



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

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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 Firswood 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 Firswood 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.
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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 Firswood 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 Firswood 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 Firswood 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)