECT: OPEN SPACE AND RECREATION PROVISION IN NEW RESIDENTIAL DEVELOPMENTS SUPPLEMENTARY PLANNING DOCUMENT

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

- 1.1 To recommend the Open Space and Recreation Provision in New Residential Developments Supplementary Planning Document ('the Open Space SPD') be adopted with immediate effect to form part of the planning policy framework against which planning applications are assessed.

2.0 RECOMMENDATION TO PLANNING 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 CABINET

- 3.1 That Cabinet consider the agreed comments of Planning Committee set out at Appendix D.

3.2 That Cabinet approve the adoption by the Council of the Open Space SPD (Appendix A to this report), subject to the track changes amendments being accepted and any minor amendments to be made by the Assistant Director Planning in consultation with the Portfolio Holder, following consideration of this report and its appendices by Executive Overview and Scrutiny Committee.

3.3 That call-in is not appropriate for this item as this report is being submitted to Executive Overview and Scrutiny Committee on 17 July 2014.

4.0 RECOMMENDATION TO EXECUTIVE OVERVIEW & SCRUTINY COMMITTEE

4.1 That the content of this report be considered and that agreed comments be referred to the Assistant Director Planning for consideration.

5.0 BACKGROUND

5.1 In April 2009, the Council adopted a Supplementary Planning Document (SPD) on open space and recreation provision in new residential developments. This SPD covered both on-site open space, and wider, 'strategic' open space, both of which required financial contributions from developers of residential schemes above a certain number of dwellings. The size of the financial contributions depended on the size, location and nature of the residential development in question.

5.2 Subject to the introduction of the Community Infrastructure Levy (CIL), it is intended to change from the current system whereby developer contributions towards public open space are all secured through Planning Obligations (Section 106 Agreements). Instead, following the adoption of the CIL Charging Schedule in the Borough, housing developers will simply pay a levy per square metre of floorspace developed to contribute towards necessary infrastructure improvements (including "strategic" public open space) across the Borough, and so the use and the scope of Section 106 Agreements will be significantly curtailed.

5.3 Specifically, in terms of public open space, the implementation of CIL will mean that more strategic, off-site public open space will be funded through CIL contributions. However, there would still be a need to have "local" public open space on-site within developments of a certain size. This would be secured either through a planning condition or through a Section 106 Agreement.

5.4 As a result, a new Open Space SPD is required to deal solely with the provision of on-site public open space within new residential developments. This SPD needs to address:

- When on-site provision would be required;
- The amount of public open space that would be required;
- What type of public open space should be provided; and

- How the public open space should be maintained.

5.5 Policy EN3: Provision of Green Infrastructure and Open Recreation Space of the West Lancashire Local Plan 2012-2027 sets the framework for open space provision in the Borough. As such, Policy EN3 is the 'parent' policy for the Open Space SPD. Part (d) of Policy EN3 states that:

Where deficiencies in existing open space provision exist, as demonstrated in the Council's Open Space, Sports and Recreation Study, new residential development will either be expected to provide public open space on site (where appropriate) or a financial contribution towards the provision of off-site public open space to meet the demand created by the new development or enhancement to existing areas of public open space which could be upgraded to meet the demand created by the new development

6.0 CURRENT POSITION

6.1 A draft Open Space SPD was prepared and approved for public consultation by Cabinet on 18 March 2014. The draft document was drawn up in consultation with officers in Leisure, Grounds Maintenance and in the Development Management team of Planning, and has drawn upon the 2009 Open Space Study and other relevant more up-to-date information. This draft SPD was consulted upon for six weeks from 3 April to 16 May 2014.

6.2 16 representations were received during the consultation, two of which were paper copies of representations which duplicated representations already submitted online, and a further two provided no comment at all. As such, only 12 true representations were received. These representations, together with a proposed Council response to each one, are provided at Appendix B.

6.3 The representations made a range of points, which can be summarised as follows:

- Concern regarding whether the Open Space & Recreation Study 2009 can be considered an up-to-date evidence base for the SPD;
- Concern regarding the lack of a viability assessment to inform and test the implications of the SPD on development viability;
- Queries over the justification for the open space requirements set within the SPD, including the thresholds;
- Queries regarding over provision of public open space within developments and within a general locality;
- Request for clarification regarding the role of the canal network in new public open space;
- Queries and concerns over the issue of flexibility within the SPD;
- Queries regarding the management of incremental smaller developments in one location;
- The differentiation of types of open space and how they should be provided;

- Concern about safety of open space users where new open space is provided by a rail line;
 - Concern that the SPD should include and promote Green Infrastructure, sustainability and the management of the natural environment for the benefit of current and future generations; and
 - Suggestion that local communities should be consulted on the provision, and type, of new open space.
- 6.4 There were also several comments generally in favour of the SPD and of requiring the provision of new open space within residential developments.
- 6.5 As a result, the final SPD being recommended for adoption (provided at Appendix A) incorporates the following changes compared to the consultation draft version:
- Add to Justification of Policy OS1 to explain the derivation of on-site open space requirements from the recommended local standards in the 2009 Open Space and Recreation Study;
 - Add to Justification of Policy OS1 to clarify the potential for exceptions to the requirements in this SPD, especially related to where a Neighbourhood Plan, masterplan or development brief identifies an exception would be appropriate;
 - Clarify comments in relation to the canal network at the end of chapter 5 of the SPD;
 - Clarify wording and process applying to incremental developments within Justification to Policy OS1;
 - Include appropriate wording within chapter 5 of the SPD to address the issue of trespass onto rail lines from adjacent public open spaces; and
 - Add reference to the need to consult local communities on the public open space proposed within a development as part of an applicant's pre-application consultation.
- 6.6 For comparison, the changes are included in Appendix A as track changes to the SPD, but the final adopted SPD will accept all the track changes (subject to Cabinet's decision).
- 6.7 In addition, the Council have proposed one further change to wording within Policy OS1 to clarify that it would only be on exceptional occasion that the Council would take on responsibility for the management and maintenance of a new open space provided as part of a new development. This amendment has been proposed to ensure that it is absolutely clear that in all but the most exceptional cases, developers themselves will be expected to manage and maintain public open spaces provided within new residential developments, or to appoint a maintenance company / land trust to manage and maintain the public open spaces on their behalf.
- 6.8 The SPD proposes the following with regard to on-site open space:
- No specific area of on-site public open space will be required by the Open Space SPD for residential developments of 1-39 dwellings (although a small amount may be required in order to ensure good design and

adequate residential amenity under WLLP Policy GN3 (Criteria for Sustainable Development) or under the Design Guide SPD) – this is consistent with the existing 2009 Open Space SPD.

- For developments of 40-289 dwellings, 13.5 square metres of open space will be required per bedroom developed. The public open space will take the form of “informal amenity green space”, i.e. undeveloped publicly accessible areas providing an informal recreation function.
- For developments of 290 dwellings and above, 15 square metres of open space will be required per bedroom developed. This public open space will comprise informal amenity green space (approximately 13.5 square metres) and formal public open space including play equipment for children and young people (approximately 1.5 square metres).

- 6.9 While the threshold of 40 dwellings remains the same as the existing SPD, the introduction of a second, higher threshold where the level of on-site provision increases slightly is a measure to ensure that on the larger sites (accommodating approximately 1000 new residents) formal public open space with play facilities is included on-site. In terms of the quantity of public open space required per bedroom, this is now a flat rate requirement across the Borough (the existing SPD provides variable rates in different parts of the Borough) and requires a significantly larger amount of open space on-site than previously, to reflect the up-to-date open space standards in the 2009 Open Space Study.
- 6.10 The SPD will not allow for financial contributions to be made in lieu of on-site public open space provision, as this would not be permissible with the reduced ability to pool planning obligations under the CIL Regulations. A reduction in the amount of on-site public open space, compared with the above requirements, would only be allowed where the developer provides a clear and robust justification as to why it would be appropriate to reduce the amount of on-site public open space for their specific development.
- 6.11 In terms of maintenance, the SPD outlines how the preference of the Council will be that a developer retains the ownership of the on-site public open space and manages and maintains it themselves (or via a maintenance company or land trust). However, it is acknowledged that this will not always be appropriate and that in some instances ownership of the on-site public open space will need to transfer to the Council.
- 6.12 Where the public open space is to transfer to the ownership of the Council, the SPD requires a financial contribution from the developer to pay for the maintenance of the public open space provided for a period of at least ten years, after which the burden of maintenance would pass to the Council. A standard cost per hectare of open space would apply Borough-wide, rather than attempting to agree discrete costs for each development. The cost per hectare would be higher for sites above the 290 dwelling threshold, as there would be more types of open space to maintain.

7.0 NEXT STEPS

- 7.1 Assuming that Cabinet accept the recommendation at 2.1 above, the SPD will be adopted with immediate effect.

8.0 SUSTAINABILITY IMPLICATIONS / COMMUNITY STRATEGY

- 8.1 The provision of adequate public open space for residents and visitors to West Lancashire is a key sustainability requirement and a significant factor in an individual's quality of life. This SPD will provide the Borough Council with greater control in ensuring that new development provides an acceptable level of on-site public open space.
- 8.2 As part of the preparatory work on the SPD, a screening exercise was carried out on the Council's behalf by consultants, to test whether the SPD needed a Sustainability Appraisal (SA). The consultants concluded that no SA of the SPD is required. This screening report is included as an appendix to the SPD.
- 8.3 Providing suitable public open space will, directly or indirectly, help to meet three of the key objectives of the Sustainable Community Strategy, namely "Improved health for all" (to improve health outcomes, promote social wellbeing for communities and improve health for everyone), "Young and older people" (to provide opportunities for young and older people to thrive), and "Better environment" (to protect and improve West Lancashire's environment including safeguarding our biodiversity).

9.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 9.1 The preparation of the Open Space SPD (and consultation on it) has been resourced through the Planning Service's revenue budgets.
- 9.2 The adoption and implementation of the proposed policy set out in the SPD should result in the provision of additional public open space in the Borough. In time, depending on whether the new public open space passes into the Council's ownership or not, this may result in an ongoing financial cost to the Council for maintenance.

10.0 RISK ASSESSMENT

- 10.1 Not having an up-to-date, CIL-compliant SPD could lead to developers challenging any requirements from the Council for open space in new residential developments, possibly leading to inadequate standards of amenity for the occupiers of new developments and a greater strain on existing public open spaces in the Borough because of the additional demand on them created by the increased residential population. The speedy preparation and adoption of this SPD should ensure that the above scenario is avoided.

Background Documents

West Lancashire Borough Council Open Space, Sport and Recreation Study 2009
(http://www.westlancs.gov.uk/planning/planning_policy/the_local_plan/the_local_plan_2012-2027/evidence_and_research/open_space_study.aspx)

Equality Impact Assessment

There is a 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 is attached as Appendix C to this report, the results of which have been taken into account in the recommendations contained within this report.

Appendices

- A. Open Space and Recreation Provision in New Residential Developments SPD (including track changes to show post-consultation amendments)
- B. Representations received during consultation (and proposed Council responses)
- C. Equality Impact Assessment
- D. Minute of Planning Committee 19 June 2014 (Cabinet & Executive Overview and Scrutiny Committee only)
- E. Minute of Cabinet 1 July 2014 (Executive Overview and Scrutiny Committee only)

Provision of Public Open Space in New Residential Developments

Supplementary Planning Document

July 2014

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Provision of Public Open Space in New Residential Developments

Supplementary Planning Document

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Preface

West Lancashire Borough Council believes that all residents within the Borough should have access to a range of high quality open space facilities. Open spaces are essential for sport, recreation, health, wellbeing and relaxation and, through appropriate design, can also act as important habitats for an array of wildlife and can improve biodiversity.

The Council understands that residents of West Lancashire value high quality open space and so therefore seeks to encourage, where appropriate, the provision of new public open space to a high standard and in such a way that maximises its use and provides multi-purpose benefits, helping to create healthier, safer and more attractive neighbourhoods throughout the Borough.

New residential development can place a strain on existing open spaces, the new housing usually resulting in an increase in the population of an area, and a corresponding increase in the number of open space users. If open space is not provided to meet this increased demand, this can result in the under-provision of open space.

Therefore, the Council seeks to ensure that new and enhanced open space facilities are made available to accompany new residential development. This Supplementary Planning Document (SPD) sets out how developers of new housing will be required to provide open space on-site, within their development proposals. It operates in conjunction with Policy EN3 of the West Lancashire Local Plan 2012-2027, and within the financial framework to be introduced as a result of the anticipated implementation of the Community Infrastructure Levy Charging Schedule in West Lancashire in summer 2014.

Comments are invited on this draft SPD from Thursday 3 April – Friday 16 May 2014. Details on how to comment are provided in Chapter 6.

1. Introduction

This Supplementary Planning Document (SPD) is designed to provide guidance on West Lancashire Borough Council's approach to, and expectations concerning, the provision of public open space and associated facilities within new residential developments. It supersedes and replaces the *Open Space and Recreation Provision in New Residential Developments SPD*, adopted by the Council on 7 May 2009, and updated in 2011¹ (hereafter referred to as the 2009 Open Space SPD).

The need to replace the 2009 Open Space SPD has arisen as a result of two factors. Firstly, it is anticipated that the Council will adopt a Community Infrastructure Levy (CIL) Charging Schedule in 2014, which will alter the types of infrastructure that are secured through planning obligations (Section 106 agreements). Secondly, an Open Space Study and Playing Pitch Assessment was prepared on behalf of the Council by the consultants PMP in 2009, subsequent to the adoption of the 2009 Open Space SPD. The findings of this study supersede the material underpinning the 2009 Open Space SPD.

Two policies of the West Lancashire Local Plan 2012-2027 deal, directly or indirectly, with public open space provision within the Borough. These are Policy EN3: Provision of Green Infrastructure and Open Recreation Space, and Policy IF4: Developer Contributions. The two policies are outlined in Chapter 2 of this SPD, and are set out in full in Appendices 1 and 2. The purpose of this document is to provide more detailed and specific advice to applicants as to how Local Plan policies EN3 and IF4 should be applied in relation to the provision of on-site public open space in new residential developments.

This SPD addresses:

- When on-site provision of public open space will be required;
- The amount of on-site public open space provision that will be required;
- What type of public open space will be required;
- What will be required with regard to the maintenance of the on-site public open space; and
- The location and design of public open space.

The contents of this SPD will be a material consideration when determining applications for residential development and will be used by the Council's Development Management team as a basis for negotiations with applicants prior to the determination of applications for residential development. Applicants are therefore strongly advised to have regard to this SPD when preparing applications for residential development within the Borough. They are also encouraged, prior to the submission of applications, to discuss the proposals with an officer in the Council's Development Management team via the pre-application advice process.

Queries regarding the pre-application and planning application process should be directed to the Planning Service on (01695) 585116, or electronically to plan.apps@westlancs.gov.uk.

Queries regarding this SPD in general, as a policy document, should be directed to the Strategic Planning & Implementation Team on (01695) 585274, or electronically to localplan@westlancs.gov.uk.

¹ In November 2011, the Council reduced the requirements for Open Space contributions. The new (lower) figures are listed in the Addendum to the SPD, and replace those in table 8.1 in the 2009 SPD.

2. Policy Context

This chapter sets out the policy framework within which the 2014 Open Space SPD operates, both at national and local level.

National Planning Policy Framework

The National Planning Policy Framework (NPPF) came into force in March 2012. Paragraph 73 of the NPPF deals with open space, sports and recreation facilities, and states:

Planning policies should be based on robust and up-to-date assessments of the need for new open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessments should be used to determine what open space, sports and recreational provision is required.

The information from the Council's most recent Open Space, Sport and Recreation Study has formed the basis of the open space standards set out in this SPD.

West Lancashire Local Plan 2012-2027

The West Lancashire Local Plan 2012-2027 ('WLLP') was adopted in October 2013. The two policies of greatest relevance to the provision of open space are policies EN3 and IF4.

Policy EN3: Provision of Green Infrastructure and Open Recreation Space, states:

2(d) *Where deficiencies in existing open recreation space provision exist, as demonstrated in the Council's Open Space, Sport and Recreation Study and any subsequent equivalent document, new residential development will either be expected to provide public open space on site (where appropriate) or a financial contribution towards the provision of off-site public open space to meet the demand created by the new development or enhancement of existing areas of public open space which could be upgraded to meet the demand created by the new development.*

WLLP Policy EN3 functions as the 'parent' policy for this SPD.

Policy IF4: Developer Contributions sets out the types of infrastructure towards which new developments will be required to contribute. Policy IF4 refers both to planning obligations (or 'Section 106 Agreements') and to the Community Infrastructure Levy.

Community Infrastructure Levy

It is anticipated that West Lancashire Borough Council will adopt a Community Infrastructure Levy (CIL) Charging Schedule in summer 2014.

The CIL Regulations 2010 set out limitations for the use of planning obligations once CIL is implemented. Under the CIL Regulations, planning obligations must be:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development;
- Fairly and reasonably related in scale and kind to the proposed development.

Thus the effect of the implementation of CIL will be that planning obligations (or 'Section 106 agreements') will be much more limited in their scope. In terms of public open space provision, funding for the more strategic types of public open space off-site will come from CIL receipts², but residential developments of a certain size will be required to provide public open space on-site through a planning obligation or planning condition. The latter on-site provision is the subject matter of this SPD.

Open Space and Recreation Study 2009

The Open Space and Recreation Study was undertaken on behalf of the Council by the consultants PMP, and was finalised in October 2009, five months after the adoption of the 2009 Open Space SPD. In line with guidance set out within Planning Policy Guidance Note 17 (PPG17), which was in force at the time, the Study includes an assessment of need and an audit of existing open space in the Borough, and identifies local standards for open space provision. The study also assisted in establishing future planning policies and site allocations through the West Lancashire Local Plan 2012-2027.

This 2014 SPD is largely based upon the findings of the 2009 Open Space Study (it has also had input from WLBC Leisure officers). Whilst the Open Space Study was published five years before this SPD, it is considered that this evidence remains sufficiently up-to-date, given that the population and the amount and quality of open space in the Borough have not changed markedly since 2009.

Sustainability Appraisal

Consultants URS were engaged to determine whether there is a need to undertake a Strategic Environmental Assessment as part of a Sustainability Appraisal on this SPD in accordance with the *Environmental Assessment of Plans and Programmes Regulations 2004* and the *European Directive 2001/42/EC*. A Supplementary Planning Document does not require a Sustainability Appraisal to be completed if it relates to a parent document that has already been subject to Sustainability Appraisal. URS have concluded that such is the case for this SPD, given Sustainability Appraisal work carried out throughout the preparation of the West Lancashire Local Plan 2012-2027.

The Sustainability Appraisal Determination Report is included in Appendix 4 for further information.

² The use of CIL money is to be agreed annually with the local community, to reflect local priorities. Where local priorities include the provision of play equipment or other forms of open space, CIL funding may be used for the provision and ongoing maintenance of play equipment, in addition to the provision of strategic open space.

3. Local Assessment of Open Space

The former Planning Policy Guidance Note 17 and its Companion Guide called for local planning authorities to undertake local assessments of open space, sports and recreation. This demand has been reiterated in paragraph 73 of the NPPF. In response to this requirement, the Borough Council appointed consultants PMP in 2008 to undertake an Open Space Study and Playing Pitch Assessment for West Lancashire. The key aims of the study were to:

- Update the existing audit of open space provision to reflect recent changes;
- Update the assessment of local open space needs to ensure that the needs and aspirations of local communities are appropriately understood;
- Develop clear and robust standards; and
- Inform the future management of open space and facilitate decision-making on the current and future needs for open space, sport and recreational facilities.

The Playing Pitch Assessment was prepared in line with guidance set out within PPG17 and its Companion Guide. The study indicated that there are shortfalls of pitch provision across the Borough. In particular there are pressures on junior football pitches as well as pressures on cricket and rugby pitches. In most areas of the Borough, there was a significant issue in relation to the quality of the pitches, in terms of facilities (i.e. changing rooms) and drainage.

The Open Space Study and Playing Pitch Assessment can be found on the Council's website at:

http://www.westlancs.gov.uk/planning/planning_policy/the_local_plan/the_local_plan_2012-2027/evidence_and_research/open_space_study.aspx.

Types of Open Space

Open space exists in various forms, including:

- Formal parks and gardens
- Accessible natural green space
- Equipped / natural play areas
- Informal and amenity green space
- Outdoor sports spaces, for example football, rugby and cricket pitches, multi-use games areas
- Allotments

Table 14.4 of the 2009 Open Space Study recommends local standards for different types of open space in terms of quantity and accessibility. These standards form the basis of the open space requirements set out in this SPD, and are copied below:

Table 14. 4 – Recommended Local Standards

Typology	Quantity Standard	Accessibility Standard
Formal Parks	0.10 ha per 1000 population – equivalent to current level of provision Borough wide although set with locational deficiencies in mind	10 minute walk time (urban areas) 20 minute drive time (rural)
Country Parks	No standard set	20 minute drive time
Natural and Semi Natural Open Space	1.84 ha per 1000 population – equivalent to the existing provision	15 minute walk time
Amenity Green Space	1.35 ha per 1000 population – equivalent to existing provision	5 minute walk time
Provision for Children	0.038 ha per 1000 population – this represents a significant increase on existing provision. As a minimum this standard will require one facility in settlements exceeding 1500 residents.	10 minute walk time
Provision for young people	0.024ha per 1000 population Provision of a facility in settlements with a population of greater than 3000	10 minute walk time
Outdoor Sports Facilities	2.16 ha per 1000 population – above the existing level of provision	20 minute drive time to each facility type
Allotments	0.08 ha per 1000 population Above existing level of provision	20 minute drive time
Cemeteries and Churchyards	N/A. Indicative standard of 0.06 ha per annum required for burials.	No standard set

4. Policy OS1: Provision of On-Site Open Space

With the anticipated introduction of the CIL charge, the majority of the strategic public open space required as a result of new development will be funded using accumulated CIL contributions. Such schemes will be outlined in the West Lancashire CIL Infrastructure List (the 'Regulation 123 list') and projects will be delivered in line with programmes put forward by service providers on an annual basis.

Policy OS1 below deals specifically with on-site public open space, which must be provided as an integral part of new residential developments.

Policy OS1 Provision of On-Site Public Open Space

Developers of new residential developments will be required to provide public open space on-site as follows:

(a) Developments of 1-39 dwellings

For residential developments of 1-39 units, on-site public open space provision will not be required.

(b) Developments of 40-289 dwellings

For residential developments of 40-289 dwellings, developers will be required to provide 13.5 square metres of public open space per bedroom developed. This public open space should typically take the form of informal amenity green space in order to provide the local function necessary of this public open space.

(c) Developments of 290 dwellings and over

For residential developments of 290 dwellings and over, developers will be required to provide 15 square metres of open space per bedroom developed. The expected breakdown of this 15 square metres is approximately 13.5 square metres of informal amenity green space and 1.5 square metres of provision for formal public open space including play equipment for children and young people. In terms of the provision for formal public open space including play equipment for children and young people, the developer should liaise with the Council's Community Services (Leisure) officers to ascertain the exact nature and amount of play equipment that should be provided on that particular development.

If the developer proposes not to meet the above public open space requirements on-site, they must provide clear and robust justification as to why the requirements should not be met in that particular development proposal.

Maintenance of Open Space

The preference of the Council would be that the developer retains the ownership of the public open space within their development site, in which case they will be solely responsible for ongoing management and maintenance of the public open space (and ensuring that it remains accessible to the general public). Alternatively, with the agreement of the Council, developers may appoint a maintenance company or land trust to manage and maintain the public open space on their behalf.

However, ~~on exceptional occasion it may not be~~ where it is not appropriate for a developer or maintenance company / land trust to retain ownership of the public open space and, as a result, ownership may be passed to the Council. On such an exceptional occasion, the developer will be required to provide a financial contribution for the maintenance of the on-site public open space they provide for a minimum of 10 years. The size of the contribution will be calculated using current contract prices and maintenance costs of open space, and also taking into account inflation over the 10 year period. The rates are as follows:

(A) Sites of 40-289 dwellings

The Council will charge:

£0.47 per square metre per annum for maintenance of grassed areas, plus

£1.81 per square metre per annum for maintenance of shrub beds

In addition, further charges may be levied for tree pruning, litter picking, and the provision and routine emptying of litter bins and dog waste bins. These charges will be calculated on a site-by-site basis.

(B) Sites of 290 dwellings and above

The Council will charge:

£0.47 per square metre per annum for maintenance of grassed areas, plus

£1.81 per square metre per annum for maintenance of shrub beds, plus

£9,870 per annum for the maintenance of children's and young people's play equipment.

In addition, further charges may be levied for tree pruning, litter picking, the provision and routine emptying of litter bins and dog waste bins, and maintenance of footpaths and any other hard surface provided as part of the open space element of the development.

Charges will be calculated on a site-by-site basis

Charges for soft landscaping will be subject to annual increases in line with the soft landscape indices. Charges for maintenance of play equipment will be linked to the Consumer Price Indices.

Delivery of on-site public open space as part of new residential developments will be secured through conditions on any planning permission or, if necessary, a legal agreement.

Contributions towards the maintenance of public open space provided on-site will be secured through legal agreements.

Justification

Definition of open space

For the purposes of this SPD, informal amenity green space is defined as undeveloped, publicly accessible areas, providing an informal recreational function. This may include grassed areas, landscaped areas, and, in certain cases, buffer planting (where this is accessible to the public and has a clear amenity function, e.g. if a footpath is provided through the area of buffer planting). However, lines of trees, narrow grass strips, or 'left over spaces' are unlikely to count as informal amenity green space.

In terms of sustainable drainage systems, water features such as attenuation ponds will not count as public open space, unless, for example, they are designed with a specific amenity function in mind, for example a boating lake or strategically designed pond with amenity value. However, areas of informal amenity green space around such drainage features will count as public open space.

Thresholds

The Borough Council has used a threshold of 40 dwellings for on-site public open space contributions for a number of years, including under the 2009 Open Space SPD. This has worked well in practice, and there is no more recent evidence indicating that the threshold should be changed.

The higher threshold of 290 dwellings has been derived using a nominal average figure of 3.5 persons per new dwelling. At this rate of occupancy, 1,000 extra persons would be generated by 286 new dwellings. Rounded to the nearest 10 dwellings, this becomes 290 dwellings³.

The requirement to provide on-site public open space will apply to incremental developments on sites which would result in a development of 40 units or more on a larger site. An example would be where a large site was divided up into smaller parcels and proposals were submitted for 39 dwellings or fewer on each parcel on a piecemeal basis. Similarly, the requirement to provide the higher rate of on-site open space would apply to incremental developments on sites which would result in a development of 290 units or more on a larger site.

Where such instances of incremental development come forward, the application that triggers the threshold will be expected to provide the full amount of public open space on-site, except where the development is part of a Neighbourhood Plan, Masterplan or Development Brief which sets out an alternative requirement for public open space on that site or in that neighbourhood area (see below).

Types of open space

For residential developments expected to generate fewer than 1,000 additional persons in a locality, Policy OS1 only requires provision of informal amenity green space. For single

³ The calculation of the threshold of 290 dwellings has used an assumption of each dwelling accommodating on average 3.5 people. This is a different calculation from those used in Policy OS1, working out the area of open space to be provided in relation to individual developments (a calculation which uses numbers of bedrooms). In practice, 1,000 people may not necessarily require 1,000 bedrooms, as some bedrooms are occupied by more than one person. Conversely, some bedrooms are not occupied. For simplicity, the "average occupation per dwelling" approach is used to determine thresholds, and the "one person per bedroom" approach is used to determine levels of open space provision.

residential developments expected to attract 1,000 or more residents, it is considered appropriate to increase the requirements on developers in terms of the types of open space to be provided on-site, such that residents can access formal parks, and children's or young people's play areas without needing to leave the site in question. This approach strikes what is considered an appropriate balance between ensuring ready access to formal parks and play areas for as great a proportion as possible of the Borough's residents, and the Council's financial burden of maintaining a large number of small, scattered play areas.

The majority of new residential development sites are small. Informal amenity green space is preferred to formal open space and children's and young people's play areas in these situations; it is also preferred to semi-natural open space. The 2009 Open Space Study highlights that the public expectation of levels of maintenance of semi-natural open space is higher than that of amenity open space, which has lower maintenance issues.

Given this consideration of the type of open space required in the different size residential developments, the quantum of the requirement for on-site public open space in Policy OS1 is based upon the local standards for those types of open space.

For developments of 40-289 dwellings, it is anticipated that only informal amenity green space would be required. As such, based on the premise that 1 new bedroom equals 1 additional person in population, the local standard of 1.35 ha per 1000 population for amenity green space from the 2009 Open Space Study has been used to derive the 13.5 sqm per bedroom requirement in Policy OS1, part (b).

For developments of 290 dwellings or more, the requirement for informal amenity green space remains the same, but there is an additional requirement to provide for formal open space, including play areas. Therefore, based on the local standards for formal parks, provision for children and provision for young people (which total 0.162 ha per 1000 population), a requirement of 1.5 sqm per bedroom for formal open space and play areas has been included within Policy OS1, part (c). The requirements 13.5 sqm for informal amenity green space and the 1.5 sqm for formal open space and play areas provide the total on-site public open space requirement for developments of 290 dwellings or more of 15 sqm per bedroom.

The above requirements were finalised following discussions with the Borough Council Leisure officers and are considered the most appropriate means of ensuring that both the quality of existing open space areas are improved / enhanced and the quantity of open space is increased within areas of deficiency.

If a developer proposes not to meet the public open space requirements set out in Policy OS1 (either in full or in part), they must provide clear and robust justification as to why the requirements should not be met. This may relate to the provision of public open space in general in the locality (with reference to the accessibility standards in Table 14.4 above). Where a Neighbourhood Plan, Masterplan or Development Brief that has been approved by the Council exists and covers a particular development site, this may provide a robust justification for providing a different open space requirement than this SPD, especially where it sets specific standards of its own for that site or neighbourhood area or where issues of incremental development on a site come into play.

An example of this may be a large housing site covered by a Masterplan or Development Brief where the site will be subject to several applications on different parts of the site over

time (some of which may be less than 40 dwellings), but where the Masterplan or Development Brief indicates a preference for a single large public open space to serve the whole site. In this situation, the Council might not wish to see each application provide its own public open space on-site within its application area and would want to see all applicants contribute a fair proportion to the large open space to serve the entire Masterplan / Development Brief area regardless of the size of their particular application. Therefore, it may not be appropriate to strictly keep to the requirements in Policy OS1 in this instance but, in lieu of this, financial contributions (calculated on a site-by-site basis) secured through a Section 106 Agreement would be necessary to help fund the creation of the larger public open space to serve the whole Masterplan / Development Brief area.

Maintenance of Open Space

It is the preference of the Council that a developer would retain the ownership of an on-site public open space created as part of their development proposals, in which case they will be solely responsible for ongoing management and maintenance of the open space. Developers may appoint a maintenance company or land trust to maintain the open space on their behalf, subject to approval of the specific company by the Council. In either instance, the developer / maintenance company would be expected to maintain the public open space to the standard expected by the Council.

However, it is acknowledged that it will not always be appropriate for an on-site public open space to remain in the ownership of the developer and instead should pass into the Council's ownership. In such situations, developers will be required to pay for the maintenance of any on-site public open space they provide for a minimum of 10 years. The value of the financial contribution will be calculated using current contract prices and maintenance costs of open space, and will also take into account inflation over the 10 year period in question.

For simplicity, just two rates per hectare will be charged Borough-wide for maintenance of new, on-site public open space, one rate for developments of 40-289 dwellings, and a higher rate for developments of 290 dwellings and above to reflect the increased maintenance costs of formal public open space. Under the current contract prices and maintenance costs these would be as follows:

(A) Sites of 40-289 dwellings

The Council will charge:

- £0.47⁴ per square metre per annum for maintenance of grassed areas. This cost usually represents twelve cuts of grass per year.
- £1.81⁵ per square metre per annum for maintenance of shrub beds. This cost includes removal of shrub pruning, weeds and any detritus in the shrub beds once per year, and treating the shrub bed with herbicide for weed control as needed.

There is significant scope for variation in maintenance costs, depending on the location of the open space (urban / rural), the type of shrub planting, types of trees (if any), numbers of bins, etc. In addition, further charges may be levied for tree pruning, litter picking, the

⁴ The figure of £0.47 (rounded from £0.4651) is calculated using a 2007 baseline figure of £0.4044 and applying a 15.02% increase to give a 2014 price, based on the soft landscaping indices between 2007 and 2014. Future prices will rise in line with the soft landscaping indices and in line with current contract prices.

⁵ The figure of £1.81 (rounded from £1.8086) is calculated using a 2007 baseline figure of £1.5724 and applying a 15.02% increase to give a 2014 price, based on the soft landscaping indices between 2007 and 2014. Future prices will rise in line with the soft landscaping indices and in line with current contract prices.

provision and routine emptying of litter bins and dog waste bins, and for maintenance of footpaths or any other hard surfaces provided as part of the open space contribution. Therefore charges will usually be determined on a site-by-site basis, and would be calculated once a specific open space and landscaping scheme has been agreed between the developer and the Council.

(B) Sites of 290 dwellings and above

The Council will charge £0.47 per square metre per annum for maintenance of grassed areas, plus £1.81 per square meter per annum for maintenance of shrub beds, plus possible further charges linked to tree pruning, etc, as for schemes of 40-289 dwellings.

In addition, a charge of £9,870 per annum will be applied for the maintenance of children's and young people's play areas. The breakdown of this charge is provided in Appendix 5 of this document. There is scope for variation of this charge, dependent upon the size of play areas involved, and the number of items of equipment.

The maintenance of any public open space provided on-site should be discussed with the Borough Council's Grounds Maintenance Team prior to permission being granted. If developers express an interest for the Council to maintain the public open space they are advised to contact West Lancashire's Head of Leisure, Culture and Arts Services to discuss the adoption agreement, including suitable payment for future management and maintenance by the adopting body.

Contact details are as follows:

Tel: 01695 585157

Email: john.nelson@westlancs.gov.uk

Legal Agreements

Developers will be required to enter into legal agreements to cover the arrangements for the maintenance of on-site public open space. Planning permission will not be granted until both the developer and the Council have signed this agreement. The delivery of the public open space itself will generally be required through a condition on any planning permission, but on occasion the delivery may also need to form part of the legal agreement if particular circumstances of the development require it.

WLLP Policy IF4 provides further guidance on legal agreements (please see Appendix 2).

Examples of open space contributions under Policy OS1

1. Residential development of 62 dwellings

Local standard: 13.5 sqm per bedroom	
Dwelling size	Open space required per dwelling
1 bed	13.5 sqm
2 bed	27 sqm
3 bed	40.5 sqm
4 bed	54 sqm

If the proposal was for the development of 18 x 2 bed dwellings, 22 x 3 bed dwellings and 22 x 4 bed dwellings, the total amount of open space provision required would be calculated as follows:

Number of dwellings	Open space required
2 bed (13.5sqm per bedroom) x 18	486 sqm
3 bed (13.5sqm per bedroom) x 22	891 sqm
4 bed (13.5sqm per bedroom) x 22	1,188 sqm
TOTAL	2,565 sqm

2. Residential development of 338 dwellings

Local standard 15 sqm per bedroom	
Dwelling size	Open space required per dwelling
1 bed	15 sqm
2 bed	30 sqm
3 bed	45 sqm
4 bed	60 sqm

If the proposal was for the development of a total of 338 dwellings broken down into: 118 no. 2 bed dwellings, 100 no. 3 bed dwellings and 120 no. 4 bed dwellings, the total amount of open space provision required would be calculated as follows:

Number of dwellings	Open space required
2 bed (15sqm per bedroom) x 118	3,540 sqm
3 bed (15sqm per bedroom) x 100	4,500 sqm
4 bed (15sqm per bedroom) x 120	7,200 sqm
TOTAL	15,240 sqm

5. Location & Design of Public Open Space

The Borough Council will use a combination of resources to determine whether the proposed public open space meets the requirements of WLLP Policy EN3. Other documents (and any subsequent updates to these documents) should also be taken into consideration alongside Policy EN3, namely:

- The 2009 WLBC Open Space, Sport and Recreation Study;
- The 2008 Design Guide SPD;
- Site Planning – Layout and Design SPG.

Informal amenity open space is an integral part of design in any new development. Public open spaces should be open in nature and, where possible, be overlooked by residential development, in order to provide a degree of natural surveillance. However, care must be taken to ensure that the siting of the space minimises the likelihood of general disturbance to the nearby residents caused by noise and loss of privacy.

To this end, applicants should consult with local communities as part of their pre-application consultation, to determine the precise nature of any public open space that the local community would like to see created and, where possible and appropriate, include this within their on-site public open space requirement.

Public open space should meet the detailed design criteria listed under the West Lancashire Local Plan Policy GN3, and the 2008 West Lancashire Design Guide SPD.

Landscape design submissions should demonstrate that community safety and crime prevention measures have been considered, in addition to ensuring that spaces are designed to ensure ease of access for emergency vehicles.

In some instances, a formal risk assessment may be required to take into account issues such as proximity to highways, rail lines, etc. The Borough Council will consider each case individually to ascertain whether such an assessment is deemed necessary. In relation to rail lines, the Council will expect any public open space that is provided adjacent to a rail line to put appropriate safety measures in place to prevent any trespass on the rail line. An applicant should consult with Network Rail in relation to what measures would be appropriate at the time of application.

Existing features such as trees, hedgerows, changes in ground levels, and water features should be incorporated into the public open space wherever possible to add to the nature conservation and biodiversity value of the site, and to help create more individual, dynamic spaces. However, where water features are proposed as part of the development, they will only count as part of a public open space provision where they provide a specific amenity function, for example a boating lake or strategically designed pond with amenity value.

Careful consideration should be given to the role that public open space can play in improving and enhancing the wildlife and biodiversity value, and how such features can assist the Lancashire Biodiversity Action Plan (BAP). The Borough Council would particularly encourage this approach in the case of larger developments where public open space features and the natural environment should be integrated.

Developers are encouraged to make reference to Natural England's Accessible Natural Green Space Standards (ANGST) model regarding the protection and enhancement of natural features. The Standard can be viewed or downloaded from the Natural England website at <http://www.natural-england.org.uk>

Sites should, where possible, form part of a series of linked open spaces to assist in the creation of environmental corridors that can be used for recreation. Where development is adjacent to the canal network, ~~consideration should be given to what role such a feature can play in providing for open space.~~ public open space should be located and designed in such a way as to utilise the advantage of having a canal adjacent to the site, in order to increase the accessibility of the canal network and to help create more attractive open spaces.

Where new development will create an increase in canal towpath movements, resulting in the need to provide a new towpath or improve an existing towpath, in order to manage the increased usage it may be appropriate to secure developer contributions for this purpose. However, this would be separate from on-site open space, as required by this SPD.

|

Appendix 1

Policy EN3

Provision of Green Infrastructure and Open Recreation Space

1. Green Infrastructure

The Council will provide a green infrastructure strategy which supports the provision of a network of multi-functional green space including open space, sports facilities, recreational and play opportunities, allotments, flood storage, habitat creation, footpaths, bridleways and cycleways, food growing and climate change mitigation. The network will facilitate active lifestyles by providing leisure spaces within walking distance of people's homes, schools and work.

In order to support this green infrastructure strategy, all development, where appropriate, should:

- i. Contribute to the green infrastructure strategy by enhancing and safeguarding the existing network of green links, open spaces and sports facilities, and securing additional areas where deficiencies are identified - this will be achieved through contributions to open space as outlined within Policy IF4;
- ii. Provide open space and sports facilities in line with an appraisal of local context and community need, with particular regard to the impact of site development on biodiversity;
- iii. Seek to deliver new recreational opportunities, including the proposed linear parks between Ormskirk and Skelmersdale, between Ormskirk and Burscough, along the River Douglas at Tarleton and Hesketh Bank and along the former railway line in Banks;
- iv. Support the development of new allotments and protect existing allotments from development; and
- v. Support the Ribble Coast and Wetlands Regional Park and associated infrastructure.

2. Open Space and Recreation Facilities

a) Development that results in the loss of existing open space or sports and recreation facilities (including school playing fields) will only be permitted if one of the following conditions are met:

- i. The open space has been agreed by the Council as being unsuitable for retention because it is under-used, poor quality or poorly located;
- ii. The proposed development would be ancillary to the use of the site as open space and the benefits to recreation would outweigh any loss of the open area; or
- iii. Successful mitigation takes place and alternative, improved provision is provided

in the same locality.

b) Development on open space and sports and recreation facilities will not be permitted where:

- i. Development would affect the open character of the area
- ii. Development would restrict access to publicly accessible Green Space
- iii. Development would adversely affect biodiversity in the locality
- iv. Development would result in the loss of Green Spaces, Green Corridors and the Countryside
- v. The open space contributes to the distinctive form, character and setting of a settlement
- vi. The open space is a focal point within the built up area
- vii. The open space provides a setting for important buildings (being listed or of local historic importance) or scheduled ancient monuments

c) Development for outdoor sports and recreational facilities will be permitted within settlement boundaries providing it does not conflict with other policies contained within the Local Plan. Appropriate development for outdoor sports and recreation facilities may be permitted in the Green Belt in accordance with national policy.

d) Where deficiencies in existing open recreation space provision exist, as demonstrated in the Council's Open Space, Sports and Recreation Study and any subsequent equivalent document, new residential development will either be expected to provide public open space on-site (where appropriate) or a financial contribution towards the provision of off-site public open space to meet the demand created by the new development or enhancement of existing areas of public open space which could be upgraded to meet the demand created by the new development.

e) Development which would prejudice the delivery of the informal countryside recreational activities proposed at the following sites will not be permitted:

- i. Hunters Hill, Wrightington
- ii. Parbold Hill, Parbold
- iii. Platts Lane and Mill Dam Lane, Burscough

f) Development which would prejudice the protection and improvement of facilities at the following existing countryside recreation sites will not be permitted:

- i. Beacon Country Park, Skelmersdale
- ii. Tawd Valley Park, Skelmersdale
- iii. Fairy Glen, Appley Bridge

iv. Dean Wood, Up Holland

v. Abbey Lakes, Up Holland

vi. Ruff Wood, Ormskirk

vii. Platts Lane Lake, Burscough

viii. Chequer Lane, Up Holland

|

Appendix 2

Policy IF4

Developer Contributions

New development will be expected to contribute to mitigating its impact on infrastructure, services and the environment and to contribute to the requirements of the community.

Contributions may be secured through a planning obligation (subject to an obligation meeting the requirements of the relevant legislation and national policy) and through the Community Infrastructure Levy (CIL), at such a time when the Council has prepared a Charging Schedule.

The types of infrastructure that developments may be required to provide such contributions for include, but are not limited to:

- i. Utilities and Waste (where the provision does not fall within the utility providers legislative obligations);
- ii. Flood prevention and sustainable drainage measures;
- iii. Transport (highway, rail, bus and cycle / footpath network, canal and any associated facilities);
- iv. Community Infrastructure (such as health, education, libraries, public realm);
- v. Green Infrastructure (such as outdoor sports facilities, open space, parks, allotments, play areas, enhancing and conserving biodiversity and management of environmentally sensitive areas including Natura 2000 and Ramsar Sites);
- vi. Climate change and energy initiatives through allowable solutions;
- vii. Affordable housing; and
- viii. Skelmersdale Town Centre Regeneration.

Where appropriate, the Council will permit developers to provide the necessary infrastructure themselves as part of their development proposals, rather than making financial contributions.

Where a development is made unviable by the requirements of a planning obligation, the Council will have regard to appropriate evidence submitted by an applicant and consider whether any flexibility in the planning obligation is justified.

Appendix 3

Open Space Standard provision – Extract from the 2009 Open Space Study

A. Provision of amenity green space across West Lancashire

Analysis areas	Current provision	Number of sites	Smallest site (hectares)	Largest site (hectares)	LDF population (2026)	Provision per 1000 population (2026)
Burscough and Rufford	4.79	18	0.04	1.32	11,546	0.41
East	26.42	13	0.04	17.98	12,914	2.05
North	21.03	27	0.04	10.44	13,982	1.50
Ormskirk	19.45	37	0.02	2.07	26,542	0.73
West	2.13	8	0.08	0.93	8,078	0.26
Skelmersdale and Up Holland	102.44	102	0.02	7.74	43,538	2.35
Overall	176.26	205	0.02	17.98	116,600	1.51

B. Quantity Standard

Existing level of provision	Recommended standard
1.35 hectares per 1000	1.35 hectares per 1000
Justification	
<p>Findings from the household survey indicate that there is a difference in opinion regarding the quantity of amenity green space, with 46% of residents indicating that provision is sufficient and 40% suggesting that additional provision is required. This split in opinion is present in all areas. Analysis of the existing distribution of amenity spaces indicates that they are well distributed and that there are relatively few deficiencies.</p> <p>Consultations reinforced the role of amenity space, particularly in terms of providing localised facilities for children and young people. A need for a balance between quantity and quality is highlighted by residents. Indeed, many of the reasons provided for feeling that provision of amenity space was insufficient related to qualitative issues, supporting the emphasis on maintaining and improving the quality of amenity spaces.</p> <p>Setting the standard at the existing level of provision will promote qualitative improvements to amenity green space and in conjunction with the challenging accessibility standard will enable the identification of localised deficiencies.</p>	



**SEA Screening Determination for the West
Lancashire Open Space Supplementary Planning
Document**

February 2014

REVISION SCHEDULE

Rev	Date	Details	Prepared by	Reviewed by	Approved by
1	December 2013	SEA Screening Determination for West Lancashire Borough Council Open Space SPD	Ian McCluskey Senior Consultant	Mark Fessey Senior Consultant	Steve Smith Technical Director <i>Policy & Appraisal</i>

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1 BACKGROUND

1.1 Overview

West Lancashire Borough Council is in the process of preparing a Supplementary Planning Document (SPD) that sets-out guidance on the provision of Open Space in new residential developments.

This report sets out a determination as to whether there is a need to undertake a Strategic Environmental Assessment on this Open Space SPD in accordance with the *Environmental Assessment of Plans and Programmes Regulations 2004* and the *European Directive 2001/42/EC*.

1.2 Introduction to SEA / Sustainability Appraisal

The SEA Directive (2001/42/EC) identifies the purpose of SEA as “*to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development*”.

The SEA Directive was transposed into the UK through the implementation of the Environmental Assessment of Plans and Programmes Regulations (2004).

For Local Development Documents, the requirement to undertake an environmental assessment must be carried out as part of a Sustainability Appraisal, which widens the scope of the assessment to include economic and social implications.

The requirement for SA applies to all Local Development Plan Documents. However amendments to the Town and Country Planning Regulations in 2009 removed the automatic need to undertake SA/SEA for SPDs

However, the Council must still determine if an SPD requires SASEA, i.e. there is a need to ‘screen’. The screening process in this instance essentially involves asking the question ‘are there likely to be significant effects as a result of the SPD, recognising that the role of the SPD is only to amplify adopted policy?’

1.3 West Lancashire Borough Council Open Space SPD

‘Parent’ plans and policies

The Council adopted the West Lancashire Local Plan 2012-2027 on 16 October 2013. It is now the development plan, and sets out the scale, distribution and development principles for the Borough up to 2027.

Policy EN3: ‘Provision of Green Infrastructure and Open Recreation Space’ sets the framework for open space provision. Of particular relevance to the Open Space SPD are the following policy clauses:

- *EN3 (1i) Contribute to the Green Infrastructure Strategy by enhancing and safeguarding the existing network of green links, open spaces and sports facilities, and securing additional areas where deficiencies are identified – this will be achieved through contributions to open space as outlined within Policy IF4.*
- *EN3: (2d) Where deficiencies in existing open space provision exist, as demonstrated in the Council’s Open Space, Sports and Recreation Study, new residential development will either be expected to provide public open space on site (where appropriate) or a financial contribution towards the provision of off-site public open space to meet the demand created by the new development or*

enhancement to existing areas of public open space which could be upgraded to meet the demand created by the new development.

Policy IF4: 'Developer Contributions' will be used to secure the necessary contributions to support a range of Local Plan policies, including EN3.

Prior to the Adoption of the Local Plan, the Borough adopted an SPD for 'Open Space and Recreation Provision in New Residential Developments' on the 7th May 2009.

In November 2011, the requirements for open space contributions were reduced in line with the updated evidence and the new (lower) figures were listed in an Addendum to the SPD.

The Adopted Local Plan sets out the intention to replace this SPD with a new one that reflects an updated evidence base and a move towards the implementation of the Community Infrastructure Levy (CIL).

The new Open Space SPD

The Council is currently preparing a new SPD to support policy EN3. In summary, the SPD will provide guidance on the following:

- What form of contribution is most appropriate for certain developments?
- What form of open space is most appropriate for certain developments, given the local context?
- What level of contribution is most appropriate for certain developments?

The SPD will seek to:

- Use CIL receipts to deliver strategic off-site open space across the Borough.
- Use CIL requirements to deliver on site provisions in open space where the proposal is of a significant enough size to meet this provision.
- Update the evidence to ensure that local standards are appropriate.

2 SCREENING DETERMINATION

2.1 Methodology

A central facet of the screening process is to determine whether the SPD is likely to have significant environmental effects. Criteria for determining the significance of effects are set out in Schedule 1 of the *Environmental Assessment of Plans and Programmes Regulations 2004*, which, in turn, are based on Article 3(5) and Annex II of the SEA Directive. The criteria relate to: (i) the scope and influence of the document; and (ii) the type of impact and area likely to be affected.

2.2 Impacts at Parent Plan level

The impacts of policy EN3 were set out in the SA Report for the Publication Version of the Core Strategy in June 2012. In summary, policy EN3 was determined to have the following impacts:

- Enhancement of green infrastructure would have **significant positive impacts** in terms of protecting landscape character, biodiversity habitats and species, and water quality.
- Secondary impacts were also predicted as likely to occur on health and wellbeing and the local economy through the delivery of high quality housing developments and the provision of community facilities (i.e. open space)

The Core Strategy Sustainability Appraisal did not identify any significant negative impacts associated with policy EN3.

Screening criteria	Screening determination	
	Answer to the criteria	Discussion
Characteristics of the SPD		
1(a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.	Partly sets framework but significant impacts unlikely	The SPD will set a framework for how open space provision should be secured across the borough for particular developments. This could influence the nature of open space and where it is delivered. However, the SPD does not set out standards for open space provision, and the Local Plan already commits to the provision of open space where there is an identified need in-line with the Council's evidence base. Therefore, impacts are not anticipated to be <i>significantly different</i> to those identified in the SA for the Local Plan.
1(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	Little influence / significant impacts unlikely	The SPD will provide guidance to help support the delivery of policy EN3 in the Adopted Core Strategy, which has already been subjected to Sustainability Appraisal. Although the SPD will help to guide development proposals, it is not expected to influence other plans or programmes.
1(c) the relevance of the plan or programme for the integration of environmental considerations, in particular with a view to promoting sustainable development.	Fairly relevant / positive impacts likely	The SPD will help to secure appropriate contributions towards open space provision and will also provide guidance on the types of open space that would be expected in certain situations. This will help to ensure that an appropriate mix of green infrastructure and open space is provided as needed across the Borough. Whilst this would have positive implications, the policy driver for this is contained within the Local Plan and the standards are driven by the local evidence.
1(d) environmental problems relevant to the plan or programme and;	Potential significant impacts	West Lancashire has a significant amount of high quality agricultural land, Green Belt and areas of important landscape character and biodiversity value. The Open Space SPD therefore has the potential to have a positive impact in protecting and enhancing these assets. Although the SPD does not set out the policy direction, the mechanisms for securing

Screening criteria	Screening determination	
	Answer to the criteria	Discussion
		open space could influence the appropriateness of open space.
1(e) the relevance of the plan or programme for the implementation of community legislation on the environment (for example, plans and programmes linked to waste management or water protection)	Little relevance / significant impacts unlikely	The SPD is unlikely to affect the delivery of other plans and programmes related to community legislation on the environment.
Characteristics of the likely impacts and plan area		
2(a) the probability, duration, frequency and reversibility of effects	Potential for positive impacts, but not considered significant	The SPD will help to set out a clear framework for securing contributions towards open space provision. It is therefore likely to have a positive effect on environmental quality.
2(b) the cumulative nature of the effects	Potential for positive impacts, but not considered significant	The SPD could have positive cumulative impacts by helping to secure appropriate open space across the borough over the plan period. However, the SPD is unlikely to have additional significant impacts than those identified in the appraisal of policy EN3 in the Core Strategy,
2(c) the transboundary nature of the effects	Significant impacts unlikely	It is not considered that any transboundary effects would arise.
2(d) the risks to human health or the environment (for example, due to accidents)	Significant impacts unlikely	It is not considered that the delivery of the SPD would lead to any risks to human health.
2(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	Significant impacts unlikely	The SPD will cover the entire Borough of West Lancashire. The provision of onsite open space would have positive effects on communities in specific parts of the Borough. Other communities could also benefit from off-site contributions. However, the SPD does not set out the requirement to provide open space in new developments; rather it provides guidance on the most appropriate type of open space and delivery mechanism in support of Adopted Local Plan policies EN3 and IF4.
2(f) the value and vulnerability of the area likely to be affected due to; i. special natural characteristics or cultural heritage ii. exceeded environmental quality standards or limit values or iii. intensive land use	significant impacts unlikely	The SPD will seek contributions towards open space provision that reflect the characteristics of the local areas proposed for development. This will be positive in ensuring that where standards in open space provision are low, the baseline position can be improved. Seeking contributions for open space could perhaps have a knock-on impact on the ability to protect or enhance other environmental assets; however, these issues would not be addressed or influenced by the

Screening criteria	Screening determination	
	Answer to the criteria	Discussion
		open space SPD.
2(g) the effects on areas or landscapes which have a recognised national, community or international protection status.	significant impacts unlikely	<p>Policies EN2 and EN4 in the Adopted Local Plan seek to protect areas and landscapes with recognised protection status (<i>For example heritage assets</i>). These policies will have a greater influence than the Open Space SPD in protecting and enhancing landscapes and areas of importance.</p> <p>The SPD could help to guide and secure enhancements to open space/green infrastructure that take account of local context. In some instances, this could have a positive impact on protected areas. However, the SPD does not set out the policy framework for requiring open space provision and enhancements; it only provides the delivery mechanism.</p>

Summary / Screening Determination

The proposed Open Space and Recreation SPD does not set a framework for development. Although it will set out the use of small areas (*i.e. it will provide guidance on what type and amount of open space could be secured at different developments*) it is not the driving policy document.

The principles of open space delivery and enhancement are set out in the Adopted Local Plan in policy EN3. The SPD only adds clarity to the *delivery mechanism* and the types of open space that could be provided. As stated in policy EN3, this would be in-line with the local context and supported by evidence as outlined in the supporting text to policy EN3.

An SA was undertaken for the Local Plan, which considered the impacts of policy EN3. The findings suggested that the policy would have mainly positive impacts in terms of environmental enhancement and knock-on benefits for health and wellbeing. It is considered that the SPD would not have additional significant impacts compared to those already identified in the appraisal of the Parent Policy EN3. Therefore, SEA is not considered to be necessary for the Open Space SPD.

3 CONSULTATION

Based on the findings of the screening exercise, the Council does not consider that an SEA is required for the Open Space and Recreation SPD. However, before a final determination can be made, the three statutory bodies must be consulted on this screening report for a period of 5 weeks.

The three statutory bodies for the purposes of SEA Screening are:

- English Heritage;
- the Environment Agency; and
- Natural England.

A final determination will be made when the statutory bodies have commented on this Screening Report. The Council will then publish a statement outlining whether an SEA is required or not, with reasons provided. Comments received from the statutory bodies will also be included in this Screening Determination.

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Appendix 5 Maintenance Costs for Play Equipment

With regard to children's play areas and young people's play areas the standard provision the Council currently offers is the following:

1. Multi Use Games Area
2. Skate Park
3. Teenage Shelter
4. Children's Play Area

The following figures represent the annual cost of inspection, routine repairs and maintenance as specified in the schedule of rates within the "Contract for the Inspection and maintenance of Children's Play Areas April 2013 to March 2016."

These rates would be used in respect of either the addition or removal of components or full play areas during the term of the contract.

These figures are linked to the Consumer Price Indices and are due for re-assessment in for the financial year 2015/16.

1. Multi Use Games Area

<i>Item</i>	<i>No.</i>	<i>Unit Price £</i>	<i>Cost £</i>	<i>Total Cost £</i>
Fence 20mx15m playing area @3m height	70 lnr m	50	3,500	
Basketball Facility	2	100	200	
Sign	1	20	20	
Bench	2	65	130	
Bin (inc emptying)	1	50	50	
				3,900

2. Skate Park

<i>Item</i>	<i>No.</i>	<i>Unit Price £</i>	<i>Cost £</i>	<i>Total Cost £</i>
¼ pipe	2	100	200	
½ pipe	1	150	150	
Grind rail	2	100	200	
Box	1	100	100	
Spine	1	100	100	
				750

3. Teenage Shelter

<i>Item</i>	<i>No.</i>	<i>Unit Price £</i>	<i>Cost £</i>	<i>Total Cost £</i>
Shelter	1	200	200	
				200

4. Children's Play Area

<i>Item</i>	<i>No.</i>	<i>Unit Price £</i>	<i>Cost £</i>	<i>Total Cost £</i>
Double Swing (flat seat)	1	200	200	
Double swing (cradle seat)	1	200	200	
Roundabout (standard)	1	210	210	
See Saw (standard)	1	190	190	
Multi Structure (standard)	1	260	260	
Slide (attached to above)	1	100	100	
Multi Structure (small)	1	180	180	
Slide (attached to above)	1	100	100	
Spring Mobile	2	100	200	
Fencing (bow top 1.2 m height)	70 lnr m	40	2,800	
Gate (self closing)	1	60	60	
Gate (manual closing)	1	50	50	
Sign	1	20	20	
Seat	2	75	150	
Bin (inc emptying)	2	50	100	
Safety Surfacing (spot repairs)	1	200	200	
				5,020

Summary

Multi Use Games Area	£3,900
Skate Park	£750
Teenage Shelter	£200
Children's Play Area	£5,020
Total	£9,870

The above figures include all inspection, and routine repair and maintenance, including play area visits, inspection recording, routine maintenance, dealing with potential hazards and hazardous debris, dealing with obscene or abusive graffiti, and re-painting or re-treating equipment.

Draft Open Space SPD - Comments received and Council responses

Consultee Name: Ms Justine Entezari

Comments: I am writing to you on behalf of my client, the Lilford Estate, as part of the ongoing public consultation on the draft West Lancashire Public Open Space in New Residential Developments SPD which has been published on the Council's website. As you may be aware, the Lilford Estate are a comprehensive landowner and steward based in Tarleton, who have a long-term relationship with the area and local community, and it is within this context that we frame our representations. Having reviewed the SPD, while we appreciate the requirement to update the quantity of provision that will be sought within new developments, we have a number of concerns that we wish to draw your attention to as follows:

Evidence Base The National Planning Policy Framework (NPPF) states at paragraph 73 that 'access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision.' The SPD is based upon the findings of the Open Space and Recreation Study, published in October 2009, with the Council claiming that 'whilst the Open Space Study was published five years before the SPD, it is considered that this evidence remains sufficiently up-to-date, given that the population and the amount and quality of open space in the Borough have not changed markedly since 2009.' This justification is not robust, and we would argue that the Study is in fact out of date. Sport England, a national consultee on planning applications relating to recreation space, stress the importance of Councils having an up-to-date evidence base in place. Their consultation draft of the document 'Assessing Needs and Opportunities Guide for Indoor and Outdoor Sports Facilities' (December 2013) states that 'assessments should be no more than 3-years old to account for changes and ensure the supply and demand analysis is still valid and robust'. It is reasonable to suggest on this basis that the 3 year guide would also apply to the West Lancashire Open Space and Recreation Study, and that it would therefore be out of date. Adopting an SPD based on out of date evidence is not appropriate and will not serve to genuinely meet the needs of the area.

Viability Assessment A viability assessment has not been included within the SPD, assessing the impact of the policy on different types of development proposals. Without such an assessment, it cannot be demonstrated that implementation of the policy will not render development proposals unviable. The National Planning Practice Guidance (NPPG) emphasises the significance of viability testing plans and policies, setting out the relevant guidance at ID 10-006-20140306 and ID 10-006-20140306 which notes that an assessment of different samples of sites is a useful means of supporting evidence. As such, we would request that a robust viability assessment is undertaken to support the policy.

Evidencing Open Space Requirements While the SPD does state that its findings are based on the Open Space and Recreation Study, no specific evidence has been provided to justify the stipulated amounts of open space provision that will be required to be provided under the new policy. We would therefore request that clear justification is provided for each individual figure, based on up to date evidence, which we do not consider the Open Space and Recreation Study to constitute.

Over Provision of Open Space A final observation is that the SPD does not address the issue of over provision of open space within development proposals, and whether or not any provision over and above that required by policy can contribute towards the provision required for subsequent development proposals within the local area. While this would need to be determined on a site by site basis, we are of the view that the opportunity should be available for over provision within one development to form all or part of the amount of public open space required for a development that is proximate to the initial application site. Clarity on this matter should be provided within the SPD. I trust that the contents of this letter are clear and that this representation will be taken into consideration by West Lancashire's Strategic Planning team. If you do require any further clarity please don't hesitate to contact me at the NJL offices.

Summary of comments: Expresses concerns regarding: whether the evidence base behind the SPD is up to date; the lack of a viability assessment incorporating the proposed open space requirements; what the justification behind the open space requirements is; and whether the issue of over-provision of open space is addressed in the SPD.

Council response: **Evidence Base:** The Council are satisfied that the 2009 Open Space and Recreation Study does provide an up to date and robust evidence base for this SPD, given that the quantum and quality of open space across the Borough has changed very little in the last five years. In addition, it should be noted that the Sport England guidance referred to is only in draft at this stage.

Viability Assessment: The implications of the new on-site open space requirements in this SPD have been assessed as part of the Viability Assessment work undertaken for the Council to inform the CIL Charging Schedule. While the level of on-site provision is being increased for developments of 40 dwellings or more, the requirement for financial contributions to off-site open space is being removed

entirely for all residential developments. Therefore, the overall change in development viability is negligible as a result of the proposed SPD.

Justification behind the open space requirements: The 13.5 sqm per bedroom requirement for developments of 40-289 dwellings is based upon the recommended local standard for amenity green space from the 2009 Open Space and Recreation Study, given that the SPD suggests that on-site provision on such developments "should typically take the form of informal amenity green space in order to provide the local function necessary of this public open space" (Policy OS1(b)). As per the footnote on p.9 of the SPD, it has been assumed that one bedroom equals one additional person in population terms. The additional 1.5 sqm per bedroom requirement for developments of 290 dwellings or more is based upon the recommended local standards for Formal Parks, Provision for Children and Provision for Young People from the 2009 Open Space and Recreation Study (which would actually equate to 1.62 sqm, but has been rounded down for ease of calculation to 1.5 sqm) , given that it is appropriate that a development of this size should provide an element of more formal open space on-site as well. It is acknowledged that the SPD could be clearer on the derivation of these requirements from the recommended local standards.

Over-provision of Open Space: Policy OS1 does allow the Council to consider proposals which do not meet the full on-site open space requirements where there is clear and robust justification from this deviation from policy. In general, it would not be appropriate for one development in a locality to over-provide on-site open space whilst another provides less, given that this would unfairly prejudice one applicant / developer over another and would move away from providing adequate local open space for the residents of each development. The only exception to this would be where a Neighbourhood Plan, masterplan or development brief for a large site or neighbourhood area stipulates that this must happen as part of a cohesive and co-ordinated development approach to that site / area.

Council
recommendation

Add to justification of Policy OS1 to explain the derivation of on-site open space requirements from the recommended local standards in the 2009 Open Space and Recreation Study.

Add sentence at end of fifth paragraph of Policy OS1 to clarify the potential for exceptions to the requirements in this SPD where a Neighbourhood Plan, masterplan or development brief identifies an exception would be appropriate.

Consultee Name: Mrs Alison Truman

Comments: It is stated at the end of p.13 of the draft SPD that "where development is adjacent to the canal network, consideration should be given to what role such a feature can play in providing for open space." The Canal & River Trust (the Trust) requests that this statement is clarified and expanded upon. Clearly, the canal network has a significant multi-functional role as a route for leisure and recreation, both on the water and on the towpath, in addition to providing a valuable wildlife and heritage corridor. The canal through West Lancashire is largely rural in character, where the towpath often has a grassed surface suitable for informal leisure walking. If a proposed development is likely to result in significant additional towpath movements, it is essential that the developer makes an appropriate contribution to assist the Trust in ensuring that the towpath and other waterway assets are maintained in an appropriate condition. This would comply with the requirements of Policy IF4, and could be delivered either through Section 106 agreements or through the use of CIL funding. Where a development provides opportunities for pedestrians and cyclists to use the towpath as a sustainable transport route to and from work or local services, it may be necessary to secure a contribution to cover the cost of the provision of an appropriate new towpath surface in order to facilitate this. Further information on the role of waterways for leisure and recreation can be found on our website (www.canalrivertrust.org.uk) and on the Town and Country Planning Association's website (<http://www.tcpa.org.uk/pages/inland-waterways.html>).

Summary of comments: The Canal & River Trust requests clarification of wording on p.13 of the draft SPD relating to the role of the canal network in providing for open space where development is adjacent to it.

Council response: The final paragraph on p.13 of the draft SPD was intended to ensure that any residential development adjacent to the canal network seeks to ensure open space is located and designed in such a way as to utilise the advantage of having a canal adjacent to the site, in order to increase the accessibility of the canal network and to help create more attractive open spaces. Where development involves an increase in canal towpath movements, Section 106 contributions cannot be secured simply to maintain existing towpath facilities (in the same way they cannot be secured simply to maintain an existing open space). However, if a stretch of canal towpath needs improvement in order to manage the increased usage as a result of development in general (not simply those developments adjacent to a canal), it may be appropriate to secure developer contributions for this purpose. However, this would be separate from on-site open space, as required by this SPD.

Council recommendation Clarify comments in relation to the the canal network in the final paragraph of p.13 of draft SPD.

Consultee Name: Miss Justine Entezari

Comments: Please refer to supporting letter (Ref: 2014-023-004a) that I have emailed to localplan@westlancs.gov.uk

Summary of comments: See representation 1

Council response: See representation 1

Council recommendation N/A

Consultee Name: Mr Tom Loomes

Comments: Paragraph 73 of The NPPF states that planning policies should be based on robust and up-to-date assessments of the need for new open space. However, the proposed SPD is based on the 2009 Open Space Study, which is no longer considered to be up-to-date. Jones Homes consider that, at the very least, a review of this study should be undertaken to ensure that the policy is based on current need. Whilst Jones Homes welcomes there being no on-site requirement for smaller residential developments, there is little justification for the threshold set. With the anticipated introduction of CIL, Jones Homes considers that thresholds of 1-49 dwellings, 50-289 dwellings and 290 dwellings and over would be more appropriate. Jones Homes would like to ensure sufficient flexibility remains in the policy. Every site is different and there may be situations where it is more appropriate to provide a lesser amount of a different type of on-site open space. As a result, it is important that sufficient flexibility remains within the policy.

Summary of comments: Concerns expressed regarding whether evidence base is up to date, justification for thresholds and insufficient flexibility within the policy.

Council response: The Council are satisfied that the 2009 Open Space and Recreation Study does provide an up to date and robust evidence base for this SPD, given that the quantum and quality of open space across the Borough has changed very little in the last five years. In relation to thresholds, it is noted that Jones Homes provide no evidence of their own to support amended thresholds. CIL has no bearing on the threshold unless it can be demonstrated that the adoption of CIL would make developments of 40-50 dwellings unviable if on-site open space continues to be required. The Council are satisfied that the existing threshold of 40 or more dwellings is an appropriate threshold to continue to use for triggering a requirement for on-site open space. The fifth paragraph of Policy OS1 allows flexibility in the requirement for on-site open space where clear and robust justification is provided.

Council recommendation: None

Consultee Name: Mrs Elizabeth-A Broad

Comments: These are the comments of Lathom South Parish Council. The meeting formed the following response to WLBC's Provision of Public Open Space in New Residential Development: Supplementary Planning Document - Draft – February 2014. Section 4. – Policy OS1: Provision of On-Site Open Space. 1. Except in the introduction, which is clear, the draft confuses "outside" and "within" the development. On page 13, open space is determined to be an integral part of design of any new development and yet the draft gives developers get-out clauses. 2. For example, the draft states: "If the developer proposed not to meet the above public open space requirements on-site, they must provide "clear and robust" justification as to why the requirements should not be met". The draft should go on to state "Only in the most exceptional cases would planning permission be granted without full provision of amenity open space. 3. Under Policy OS1 – Provision of On-site Open Space, the document refers to cases of existing under-provision of open space and incremental developments but does not explain how to deal with such matters. Where there is under-provision in the locality and an existing need, the document needs to explain how the under provision will be dealt with, in addition to dealing with the development need. As suggested elsewhere, existing under-provision in an area can be addressed using CIL funding. 4. It is contradictory to allow "existing provision" to be quoted as a reason for non-provision of open space within new developments, since there is no existing provision within developments that have not even started. 5. Page 9 states that the requirement to provide on site public open space will also apply to incremental developments but does not set out how, in practice, it would apply. The policy needs to set out how it would apply rather than just saying "it still applies". The obligations are not clear enough. 6. It would be unnatural for new development to be allowed right up to a Green Belt boundary. For development adjacent to the green belt there should be an open buffer to provide a natural transition from new estates to open countryside. 7. Play areas and informal amenity green space should be treated separately throughout the draft, because each requires different provisions; e.g. informal amenity green space may need a commitment to provision and emptying of dog litter bins whereas play areas need also to be kept safe for children to use and located securely. 8. The quality of the landscaping must be to an agreed and published standard. 9. Where the developer does not wish to maintain the open space provided in a scheme, maintenance should be in perpetuity, or for at least 29 years, as ten years is just not long enough. Long term maintenance, with whole life costs for replacement of capital items, such as seating, signs, bins, play equipment is necessary when planning these open space amenity areas. This draft has no such provision. 10. It is unusual nowadays for Councils to accept responsibility for maintenance of such areas and to tie the Council to charges published now could easily put a strain on council tax monies later. It would be more sensible to insist that the developer enter into a transfer to a sustainable scheme under a charity such as The Land Trust and that the continuation of maintenance is guaranteed financially. 11. The Parish Council believes that table 14.4 should not be in the document at all, since it sets standards for open space outside developments. However the contents reveal inconsistent thinking, in giving standards set on walking times. A ten minute walk for an adult represents a much longer distance than for a young child, and some people are able to walk much more quickly than others. Allotments are described as close enough if within a twenty minute drive, but this could take you ten to twenty miles. It defeats the purpose of an allotment if one has to drive to it; the people who want (and need) allotments cannot necessarily drive to them and tend to value facilities that are close to home. Thus, this table has been created with no thought or consideration for people who don't have a car, for the elderly or of those with young children. It is not clear why provision for young people is restricted to settlements of 3,000 or greater. Do developments of fewer homes have no need for those facilities for young people? This figure of 3,000 is far too high. Open space, somewhere to kick a ball around, a youth shelter, MUGA etc. should be built into new development. These facilities are required where the local population has enough youths to warrant that provision so should be based on population demographic, rather than total population. Access to existing facilities should relate to open public, free, access. For example, the JMO facility at Blaguegate playing fields is a commercial enterprise and therefore not available to all.

Summary of comments: Concerns expressed in relation to: perceived confusion of what is "outside" and "within" the development; the flexibility of the SPD; policy regarding the under provision of open space and incremental developments; allowance of non-provision of open space; the process for ensuring incremental developments still provide on-site open space; development near the Green Belt boundary; differentiation of informal amenity green space and play areas; quality of landscaping; maintenance costs; and the recommended local standards in table 14.4.

Council response: 1+2. The SPD is clear that it only relates to the provision of on-site public open space within developments. With the proposed adoption of CIL, the Council does not expect to utilise Section 106 agreements to secure financial contributions towards public open space off-site (i.e. "outside" developments), as it currently does, as funding for such off-site improvements would be provided

through CIL. In relation to the provision of on-site public open space, the SPD necessarily provides flexibility as, in certain, limited cases, there may be other, over-riding considerations which outweigh the provision of on-site public open space in a particular development. The wording of Policy OS1, referring to "clear and robust justification" is considered sufficient.

3+5. Within the justification to Policy OS1, under the sub-title "Thresholds", it is explained that the requirement to provide on-site public open space will apply even where a development comes forward incrementally, i.e. the applicant will need to demonstrate how the full requirement for on-site public open space for the whole site will be delivered, even if they are only proposing to deliver a portion of the residential units. However, it is acknowledged that the SPD would benefit from setting out the process for requiring this. In relation to under-provision, the Council cannot require developers to make up a historic under-provision of public open space in a locality, but can only require a developer to meet the additional need that their development will generate. As such, measures to address historic under-provision of public open space in parts of the Borough cannot be addressed by this SPD.

4. The Council can only require developers to provide on-site public open space to meet the local needs of their development if there is insufficient public open space existing in the locality that is accessible to the new development. If a particular locality has a surplus of local public open space, and that existing public open space is accessible from the new development, then the need of that development is already catered for and it would be unreasonable to require the developer to provide more local public open space.

6. Where a development site is adjacent to the Green Belt boundary, the treatment of the boundary must be given careful consideration to ensure the integrity of the Green Belt. However, this does not necessarily mean an area of open buffer adjacent to the boundary. In any event, this would not be a matter for the SPD, though public open space could of course form part of the site adjacent to the Green Belt boundary if appropriate.

7. Play areas and informal amenity green space are treated separately in the SPD, which is clear about the types of open space required, and in which situation. Given that the SPD only addresses the provision of on-site public open space, which is for the local needs generated by the development, play areas and other formal public open space is only required on-site in the larger developments (290 dwellings or more) as these would generate sufficient new population to require new play areas / formal public open space within the development.

8. Landscaping is not a specific matter for this SPD, but is something that is addressed at the application stage.

9+10. Maintenance is a matter the Council have considered carefully in preparing the SPD. The Council's preferred choice would be for maintenance to be the responsibility of the developer, or a Trust that they establish and arrange funding for to ensure maintenance of the new open space. However, on occasion, this would not be the most appropriate approach to ensure maintenance of the new open space and the Council has included appropriate costs in this eventuality.

11. Table 14.4 is taken directly from the Open Space & Recreation Study which has assessed the provision of open space in the Borough and what amount of open space is required of each type to serve any given size of population (local standards). As such, this evidence is crucial to the SPD in providing the basis upon for the requirement for on-site open space in new residential developments. It does not ignore the needs of any part of the population, but sets reasonable local standards for open space based on a robust assessment.

Council
recommendation

Clarify wording and process applying to incremental developments within Justification to Policy OS1.

Consultee Name: Mrs Kathleen Dugdale

Comments: I would be in favour of there being some public open space in most residential developments. eg play areas for young children and areas where older people can walk and sit without having to move too far from their homes. I think that the areas ought to be big enough for residents of new developments to use and have space for guests wherever possible - may be some restriction would have to be made in the case of unsupervised children. It should always be made absolutely clear who is responsible for routine maintenance of these areas.

Summary of comments: In favour of public open space in most residential developments but would like to ensure the open spaces are large enough, are safe for children and are maintained properly.

Council response: Comments noted

Council recommendation: None

Consultee Name: Ms Cathy Dean

Comments: Thank you for your email of 2 April 2014 giving the Highways Agency the opportunity to comment on the above document. It is noted that the SPD will work alongside the Local Plan with regard to Policy EN3. The only comment that the Agency would make is that we welcome the said policy, i.e. the provision of open space, footpaths, cycleways and recreational/leisure facilities etc., within walking distance of homes, schools and work. We would welcome the potential implementation of CIL to facilitate amenity open space. I hope this information is of assistance.

Summary of comments: Highways Agency welcomes the SPD.

Council response: Comments noted

Council recommendation: None

Consultee Name: Ms Diane Clarke

Comments: Thank you for the opportunity to provide feedback to the proposed policy. Network Rail is the “not for dividend” owner and operator of Britain’s railway infrastructure, which includes the tracks, signals, tunnels, bridges, viaducts, level crossings and stations – the largest of which we also manage. All profits made by the company, including from commercial development, are reinvested directly back into the network. Network Rail has the following comments to make. The policy document states that: 2.3 The objectives of this Supplementary Planning Document are: To provide a high standard of public open space that gives safe and convenient access to such facilities for all user groups We would draw the councils attention to the following Rail Accident Investigation Branch report into ‘Penetration and obstruction of a tunnel between Old Street and Essex Road stations, London 8 March 2013’, which concluded: 5 The intent of this recommendation is to ensure that the planning approval process reduces the risk to railway infrastructure due to adjacent developments. The Department for Communities and Local Government should introduce a process to ensure that Railway Infrastructure Managers are made aware of all planning applications in the vicinity of railway infrastructure. This process should at least meet the intent of the statutory consultation process (paragraphs 97f and 101). We would therefore expect to see as a policy within the SPD inclusion of developer funded trespass proof fencing (of a minimum of 1.8m high) adjacent to the railway boundary for any open spaces to prevent unauthorised access by users of the open spaces, including minors. As Network Rail is funded by public remit it is unreasonable to expect Network Rail to mitigate the impacts of third party commercial development upon the railway. We would also highlight the policy comment 2.3 which states that the open spaces should be safe and of high quality and we believe that suitable trespass fencing to prevent incursion on the railway should be part of this consideration. Most of the trespassing and vandalism incidents on our railway are committed by boys aged eight to 16 years but in the past, children as young as five years old have been found playing on the tracks. Adults who use the railway as a shortcut are another group who are likely to risk their lives. Network Rail has also set up our Rail Life website to educate young people and provide real-life examples about the dangers of trespassing on the railway at: www.rail-life.co.uk. Trespass – The Facts

- Even after it has put its brakes on a train travels about 2000 metres or the length of 20 Premier League football pitches before stopping
- The wind turbulence produced by trains can drag someone standing next to the tracks under the train’s wheels
- Trespassing on the tracks is a criminal offence with a fine of up to £1000.

Summary of comments: Network Rail requests that a policy is included within the SPD that any public open space created adjacent to a rail line includes 1.8m high (minimum) trespass proof fencing, funded by the developer, to prevent unauthorised access of the rail line by users of the public open space.

Council response: The Council recognise the concern raised by Network Rail and propose to include appropriate wording within chapter 5 of the SPD to make developers aware of this issue and the expectation of the Council that developers will address it where their site is adjacent to the rail line.

Council recommendation: Include appropriate wording within chapter 5 of the SPD to address the issue of trespass onto rail lines from adjacent public open spaces.

Consultee Name: Mr Clive Narrainen

Comments: Support

Summary of comments: Supports the SPD

Council response: Comments noted

Council recommendation: None

Consultee Name: Miss Carla Jackson

Comments: Thank you for your consultation on the above dated 2 April 2014, which was received by Natural England on 2 April 2014. 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. Our remit includes biodiversity and protected species, geodiversity, landscape character and quality, greenspace, access to the countryside and other greenspace, soil conservation and environmental land management. We welcome this opportunity to comment. On this occasion our comments are provided as general advice on the opportunities that design related SPDs offer in relation to our remit, and guidance on further sources of information. When drafting [urban design] SPDs that may result in impacts to the natural environment, we would expect the local planning authority to consider the following:

Green Infrastructure This type of SPD should, where possible, provide a clear focus in relation to Green Infrastructure (GI) provision. Where possible such provision should be incorporated into new development. The NPPF states that local planning authorities should plan 'positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure'. Urban green space allows species to move around within, and between, towns and the countryside. Even small patches of habitat can benefit movement. Urban GI is also recognised as one of the most effective tools available to us in managing environmental risks such as flooding and heat waves. The NPPF recognises the contribution GI can make to the challenges posed by a changing climate, 'when new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure' (Para. 99). Greener neighbourhoods and improved access to nature may also improve public health and quality of life and reduce environmental inequalities. Urban green spaces will provide varied ecosystem services and will contribute to coherent and resilient ecological networks. Natural England has developed a GI signposting document, which may be of assistance; it includes detail in relation to GI provision. http://www.naturalengland.org.uk/Images/GI-signposting_tcm6-11961.pdf It is important to emphasise the multi-functional benefits of GI to biodiversity, amenity, recreation and health and wellbeing and the need to consider GI in urban design and demonstrate how GI and green and open spaces could link to the wider GI network and interlink with access, the landscape and biodiversity. There may be significant opportunities to retrofit green infrastructure in urban environments. These can be realised through: green roof systems and roof gardens; green walls to provide insulation or shading and cooling; new tree planting or altering the management of land associated with transport corridors (e.g. management of verges to enhance biodiversity). The protection of natural resources, including air quality, ground and surface water and soils needs to be considered in all urban design plans. We also suggest you may wish to draw upon The Town and Country Planning Association's "Design Guide for Sustainable Communities" and their more recent "Good Practice Guidance for Green Infrastructure and Biodiversity"

Biodiversity enhancements This SPD should encourage the taking of opportunities to incorporate features which are beneficial to wildlife into final proposals for development. The Council may wish to consider whether it is appropriate to provide guidance on, for example, the level of bat roost or bird box provision within the built structure, or other measures to enhance biodiversity in the urban environment. An example of good practice includes the Exeter Residential Design Guide SPD, which advises (amongst other matters) that a ratio of one nest/roost box per residential unit is considered appropriate. This is in accordance with Paragraph 118 of the National Planning Policy Framework. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. Section 40(3) of the same Act also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'.

Landscape enhancement This SPD may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment. Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider new development and ensure that it makes a positive contribution in terms of design, form and location, to the character and functions of the landscape and avoids any unacceptable impacts. For example, it may be appropriate to seek that, where viable, trees should be of a species capable of growth to exceed building height and managed so to do, and where mature trees are retained on site, provision is made for succession planting so that new trees will be well established by the time mature trees die. Other design considerations The SPD should consider the impact of lighting on landscape and biodiversity. The NPPF states (paragraph 125) 'By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation'. We advise that this is a topic that should be covered by any design related SPD. Strategic

Environmental Assessment/Habitats Regulations Assessment In principle SPDs should not be subject to the Strategic Environmental Assessment Directive or the Habitats Directive because they do not normally introduce new policies or proposals or modify planning documents which have already been subject to a Sustainability Appraisal or Habitats Regulations Assessment. However a SPD may occasionally be found likely to give rise to significant effects which have not been formally assessed in the context of a higher level planning document. This may happen, for example, where the relevant high level planning document contains saved policies within a saved local plan which predates the need to carry out a SA or HRA and therefore no higher tier assessment has taken place. If there is any doubt on the need to carry out a SA or HRA a screening assessment should be carried out. Should you require Natural England's advice on screening assessments and/or subsequent assessment please contact us.

Summary of comments:

Natural England would like to see Green Infrastructure included and promoted within design-related SPDs in order to plan sustainably and to conserve, enhance and manage their natural environment for the benefit of current and future generations.

Council response:

The Council agree with Natural England's views on Green Infrastructure, sustainability and managing the natural environment, and this SPD will help to create new Green Infrastructure within new developments that creates opportunities to enhance the natural environment. The adopted Local Plan includes policies to help ensure that these matters are given full consideration at application stage. However, this SPD purely seeks to secure the general provision of new public open space on-site in new residential developments, providing a steer as to the type of open space and ensuring it is maintained.

Council recommendation

None

Consultee Name:

Mrs Catherine Dean

Comments:

Thank you for consulting the Highways Agency regarding this document. We have no comment to make other than we support the protection of open spaces and green infrastructure, which promote healthier lifestyles and expand opportunities for walking, cycling, leisure, recreation and sport.

Summary of comments:

See Representation 7

Council response:

See Representation 7

Council recommendation

None

Consultee Name: Ms Angela Atkinson

Comments: Thank you for inviting the Marine Management Organisation (MMO) to comment on the above consultation. I can confirm the MMO has no comments to submit in relation to this consultation.

Summary of comments: No comments from the MMO

Council response: N/A

Council recommendation: None

Consultee Name: Mrs. Hazel Scully

Comments: Consultation with the communities would offer a sense of ownership in the type of open space which would benefit all ages and diversity of residents.

Summary of comments: Consultation with the communities would offer a sense of ownership in the type of open space which would benefit all ages and diversity of residents.

Council response: Given that on-site public open space will form part of any development proposal that reaches the minimum threshold of 40 dwellings, local communities will be consulted as part of the pre-application consultation process that an applicant must undertake. In relation to off-site public open space (which does not form part of this SPD), the Council do already consult local communities over any proposals for new or improved public open space in a locality.

Council recommendation: Add reference to the need to consult local communities on the public open space proposed within a development as part of an applicant's pre-application consultation.

Consultee Name: ms puala jones

Comments:

Summary of comments: No comments made

Council response: N/A

Council recommendation: None

Consultee Name: w w

Comments: 10/10/2014

Summary of comments: No comments made

Council response: N/A

Council recommendation: None

Consultee Name: Mr Thomas Pe McVeigh

Comments: I should think that the maximum amount of public open space on housing developments should be expected by the council.
I would prefer grassed areas maintained by the Council. There should be strict rules to forbid the parking of vehicles on these areas (you can see the results of this on the County Road area) grass verges ruined.
The selected planting of trees on these areas would certainly help.
There is no doubt in my mind that local greenery, well maintained, greatly improves peoples wellbeing and therefore their health.
I would suggest that you forget large wooden boxes with plants in them as the two already on Burscough Street are an absolute disgrace due to lack of maintenance.

Summary of comments: Supports public open space on new housing developments, but they must be of the right type and be managed well.

Council response: The Council will always seek the maximum amount of public open space on new developments in line with the requirements of the SPD, although on occasion there may be clear and robust justification for not requiring the full amount. The precise design of any new open space and how it will be managed would be determined at the application stage.

Council recommendation None

<p>1. 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: <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; 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>	<p>No.</p>
<p>2. What sources of information have you used to come to this decision?</p>	<p>West Lancashire Borough Council Open Space, Sport and Recreation Study 2009</p>
<p>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)?</p>	<p>The document being reported on (Draft Open Space SPD) will, if approved by Cabinet, be subject to public consultation for six weeks. A wide range of different individuals and bodies will be contacted directly to advise about the consultation. In addition, the document will be publicised in the press and on the Council's website. People will be invited to submit their views on the content of, and proposals contained within, the document. These views will be taken into account in preparing the subsequent version of the document.</p>
<p>4. 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:- <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>	<p>The purpose of the Open Space SPD is to ensure the provision of good quality open space amongst new residential developments. One consequence of this should be to improve equality of opportunity for, for example, disabled people, to access open space. Thus this decision should, indirectly, help the Council's ability to meet its duties under the Equality Act 2010.</p>
<p>5. What actions will you take to address any issues raised in your answers above</p>	<p>(The relevant actions are referred to above.)</p>

Agenda item 6(h)

Provision of Public Open Space in New Residential Development Supplementary Planning Document

PLANNING COMMITTEE – 19 JUNE 2014

10. PROVISION OF PUBLIC OPEN SPACE IN NEW RESIDENTIAL DEVELOPMENT SUPPLEMENTARY PLANNING DOCUMENT

Consideration was given to the report of the Assistant Director Planning on pages 213 to 273 of the Book of Reports the purpose of which was to recommend the Open Space and Recreation Provision in New Residential Developments Supplementary Planning Document ('the Open Space SPD') be adopted with immediate effect to form part of the planning policy framework against which planning applications are assessed.

RESOLVED

That the following agreed comment be forwarded to Cabinet:

That all options are made available to the Council in order to expedite the adoption and implementation of CIL in order to safeguard the viability of the SPD.