



Kim Webber B.Sc. M.Sc.  
Chief Executive  
52 Derby Street  
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West Lancashire  
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Friday, 8 March 2019

**TO: COUNCILLORS I MORAN, Y GAGEN, C COOPER, J FORSHAW, J HODSON,  
K WILKIE, K WRIGHT AND A YATES**

Dear Councillor,

Please see attached report and special urgency notice included on the agenda for the meeting of **CABINET** to be held on **TUESDAY, 12 MARCH 2019** at **7.00 PM** in respect of the following items:

- |           |                                                                                        |             |
|-----------|----------------------------------------------------------------------------------------|-------------|
| <b>2.</b> | <b>SPECIAL URGENCY (RULE 16 ACCESS TO INFORMATION PROCEDURE RULES)/URGENT BUSINESS</b> | 1801 - 1802 |
|           | Special urgency notice in relation to item 6(m) Local Plan                             |             |
| <b>6m</b> | <b>LOCAL PLAN</b>                                                                      | 1803 - 1822 |
|           | (Portfolio Holder: Councillor J Hodson)                                                |             |

**We can provide this document, upon request, on audiotape, in large print, in Braille and in other languages.**

**FIRE EVACUATION PROCEDURE: Please see attached sheet.**

**MOBILE PHONES: These should be switched off or to 'silent' at all meetings.**

For further information, please contact:-  
Sue Griffiths on 01695 585097  
Or email [susan.griffiths@westlancs.gov.uk](mailto:susan.griffiths@westlancs.gov.uk)



## **The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012**

### **WEST LANCASHIRE BOROUGH COUNCIL**

#### **KEY DECISION FORWARD PLAN CONSTITUTION 6, RULE 16 (SPECIAL URGENCY)**

To: Chairman of the Executive Overview and Scrutiny Committee  
Notice Board

I hereby give notice that, in accordance with the above Regulations and Constitutional Rules the following matter is to be considered at the meeting of Cabinet scheduled to take place at the Council Offices, 52 Derby Street, Ormskirk on 12 March 2019.

#### **“Local Plan Review Preferred Options – Initial Feedback”**

The matter is likely to be the subject of a key decision, which has not been included on the Forward Plan and the general exception procedure set out at rule 15 of the Constitution cannot be followed. In accordance with rule 16 of the Constitution the Leader has obtained the agreement of the Chairman of the Executive Overview and Scrutiny Committee and this notice setting out the reasons that the decision is urgent and cannot reasonably be deferred is being made available on the Council’s website and at the offices of the Council.

The reasons that the decision is urgent and cannot reasonably be deferred is that the Local Development Scheme, setting out the timetable for the preparation of the Local Plan Review, expects a Publication version of the new Local Plan to be put before Cabinet in June 2019. Given that, after the 12 March meeting, there is no Cabinet meeting scheduled until 11 June, this item needs to be urgently brought before Cabinet to enable Cabinet to provide a decision on the options for meeting unmet housing need arising from Sefton in the new Local Plan. This matter is one that is central to setting a housing requirement for the new Local Plan, which in turn effects what sites should be allocated, how Green Belt boundaries should be amended and a number of other policies. Therefore, in order to be able to prepare a Publication version of the Local Plan by June, officers need the input of Cabinet at the 12 March meeting.

Dated: 8 March 2019

Kim Webber  
Chief Executive



CABINET: 12 March 2019

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**Report of: Director of Development and Regeneration**

**Relevant Portfolio Holder: Councillor J Hodson**

**Contact for further information: Mr John Harrison (Extn. 5132)**  
**(E-mail: john.harrison@westlancs.gov.uk)**  
**Mr Peter Richards (Extn. 5046)**  
**(E-mail: peter.richards@westlancs.gov.uk)**

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**SUBJECT: LOCAL PLAN REVIEW PREFERRED OPTIONS – INITIAL FEEDBACK ON PUBLIC CONSULTATION**

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Wards affected: Borough wide

## **1.0 PURPOSE OF THE REPORT**

- 1.1 To provide Cabinet with initial headline feedback on the number of comments received through the Local Plan Review Preferred Options consultation; to outline the options available to the Council to address its obligations under the Duty to Co-operate in relation to any unmet housing need arising from Sefton in the light of the received comments and the strategic implications the proposed change would have on the next version of the emerging Local Plan.

## **2.0 RECOMMENDATIONS TO CABINET**

- 2.1 That the initial feedback from the Preferred Options consultation regarding strategic development matters be noted.
- 2.2 That the ongoing conversations with infrastructure providers arising out of the Preferred Options consultation be noted.
- 2.3 That Option C in relation to how West Lancashire might fulfil its legal obligations under the Duty to Co-operate in respect of any unmet housing need in Sefton be endorsed.
- 2.4 That an assessment of Protected Land in the borough be incorporated into the Local Plan Review evidence to consider whether any Protected Land should be designated as Green Belt in the new Local Plan.

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### 3.0 INITIAL FEEDBACK

3.1 The Local Plan Review Preferred Options public consultation ran for two months from 12 October - 13 December 2018 and involved several strands of public engagement:

- A dedicated set of Local Plan Review webpages on the Council's website, as well as a "citizenspace" consultation hub for the Preferred Options consultation where interested parties could view the proposals and submit comments
- A Wrap-around Advertisement on the Champion Newspaper as the consultation period started (with leaflets being sent to those residential properties where the Champion do not deliver their newspaper
- Letters / Emails to all contacts on the Local Plan consultation database
- Nine consultation events in seven different venues across the Borough, where interested individuals could book a place on appointments, with appointments running from 10am to 9pm at each event
- Paper copies of the Preferred Options document and other key evidence available at Council customer service points and libraries, with all documentation available online on the Council's dedicated webpages

3.2 Following the close of the consultation, officers processed all the representations received, and all are now available to view on the Council's citizenspace consultation hub (<https://westlancs.citizenspace.com/>). In total 1,619 representations were received from residents, statutory consultees, landowners, developers and infrastructure providers, with approximately 1,400 of the representations being from residents of West Lancashire.

3.3 Each representation was able to comment on multiple parts of the Preferred Options document and so officers are able to identify how many of the 1,619 representations chose to comment on each section of the document. This is summarised below in relation to the policies on strategic development requirements and strategic sites, and to the site allocations in each part of the borough:

<b>Policy / Area</b>	<b>No. Comments made</b>
Policy SP2 - Strategic Development Requirements	251
Policy SP5 – Skelmersdale Town Centre	45
Policy SP6 – Yew Tree Farm, Burscough	40
Policy SP7 - Land to West / SW of Skelmersdale	211
Policy SP8 - South-east of Ormskirk and Aughton	172
Skelmersdale and SE Parishes Housing Allocations	259
Skelmersdale and SE Parishes Employment Allocations	62
Ormskirk and Aughton Housing Allocations	150
Ormskirk and Aughton Employment Allocations	29
Burscough Housing and Employment Allocations	54
Tarleton Housing and Employment Allocations	67
Banks Housing Allocations	21
Parbold and Newburgh Housing Allocations	161
Appley Bridge Housing Allocations	124
Halsall and Haskayne Housing Allocations	253
Southport Boundary Housing Allocations	27

- 3.4 While officers are still considering the wide range of comments made on each of the above, it is clear a number of genuine planning concerns have been raised through the consultation in relation to proposed site allocations across the borough and so, where appropriate, officers will be seeking to address these in the amendments made to policies for the Publication (or Pre-Submission) version of the new Local Plan, which it is hoped will be ready for Cabinet to consider in June (as per the timetable in the Local Development Scheme).
- 3.5 Infrastructure (and the impact new development would have on it) was a frequently raised concern across all areas of West Lancashire (although it was often different types of infrastructure in different areas). To this end, it should be pointed out that throughout the consultation period (and since), officers have continued the dialogue with infrastructure providers (e.g. Highways England, LCC Education, CCG, UU and National Grid) that has been ongoing throughout the Local Plan Review process. The publication of the Preferred Options has enabled these conversations to become more focused as officers work with the infrastructure providers to better understand the implications of the proposals in the Preferred Options for infrastructure in the borough and how any necessary

improvements to infrastructure might be made during the proposed Local Plan period to address any resulting shortcomings in infrastructure provision.

#### **4.0 FEEDBACK FROM SEFTON COUNCIL**

4.1 Cabinet should be aware of the representation of Sefton Council to the Local Plan Review Preferred Options consultation (attached at Appendix A for ease), and in particular their comments on their estimated unmet housing need from 2035, which would be as follows:

- 2035-2040 – 500 dwellings from Southport
- 2040-2050 – 1,000 dwellings from Southport
- 2040-2050 – 500 dwellings from Formby

4.2 Furthermore, ongoing conversations with Sefton Council planning officers have confirmed that, were West Lancashire to meet any of the above unmet housing need, they would expect it to be met as close to the Southport/Formby boundary as possible and that they would not see housing development in Skelmersdale and the South-Eastern Parishes or the Eastern Parishes to be meeting Southport and Formby's unmet needs.

4.3 The proposed housing requirement in the Local Plan Review Preferred Options incorporated an assumption that Sefton would have an unmet housing of 3,496 dwellings beyond 2030, and that this would be met through development in all parts of the borough except the Eastern Parishes. This aspect of the housing requirement, and its implications for the release of land for housing development in West Lancashire, was perhaps the most controversial aspect of the Preferred Options proposals, and generated a great deal of objection.

4.4 Sefton Council's response enables the proposed Local Plan housing requirement to be reduced by approximately 1,500 dwellings immediately, which would go some way to addressing the objections raised through the consultation, though would be unlikely to fully address those concerns. However, while some individuals may object to the idea of West Lancashire meeting some of Southport and Formby's anticipated unmet housing needs, this does not remove the requirement placed on West Lancashire Borough Council (and every local planning authority) by the National Planning Policy Framework (NPPF) which is key to demonstrating the legal requirement under the Duty to Co-operate.

4.5 NPPF paragraph 60, in discussing how a local planning authority should calculate its housing requirement when preparing a Local Plan, states:

*In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.*

As such, under the NPPF and the Duty to Co-operate, the Council are obliged to take into account any anticipated unmet housing need that is likely to arise from a neighbouring authority. However, the NPPF does not specify how these needs should be taken into account, and indeed could not given that every such

instance of an unmet housing need across the country will be different and have its own, specific context.

- 4.6 With regard to the anticipated unmet housing need from Southport and Formby, the context is one where the anticipated unmet need is some way in the future (after 2035) and is related to only two settlements in the borough of Sefton. The fact that it is not anticipated to arise until 2035 means that there is an inherent uncertainty about the estimated unmet housing need but the fact that 2035 would fall within the timeframe of a typical Plan period starting in 2020 (or at the very least would fall immediately after that Plan period) means that this Council has to have regard to it.
- 4.7 Furthermore, the fact that three-quarters of the unmet housing need is arising from Southport (which is undoubtedly constrained and has very limited capacity to meet further housing needs beyond 2035), and that the western parts of West Lancashire have the closest housing market links to Southport (even compared to other parts of Sefton), means that this part of the unmet need would be best met in West Lancashire, and it could also be argued that the unmet housing need arising from Formby should also be met in West Lancashire (although Formby does not have as strong a connection with West Lancashire as Southport).
- 4.8 Given all of the above, there are three potential options for this Council with regard the anticipated unmet housing need from Southport and Formby as it moves forward with the Local Plan Review, all of which could be argued are an appropriate way forward and would enable the Council to meet the requirements of NPPF paragraph 60 and the Duty to Co-operate:
- Option A – incorporate all **2,000 dwellings** of unmet housing need from Southport and Formby (2035-2050) into the West Lancashire Local Plan housing requirement
  - Option B – incorporate only the **1,500 dwellings** of unmet housing need from Southport (2035-2050) into the West Lancashire Local Plan housing requirement
  - Option C – incorporate only the **500 dwellings** of unmet housing need from Southport (2035-2040) into the West Lancashire Local Plan housing requirement
- 4.9 Of those options, it is the recommendation of officers that Option C would be the most appropriate option to take forward in the Publication version. Option C would seek only to meet the 500 dwellings of unmet housing need anticipated to arise from Southport between 2035 and 2040. It is considered that this option is justifiable, and so would still fulfil the requirements of NPPF paragraph 60, because there is such uncertainty about what actual unmet housing need may arise from Sefton borough beyond 2040, but by committing to meet 500 dwellings of unmet housing need from Southport now, this Council is ensuring it is addressing the issue of unmet need based upon the best available evidence up to 2040, which is reasonable under the requirements of the NPPF and the Duty to Co-operate.

- 4.10 By 2040, Sefton Council would have reviewed its own Local Plan and have a more accurate picture of how much housing development Sefton can accommodate within their own borough and what the housing need will be beyond 2040, and so what any unmet housing needs Sefton borough may have. Alongside this, if this Council ultimately adopts a new Local Plan with a Plan period to 2050 (as proposed by the Preferred Options), it would be starting to prepare a brand new Local Plan around 2040, to consider what further development (and so allocations) may be needed beyond 2050, and also consider its position in respect of any further unmet housing need of Sefton identified at that moment in time.
- 4.11 Option C would also involve the least amount of land release in West Lancashire of the three options, which is clearly beneficial. Indeed, compared to the Preferred Options (which would have accommodated approx. 3,500 dwellings of Sefton's unmet housing need), Option C would only be accommodating 500 dwellings of Sefton's unmet housing need, i.e. a 3,000 dwelling reduction in the housing requirement within the borough and, as a result, a significant reduction in Green Belt release to accommodate that requirement.
- 4.12 This reduction will provide an opportunity to the Council to review the proposed site allocations and to respond to some of the concerns raised through the Preferred Options consultation. While further assessment and analysis needs to be undertaken before a recommendation can be made regarding how the proposed site allocations from the Preferred Options should be amended and reduced, it can be stated that a reduction in circa 3,000 dwellings will allow a reduction in scale of some allocated sites and the removal in total of others and would equate to a reduction in Green Belt release of 140-180 ha depending on how the site allocations are amended.
- 4.13 In addition, the Council could consider designating more land as Green Belt by reviewing the land in the borough currently designated as Protected Land to assess whether it would meet the tests of the NPPF for adding land to the Green Belt. The adopted Local Plan contains a total of 174 ha of land designated as Protected Land and while some of this clearly would not meet the tests for inclusion in Green Belt, even if 50% of it did, it would allow 87 ha to be added to the Green Belt.
- 4.14 The proposals in the Preferred Options would have involved the release of approximately 640 ha of Green Belt, which equated to 1.7% of the borough's Green Belt. Taking all of the above into account, under Option C, this would likely fall to less than 500 ha of Green Belt release which could be further off-set by additions to the Green Belt, potentially to the point where there would only be a net reduction of the borough's Green Belt of 1%, i.e. that 89.5% of West Lancashire would still be Green Belt (compared to 88.8% under the Preferred Options proposals).
- 4.15 A decrease in the housing requirement, and the resulting reduction in site allocations, will also mean that less agricultural land is developed upon under Option C. Approximately 65% of West Lancashire is broadly considered to be Grade 1 or Grade 2 agricultural land, and the Preferred Options proposals would have reduced this to approximately 63.5%. Under Option C, approximately 64% of the borough would still be Grade 1 and 2 agricultural land.

- 4.16 Alongside this consideration of Sefton's unmet housing need, if all other aspects of the proposed housing requirement in the Preferred Options were to stay broadly the same, the overall housing requirement for the new Local Plan would be less than 13,000 dwellings, and while this offers significant benefits in reducing Green Belt release and enabling the Council to address some of the concerns raised in relation to specific site allocations, it would still mean a significant number of new houses is being planned for in West Lancashire through the new Local Plan, and economic growth (including significant new provision of jobs) of the borough is being supported. This will enable the Council and its infrastructure-providing partners to have a better chance when bidding for Government and other funding for infrastructure projects (e.g. Skelmersdale Rail, strategic highways improvements, schools, GPs, utilities, etc.). Without such a critical mass of new housing development, it is less likely the Government would support additional infrastructure funding for such large-scale infrastructure improvements.
- 4.17 The subject matter of this report is central to setting a housing requirement for the new Local Plan, which in turn effects site allocation, Green Belt boundary setting and policy formulation. In order to be able to prepare a Publication version of the Local Plan by June and for progress to be made on the review of the Local Plan in accordance with the Council's Local Development Scheme (LDS), officers need the urgent consideration of this matter and the recommendation of officers as set out in paragraph 2.3 of this report.

## **5.0 SUSTAINABILITY IMPLICATIONS**

- 5.1 The decision being considered in this report is part of the wider preparation of a new Local Plan and the Local Plan will have very definite implications for sustainability (both positive and negative). With regard the three options considered in this report for the Sefton unmet housing need, at this high-level (non-site-specific) it is difficult to be precise about the relative sustainability merits of each option, but in moving from Option A through to C it is fair to say that while the environmental impacts of the options will generally decrease (due to reduced land release for development), the social and economic benefits will also decrease (as less housing would be built). However, the Sustainability Appraisal of the Publication Local Plan will consider these options in more detail in light of the specific amendments to site allocations, as the Publication version is prepared.
- 5.2 The proposal to identify what Protected Land could be designated as Green Belt instead may have a slight positive impact on sustainability in that it will more strictly control development on that land re-designated. This will only be slightly positive because Protected Land is already quite a restrictive designation but also because the re-designation of the land will not change how the land is currently being used, only what it might be used for if an applicant wanted to apply for development or change of use of the site.

## **6.0 FINANCIAL AND RESOURCE IMPLICATIONS**

6.1 There are no financial and resource implications for the Council related to the recommendations of this report.

## **7.0 RISK ASSESSMENT**

7.1 The preparation of a Local Plan, in general, does carry some risks, be that related to the costs of abortive work if the Local Plan is ultimately found unsound or not legally compliant at the Examination stage or related to the image of the Council should any proposals within the Local Plan prove unpopular. In respect of the decision being considered in this report, the primary risk relates to whether the Publication version of the Local Plan which will incorporate whichever option Cabinet choose will ultimately pass the legal requirement and soundness tests at Examination in relation to the duty to co-operate and the issue of Sefton's unmet housing needs. As explained in the report, officers are content that all three options could be justified in light of the requirements of NPPF paragraph 60 and the Duty to Co-operate, but planning is a subjective profession and there would remain a risk that an Examining Inspector might disagree with this view.

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### **Background Documents**

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

### **Equality Impact Assessment**

A Local Plan does have a direct impact on members of the public, employees, elected members and / or stakeholders. Therefore, an Equality Impact Assessment is required and is included at Appendix B.

### **Appendices**

Appendix A – Preferred Options response from Sefton Council

Appendix B – Equality Impact Assessment

Local Plan Consultation &  
John Harrison  
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West Lancashire Borough Council  
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**By email**

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Date: 11<sup>th</sup> December 2018  
Our Ref: 01\_01\_07

Dear Mr Harrison,

**Sefton MBC comments on West Lancashire Local Plan 2012-2050 Preferred Options Draft (August 2018)**

Thank you for providing the opportunity for Sefton Council to comment on the West Lancashire Local Plan 2012-2050 Preferred Options Draft. Sefton Council's comments are set out below:

**1. Housing Need and Supply**

- 1.1 It is noted that West Lancashire wish to adopt a long time frame for their Local Plan. However, whilst not objecting to this, Sefton Council recognises that looking so far ahead has the potential to cause challenges for both West Lancashire and for neighbouring authorities such as Sefton, in a situation where there is considerable planning and demographic uncertainty. For example, the local, sub-regional and national context could change considerably over the next 30 years.
- 1.2 Given the above, and consistent with paragraph 33 of the National Planning Policy Framework, Sefton Council would urge West Lancashire to build into their Local Plan appropriate mechanisms to allow for its early review should planning or demographic circumstances in West Lancashire change which impact on the adequacy of their housing capacity in relation to Local Plan Objectively Assessed Need.
- 1.3 Furthermore, Sefton Council would urge that additional flexibility be built into the West Lancashire Local Plan to take account of emerging unmet needs in neighbouring local authorities (such as Sefton) which are different to, or more specifically higher than, the Plan's current assumptions. If an unmet need were to arise in Sefton at some future date, which could potentially be accommodated in West Lancashire, Sefton Council would intend to alert West Lancashire Council to this. We would expect this to be regarded as a material consideration in deciding whether it would trigger an early review of the West Lancashire Local Plan, consistent with paragraph 33 of the National Planning Policy Framework.

1.4 Sefton Council acknowledges that making any housing assumptions over such a long time frame is fraught with difficulties, and indeed we do not have robust evidence on housing need and land supply much beyond the end of the Sefton Local Plan period to 2030. Nevertheless, Sefton Council is unable to support West Lancashire's current assessment of unmet housing need in Sefton between 2027 and 2050 and considers that the figures proposed are too high for Sefton.

1.5 Based on Sefton's estimate of the balance between housing need and supply in Sefton to 2050 it is suggested that, using the best evidence available and officer judgement, we consider that West Lancashire should adopt the following revised position for Sefton:

(i) Sefton Council is confident that the adopted Sefton Local Plan (2017) includes housing allocations and other assumptions about housing supply which should comfortably meet the borough's housing need to 2030. This is based on a Sefton Local Plan housing Objectively Assessed Need of 640 dwellings per year to 2030. Furthermore, we believe that it is reasonable to assume that in aggregate borough-wide terms, Sefton will have an adequate housing supply to circa 2035, based on:

- The current Local Plan housing allocations, in the round, are expected to exceed their assumed housing capacity
- There is likely to be some 'carry over' of capacity on a number of larger sites post 2030
- Sefton has applied very cautious windfall assumptions which we anticipate will be exceeded (a point acknowledged by the Sefton Local Plan Inspector); and
- The fact that the Sefton Local Plan includes safeguarded housing land of an additional 49 hectares (with a potential capacity of around 1,000 further dwellings).

There is therefore, at this time, and assuming no unforeseen circumstances arise with regard to housing supply or need, no need for West Lancashire to make any assumptions about unmet housing need in Sefton up to 2035.

(ii) Assuming an indicative housing Objectively Assessed Need of around 500 dwellings per year for Sefton over the period 2030 to 2050 (based on the best evidence available and officer judgement), this should be disaggregated by an Objectively Assessed Need of approximately 200 dwellings per year for north Sefton and approximately 300 dwellings per year for south Sefton to reflect a crude proportionate population split.

(iii) Regarding south Sefton; Sefton Council considers it is not feasible at this time to make further assumptions about the scale of unmet need in south Sefton between 2030 and 2050. Detailed housing capacity work (which has commenced) should help inform future assumptions but no assessment has been made about Green Belt potential at this time, nor is one planned to be undertaken for the foreseeable future. The position is likely to become clearer when any Sefton Local Plan review is undertaken post-2020. Until this time, Sefton Council is not able to say whether or not there will be a housing need which cannot be accommodated in south Sefton between 2030 and 2050;

consequently, Sefton is unable to provide an estimated figure for borough-wide unmet housing need between 2030 and 2050, at this time.

- (iv) Regarding north Sefton and given the tightness of the Green Belt boundary around Southport and Formby and other potential constraints such as flood risk and environmental constraints which may be not be fully addressed as yet; there is the possibility of housing need/supply challenges post-2035 in Southport and post-2040 in Formby. Allowing for further urban housing opportunities and windfall sites, in Southport there could be a housing shortfall of around 500 dwellings up to 2040 and a further shortfall of around 1,000 housing units between 2040 and 2050. For Formby there could be a housing shortfall of around 500 dwellings between 2040 and 2050.

Looking at the above figures in the aggregate, and acknowledging the significant number of uncertainties involved, there is a possibility of around 2,000 dwellings unmet need for Southport and Formby over the period to 2050; with about a quarter of this (around 500 dwellings), required between 2035 to 2040, and a further 1,500 (approximately) dwellings required between 2040 and 2050.

- 1.6 However, regarding the period post-2035, it should be born in mind that the above figures in paragraph 1.5 are based on officer assumptions made in the absence of robust evidence at this time, and these may or may not be realised. Sefton Council therefore reserves the right to update and amend these figures as new evidence becomes available.
- 1.7 Regarding the absence of proposed sites on the eastern edge of Southport, Sefton Council would seek clarification about the constraints for this area, in relation to other proposed sites and the rest of West Lancashire.

### ***Affordable housing***

- 1.8 Subject to paragraph 1.6 above, West Lancashire Council should bear in mind that it is likely that some 30% of the approximately 2,000 dwellings unmet need in Sefton (i.e. around 600 dwellings) which might arise between 2035 and 2050 in north Sefton will be for those in affordable housing need. This is based on the 2014 Sefton Strategic Housing Market Assessment (SHMA). While this is being reviewed via the 2018 SHMA, the broad picture is not expected to change significantly.
- 1.9 It is highly unlikely that this affordable housing need could be accommodated on housing sites to the east of Ormskirk or similar, because such needs have to be met where they arise i.e. in Southport or Formby or as close to these settlements as is possible. Given this, if the West Lancashire Local Plan is taken forward in the manner currently proposed, there would need to be a careful dialogue between West Lancashire Council and Sefton Council as to how these affordable needs (as opposed to wider market needs which are more flexible in terms of appropriate locations) might best be accommodated and Sefton's needs met.

### ***Gypsies and travellers***

- 1.10 Sefton Council notes policy H6: Gypsy and Traveller Sites. It is noted that the full traveller needs to 2037 are unable to be met due to lack of land availability (paragraph 5.85). Instead a criteria based policy approach is set out and broad

locations for growth are identified. However, as West Lancashire are undertaking a review of the Green Belt, to meet long-term needs for wider housing and employment needs, Sefton considers that it is important that the same approach be applied to traveller accommodation. In Sefton's experience a criteria-based policy approach for delivering traveller accommodation rarely delivers sites. Whilst it is acknowledged that West Lancashire has sought to identify sites for travellers, and that this can be a challenging process, it is considered that the potential remains to do this through the review of the Green Belt. Sefton considers it is important that its neighbouring authorities meet their own traveller accommodation needs to reduce the demand on Sefton's traveller sites and the potential for increased unauthorised encampments in general.

## **2. Employment land**

- 2.1 Sefton Council notes that in terms of employment requirements, policy EC1: Delivering New Employment Development set out a proposed requirement of 190 hectares.
- 2.2 The preparation process for the Sefton Local Plan highlighted the challenge of identifying new employment land allocations in North Sefton. While Sefton's current Local Plan identifies an extension to the existing Southport Business Park (and at land North of the Formby By-Pass), in order to meet these longer-term employment needs post 2030 it may be necessary to look to sites in West Lancashire adjacent to or as close as possible to Southport Business Park and its environs. This possible need will not be quantified until Sefton undertakes a Sefton Local Plan review post-2020. However, based on the best evidence available and officer judgement, a replacement Southport Business Park would imply a need of around 12 hectares (net). It is noted that to date this is not taken into account in this West Lancashire draft Local Plan. Sefton Council would welcome on-going co-operation regarding eastward expansion of Southport Business Park into West Lancashire within the plan period proposed by West Lancashire.
- 2.3 The proposed allocation of approximately 70 hectares of Large-scale B8 uses as part of a Logistics Park at Junction 3 of the M58 is noted (policies EC1: Delivering New Employment Developments and SP7: The Creation of Garden Villages and Employment Area to the west and south-west of Skelmersdale). In principle, Sefton Council recognises that this could be an appropriate location for such use. However, it will be critical to understand the impacts of any proposals on the highway network, especially in relation to the strategic employment site at Land East of Maghull, Switch Island and the route to the Port of Liverpool, together with the associated consequences for air quality, noise and other environmental and health impacts on local communities along the affected routes (and see comments in section 4 below). Sefton Council looks forward to on-going cooperation on this issue.

## **3. Retail issues**

- 3.1 Sefton Council notes that the identified future borough wide needs for town centres uses will primarily be met within Skelmersdale Town Centre and Development Opportunity Sites within Ormskirk Town Centre and that local and/or neighbourhood centres may be developed, subject to Masterplans, in garden

villages to the west and south-west of Skelmersdale, to the south-east of Ormskirk and Aughton and at Yew Tree Farm, Burscough (policy EC4: Vibrant Centres). Sefton Council supports the principle of this approach.

#### **4. Transport**

- 4.1 Sefton Council is in the process of reviewing the Transport Assessment for the West Lancashire Local Plan Review and the other transport related documents. Further detailed comments and queries related to the Transport Assessment will be provided in a separate response to follow once the review has been completed. Some initial comments are provided below.
- 4.2 The West Lancashire Local Plan needs to consider the transport infrastructure requirements of new development close to the Sefton boundary and additional land-use implications of how Southport can be better served and linked to the national road and rail networks in the future. This should include the reinstatement of the Burscough Curves, which is included in the Liverpool City Region Long Term Rail Strategy. It is noted that policy IF1: Strategic Transport Infrastructure seeks to support the delivery of and/or not prejudice the delivery of an appropriate rail link between the Ormskirk Preston line and the Southport-Wigan line and this is welcomed in principle.
- 4.3 The Local Plan should also take account of Sefton's emerging proposals for improving the eastern access to Southport, and Sefton Council looks forward to on-going cooperation on this issue. Further details will be provided in Sefton's detailed transport comments.
- 4.4 West Lancashire Local Plan review also needs to consider the impact that future development in West Lancashire will have on the wider highways network in Sefton, particularly the A59 and Switch Island, which are already at or close to capacity , and provide one of the key road connections from Ormskirk, Burscough and the Northern Parishes to Liverpool.
- 4.5 It is noted that policy IF1: Strategic Transport Infrastructure refers to Electric Vehicle Recharging points.
- 4.6 Sefton Council looks forward to on-going cooperation on these transport and related air quality issues, including linkages with Liverpool City Region air quality initiatives and studies. More generally Sefton Council would seek cooperation on extending and enhancing cross-boundary path, cycle route and green infrastructure networks including the Coast Path and routes away from the Coast which formed part of mitigation for recreation pressures on the Sefton Coast (see below).

#### **5. Ecological issues including Habitats Regulations**

- 5.1 The reference to ecological networks in West Lancashire and the need for cross-boundary links to the Liverpool City Region Ecological Network evidence base is noted. Sefton Council would welcome an explicitly positive approach towards opportunities for habitat creation, enhancement and management including cross-boundary linkages and extension of the City Region Nature Improvement Areas.

This would be helpful as part of a strategic response to pressures elsewhere in the plan area and in line with the 25-Year Environment Plan.

- 5.2 The Local Plan should be strengthened to make sure that development does not lead to adverse effects on the integrity of internationally important nature sites, and their supporting (functionally linked) habitat. This includes international nature sites on the Sefton Coast as well as those in West Lancashire or elsewhere, where potential adverse impacts include disturbance largely due to visitor pressure and loss of habitat and supporting habitat, and may include water quality (including rivers and groundwater) and other impacts or designation features. These issues will need to be specifically addressed in the Habitats Regulations Assessment (HRA) of the West Lancashire Local Plan.
- 5.3 For example, the need to make sure there are no adverse effects on the integrity of internationally important nature sites should be added in to Objective 10 as well as the third full bullet point of 'Key issues' on page 11 of the draft Local Plan. Policy SP1: Delivering sustainable development and other strategic policies, Policy EC3: The Rural and Visitor Economy, policy IF4: Low Carbon and Renewable Energy Development and policy G13: Nature Conservation and Ecological Networks should include explicit protection of internationally important sites in line with the Habitats Regulations, and specific mention of both the Sefton Coast sites and the potential impact so visitor pressure, habitat loss or disturbance and other advise impacts.
- 5.4 The Habitats Regulations Assessments relating to the Sefton Local Plan and the development plans of all of the other authorities in the Liverpool City Region have identified potential adverse 'in combination' effects from the quantum of new housing or tourism development on visitor pressure on the Sefton Coast, and loss of or disturbance to supporting habitat. This is important given the quantum of housing and tourism development proposed in West Lancashire, the relatively proximity of proposed West Lancashire's housing development sites to the internationally important nature sites on the Sefton Coast, and our understanding that a many coastal visitors to Sefton (Sefton Coast SAC) in particular originate in West Lancashire.
- 5.5 This issue should be specifically addressed in the Habitats Regulations Assessment of the West Lancashire Local Plan. Sefton Council is in the process of reviewing this Habitats Regulations Assessment document and will provide more detailed comments in due course in a separate response. The Local Plan should set the policy context for the Borough's approach to mitigation of recreation pressure recreation, commensurate with the emerging City Region-wide Recreation Mitigation Strategy although it should be noted that this work is at a relatively early stage.

## **6. Other environmental issues**

### ***Flood risk and coastal change***

- 6.1 Cross-boundary flood risk issues include tidal and river flood risk in the Alt-Crossens catchment, including allocated or other sites adjacent to the River Alt and the Crossens systems (for example proposed site HW1) and the impacts of changes to the land drainage regime through the lower catchment and rural area. They also include the surface water flood risk from the proposed sites adjacent to

the Sefton boundary. Policy SD4: Managing Flood Risk should include an explicit requirement that development does not increase flood risk elsewhere; that is, outside the site. It should be made clear that this applies to flood risk from all sources, that is, including surface water flood risk and discharge into watercourses.

- 6.2 The Sefton Local Plan (2017) designates a Coastal Change Management Area which extends to the boundary with West Lancashire. It is noted that policy GI6: Coastal Zone does not refer explicitly to coastal change. Also GI6 does not refer to the capacity of the natural (salt-marsh) coast to form a natural sea defence on its own, but only in connection with 'secondary sea embankments', and West Lancashire may wish to look at this issue again.
- 6.3 Sefton Council looks forward to on-going cooperation on flood risk and coastal change issues.

### ***Energy***

- 6.4 It is not clear from Appendix A or policy IF4: Low Carbon and Renewable Energy development or its explanation whether the site 'Adjacent the River Alt, Great Altcar' or other sites adjacent to or close to the Sefton boundary are proposed for wind energy development in this Local Plan, and so it is not currently possible for Sefton to comment on this.
- 6.5 Sefton Council would seek clarification of energy issues including the evidence base and the assessment process for identifying sites or broad areas, linkages with Liverpool City Region renewable energy and air quality initiatives and studies and other issues, as part of on-going cooperation. Sefton Council would want to be confident that, taking these into account, the evidence base justifies the policy position regarding energy, including any decision to identify or allocate land which may impact on Sefton for onshore wind

## **7. Infrastructure**

- 7.1 Sefton's Local Plan requires social, community, environmental and physical infrastructure to be protected, enhanced and provided where there is an identified need to support sustainable communities (policy IN1 'Infrastructure and development contributions'). Residents of any West Lancashire development site close to Sefton would be likely to draw on services and facilities in Sefton. These include schools, doctors and other health services, and community, sports and recreation groups. This applies mainly to Southport but to a lesser extent to Formby and perhaps even Maghull/Lydiat.
- 7.2 Sefton Council would wish to cooperate with West Lancashire to make sure that the West Lancashire Local Plan and the wider planning process provides appropriate legal mechanisms to help the deliver necessary infrastructure within Sefton, and put in place explicit policies and guidelines to make it clear how such cross boundary dependencies and needs would be considered, agreed and delivered.

## 8. Overview

A number of specific issues have been identified above where further cross-boundary cooperation is required and where the desired outcomes for Sefton may include changes to the emerging West Lancashire Local Plan. These include housing, employment land, transport, energy, air quality and ecological issues, and we would want to work positively and proactively with you on all of these as your plan progresses.

More generally, Sefton Council looks forward to maintaining effective co-operation with West Lancashire as part of the on-going cooperation with its neighbouring authorities including West Lancashire and authorities in the Liverpool City Region.

Yours sincerely



**Stuart Barnes**  
**Interim Head of Economic Growth and Housing**

# Equality Impact Assessment Form



<b>Directorate: Development &amp; Regeneration</b>	<b>Service: Planning</b>
<b>Completed by: P Richards</b>	<b>Date: 4 March 2019</b>
<b>Subject Title: Local Plan Review – Proposed Local Plan Preferred Options Consultation</b>	
<b>1. DESCRIPTION</b>	
Is a policy or strategy being produced or revised:	Yes - a new Local Plan for West Lancs
Is a service being designed, redesigned or cutback:	No
Is a commissioning plan or contract specification being developed:	No
Is a budget being set or funding allocated:	No
Is a programme or project being planned:	No
Are recommendations being presented to senior managers and/or Councillors:	Yes
Does the activity contribute to meeting our duties under the Equality Act 2010 and Public Sector Equality Duty ( <b>Eliminating unlawful discrimination/harassment, advancing equality of opportunity, fostering good relations</b> ):	Yes
Details of the matter under consideration:	Consideration of options for the meeting of unmet housing need from a neighbouring authority and consequential matters of changing the Green Belt within the Local Plan.
<p><i>If you answered <b>Yes</b> to any of the above <b>go straight to Section 3</b></i>  <i>If you answered <b>No</b> to all the above <b>please complete Section 2</b></i></p>	
<b>2. RELEVANCE</b>	
Does the work being carried out impact on service users, staff or Councillors (stakeholders):	Yes/No* <span style="float: right;"><i>*delete as appropriate</i></span>
If <b>Yes</b> , provide details of how this impacts on service users, staff or Councillors (stakeholders): <i>If you answered <b>Yes</b> go to <b>Section 3</b></i>	
If you answered <b>No</b> to both Sections 1 and 2 provide details of why there is no impact on these three groups: <i>You do not need to complete the rest of this form.</i>	
<b>3. EVIDENCE COLLECTION</b>	
Who does the work being carried out impact on, i.e. who is/are the stakeholder(s)?	A new Local Plan will ultimately, directly or indirectly, affect all stakeholders in West Lancashire, be they residents, businesses or other organisations.
If the work being carried out relates to a universal service, who needs or uses it most? (Is there any	n/a.

particular group affected more than others)?	
Which of the protected characteristics are most relevant to the work being carried out?	<i>*delete as appropriate</i>
Age	No
Gender	No
Disability	No
Race and Culture	No
Sexual Orientation	No
Religion or Belief	No
Gender Reassignment	No
Marriage and Civil Partnership	No
Pregnancy and Maternity	No
<b>4. DATA ANALYSIS</b>	
In relation to the work being carried out, and the service/function in question, who is actually or currently using the service and why?	The Local Plan provides policy that is used to determine planning applications and provides strategy that guides the delivery of new infrastructure and new development across West Lancs, and so will be used by applicants, residents, statutory consultees and the Council in making planning decisions.
What will the impact of the work being carried out be on usage/the stakeholders?	A new Local Plan is unlikely to impact the usage of the service/function in question and will not directly affect any protected characteristics of the stakeholders involved.
What are people's views about the services? Are some customers more satisfied than others, and if so what are the reasons? Can these be affected by the proposals?	People's views on the Local Plan in general will depend upon how directly they are affected by allocation of new development or specific policies where they wish to deliver new development (or don't wish to see development).
What sources of data including consultation results have you used to analyse the impact of the work being carried out on users/stakeholders with protected characteristics?	Guidance provided through the Town and Country Planning Act 1990. Census data and a range of other data have been included in the evidence base that informs the preparation of the Local Plan.
If any further data/consultation is needed and is to be gathered, please specify:	The decision related to Sefton's unmet housing need being considered by Cabinet will ultimately be incorporated into the Publication version of the Local Plan, which will be subject to public consultation.
<b>5. IMPACT OF DECISIONS</b>	
In what way will the changes impact on people with particular protected characteristics (either positively or negatively or in terms of disproportionate impact)?	A new Local Plan will generally affect people with protected characteristics no differently than those without those characteristics. However, some policies in the Local Plan (most notably related to Travellers and to provision for the Elderly – issues not being considered in this decision) will have a positive impact on those

	protected groups as those policies specifically seek to ensure opportunities for development that cater to those groups' needs are provided.
<b>6. CONSIDERING THE IMPACT</b>	
If there is a negative impact what action can be taken to mitigate it? (If it is not possible or desirable to take actions to reduce the impact, explain why this is the case (e.g. legislative or financial drivers etc.).	There is no negative impact at this stage.
What actions do you plan to take to address any other issues above?	No actions.  <i>If no actions are planned state no actions</i>
<b>7. MONITORING AND REVIEWING</b>	
When will this assessment be reviewed and who will review it?	At each key stage of Local Plan preparation.

