

WEST LANCASHIRE REPLACEMENT LOCAL PLAN



Supplementary Planning Guidance

Managing Housing Supply

Updated December 2008



**Ian Gill M.A., M.R.T.P.I.
LDF Project Manager**

Preface

This document is an update to the Supplementary Planning Guidance note, “Managing Housing Land Supply”, which provided supplementary guidance concerning Policies DE.1 and DE.2 of the Replacement Local Plan (adopted in July 2006). With the publication of PPS3 in November 2006, and the adoption of the North West Regional Spatial Strategy (RSS) with its new housing requirements in September 2008, much of the material in the SPG has become outdated.

A “tracked changes” version of this document is also available on the Council’s website www.westlancsdc.gov.uk/planningpolicy or by request from the Council, showing which parts of the SPG will still be used by the Council, and which parts will no longer apply.

This document should be read in conjunction with “West Lancashire Residential Development Policy Update” the Interim Policy Guidance Note on residential development policy published by the District Council in June 2008, and updated in December 2008 (to reflect the adoption of the RSS). This document is available on the Council’s website:

www.westlancsdc.gov.uk/planningpolicy or be request from the Council.

Please note that whilst the Interim Policy Guidance Note has no legal weight, the remaining parts of this SPG continue to have legal weight, being an adopted SPG in conjunction with an adopted Local Plan policy.

If you would like to discuss any aspect of this guidance, please contact:

Ian Gill, LDF Project Manager (01695 585192) or
Stephen Benge, Principal Planning Officer (01695 585274).

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APPENDICES

* The (updated) subject matter for Sections 3 and 4 is now covered in other documents.

Please visit the Council's website: www.westlancsdc.gov.uk/planningpolicy and follow the link to "Residential development policy".

1. Introduction

- 1.1 This Supplementary Planning Guidance is a statement of how the Council will interpret Policies DE.1 and DE.2 of the West Lancashire Replacement Local Plan 2001 – 2016.

2. (Deleted)

3. Strategic Planning Context

Regional Spatial Strategy for the North West

(Please refer to the Interim Housing Policy Guidance Note, December 2008.)

4. Housing Land Supply

(Please refer to the Interim Housing Policy Guidance Note, and also to the most recent statement of housing land supply, available on the Council website: http://www.westlancsdc.gov.uk/planning/research_and_information/planning_research_and_informat/housing_land.aspx.)

5. West Lancashire Replacement Local Plan 2001 - 2016

- 5.1 The previous West Lancashire Local Plan (adopted in Dec 1999) covered the period 1996 - 2006. Unfortunately the housing policies contained within the Plan were overtaken by the new planning guidance contained within PPG3 and the new housing figures and policies contained within the Regional Spatial Strategy and the Joint Lancashire Structure Plan. Due to the high level of existing commitments for housing in West Lancashire it was considered necessary for the Council to restrain the rate at which new housing developments came forward and this was done through the production of SPG in October 2002. This approach has been supported at appeal and has now been refined to be included in the Council's Replacement Local Plan and this SPG.
- 5.2 The West Lancashire Replacement Local Plan 2001-2016 was adopted in July 2006. The policies within this document are compatible with the former RSS (2003) and the policies contained within the Joint Structure Plan, as well as guidance contained within PPG3.
- 5.3 The policies contained within the West Lancashire Replacement Local Plan have now been adopted following a Public Local Inquiry and therefore, any planning application will be determined in accordance with them unless there are any other material planning considerations. They are closely based upon delivering a regulated supply of housing required by strategic policy in place at July 2006 – ie national guidance contained within PPG3, the adopted Regional Spatial Strategy and the adopted Lancashire Structure Plan.

6. Considerations to be Applied to Residential Planning Applications

6.1 When determining planning applications for residential development the District Council will have regard to the following points as material considerations:

- Policy DE1 of the West Lancashire Replacement Local Plan 2001-2016
- The current housing land supply position in the District measured in relation to the overall housing land requirements set out in Policy L4 of the RSS.
- The need to monitor and manage the housing land supply, as suggested by PPS3 and Policy L4 of the RSS.
- The availability of previously developed land which would be capable of accommodating the development
- Any particular housing needs which can be shown to exist within the settlement or area in question

6.2 Policy DE1 of the adopted Replacement Local Plan is reproduced below. All planning applications will be determined in accordance with this policy unless there are any other material planning considerations. This SPG explains in further detail how the Council will interpret the policy.

**Policy DE1
Residential Development**



The housing requirement for West Lancashire, set out in the Joint Lancashire Structure Plan, of 3,390 dwellings for 2001 – 2016 will be met from the following sources:-

1. Completions between April 2001 - March 2004 and existing commitments (excluding replacement dwellings) as set out below:-

	No. Dwellings
(i) Completions April 2001 - March 2004	1,280
(ii) Dwellings with planning permission @31/3/04	1,403
(iii) Dwellings on windfall sites granted permission 1/4/04 to 2/08/04	41
(iv) Dwellings on windfall sites - applications delegated by Committee, awaiting completion of S106 agreements @ 2/08/04	53
TOTAL	2,777

2. Due to the large number of existing commitments, new residential development, including the renewal of existing planning consents, will only be granted for:-

- (a) the conversion of buildings within the main urban areas of Skelmersdale, Ormskirk/Aughton and Burscough provided that they are not allocated for, currently used for, or their last use was for, employment uses, and the conversion would have significant urban regeneration benefits;**
- (b) housing which forms a key element within a mixed use regeneration project within Skelmersdale, or within, or directly adjacent to, Ormskirk and Burscough Town Centres;**
- (c) residential development within the priority regeneration area of Skelmersdale, provided that the land is not allocated for, currently used for, or previously used for, employment use, and the land can be demonstrated to be not needed for community or public open space use. It must be demonstrated that the development will contribute to the wider regeneration of the Town itself. This may include the replacement of dwellings lost through demolition, where redevelopment may necessitate a lower density. Residential development on the greenfield site at Whalleys will need to conform to Policy DE2;**
- (d) agricultural workers dwellings where there is a proven need and where they need to be located in a specific location;**
- (e) replacement dwellings in situ where there is no more than a one-for-one replacement;**
- (f) schemes which provide 100% affordable housing, or accommodation to meet the specific needs of a section of the community, within the settlements identified on the Proposals Map to meet the identified needs of the local area;**
- (g) the conversion of a rural building in the Green Belt for residential use will be considered where it meets a specific local need, or an identified local housing need in less remote locations, or where it can be demonstrated that the building is inherently unsuitable for any other use.**

Other residential development not covered by the above criteria will only be permitted on brownfield sites within Skelmersdale, Burscough and Ormskirk/Aughton if it would not result in an oversupply of housing land in the District.

In addition to the design criteria in Policy GD1, development on all sites should conform to the following criteria:-

1. the minimum density of development should be 30 dwellings per hectare, rising to at least 50 dwellings per hectare at sites with access to good public transport facilities;
2. any affordable housing required by Policy DE3 shall be provided on the same site; and
3. recreational facilities and/or public open space shall be provided to meet the needs of the residents of the new housing and arrangement should be made for their maintenance.

Interpretation of Policy DE1

6.3 Policy DE1 sets out the main criteria which the Council will consider when judging applications for new residential development. Each of the types of residential development set out in the policy which will be acceptable in policy terms, will now be examined in detail.

Conversions in Urban Areas

6.4 Conversions of buildings within the urban areas of Skelmersdale, Ormskirk/Aughton, and Burscough for residential uses will normally be considered acceptable where urban regeneration benefits would accrue. This would normally include, for example, bringing derelict or vacant buildings back into use, and the development of flats above shops.

6.5 The only exception to this is where the building in question was formerly, or is presently occupied by employment uses. In order to maintain mixed sustainable communities the Council is keen to see the retention of employment uses within the urban areas. Due to high land values in the District the Council could be faced with a situation where businesses are sold and employment buildings or sites are bought specifically with conversion or redevelopment in mind. Therefore the restriction applies to all buildings which were formerly in employment use, even where that use ceased some time ago.

6.6 A marketing exercise demonstrating a lack of demand will not provide sufficient justification to override this policy. Landowners and developers will be expected to be more imaginative in finding uses for buildings or look at redevelopment options as an alternative.

6.7 Conversions in other rural settlements will not be permitted for residential use, unless the development fulfils any of the other criteria of Policy DE1, for example by providing affordable housing.

Conversion of rural buildings in the Green Belt

6.8 Policy DE1 sets out the circumstances where the conversion of a rural building for residential uses would be considered acceptable. These are dealt with in turn below:

- Specific local need – This would be, for example, to house an essential worker, and obviate the need for a new building in the countryside.
- Identified housing need in less remote locations – This would essentially mean a proposal for affordable housing meeting the criteria in Policy DE3 of the Replacement Local Plan. Buildings would need to be in locations that offer good accessibility to services (such as schools, shops etc), either in terms of walking distance or through good public transport services.
- Inherently unsuitable for any other use – The Council will require any applicant to provide evidence that the building in question could not be feasibly used for any other uses, including agricultural related activity such as storage of materials, machinery, etc. Policy DE6 of the Re-Deposit Draft Replacement Local Plan sets out the considerations the Council will have regard to when considering the re-use of buildings for employment, tourism, holiday accommodation, non-retail commercial development, or farm shops in the countryside. The Council will generally consider a wide range of uses to be appropriate. Policy DS2 (Protecting the Green Belt) also sets out further considerations where the re-use of buildings is for other than residential uses. The Council will have regard to the orientation in relation to other buildings and the setting and location of the building in coming to a view on the suitability of the building to accommodate other uses. Inadequate financial return on investment or lack of market demand will not in itself be sufficient justification to demonstrate that the building cannot be used for employment or other commercial uses. The Council will take advice on this matter from its Executive Manager Regeneration and Property.

6.9 In all cases it would need to be proven that the building is suitable for re-use and is of permanent and substantial construction, and is capable of conversion without major reconstruction or extension. The character of the building would also need to be of intrinsic value to the visual character of the landscape, and, within the Green Belt, should have no greater impact upon the Green Belt than the existing use. All the criteria in Policies DE6 and DS2 would need to be given consideration.

Residential Development in Skelmersdale

Note: Paragraphs 6.10 and 6.11 should be read in conjunction with paragraph 6.21 below, and the Interim Housing Policy Guidance Note (referred to in the preface of this SPG). In the event of there not being a housing land oversupply, Policy DE1 allows for general brownfield development in Skelmersdale, subject to a number of caveats set out in the Interim Guidance Note.

- 6.10 Policy DE1.2.(b) and Policy DE2 deal with residential development in Skelmersdale. Policy DE1 is concerned with new residential development in the Town and states that it will be permitted provided the land is not allocated, or previously used for employment uses, and that it can be demonstrated that the development will contribute to the wider regeneration of the Town. Policy DE2 identifies two sites in the Whalleys area of Skelmersdale for residential development, provided that the development contributes positively to regeneration efforts elsewhere in the Town, particularly in the Town Centre, and is directly linked to employment development and new educational facilities on adjacent land.
- 6.11 In terms of what will need to be demonstrated to prove that a development will contribute to wider regeneration objectives, this is more clearly defined below:
- Skelmersdale could see some significant estate re-modelling over the lifetime of the Local Plan. This could mean that greenfield areas may be needed to take residential development as part of the re-modelling work, with new green areas created elsewhere. If lower densities result from such development there will be a need to find land elsewhere in the town to accommodate the shortfall.
 - The Town Centre will be the subject of a major consultants study and radical proposals may result, which could involve new residential development within a mix of uses within the Town Centre. It is important that if residential uses are needed as a component of Town Centre development then their construction is not delayed.
 - Development at Whalleys would need to demonstrate that it complements development elsewhere, for example in providing for units lost as part of estate redevelopment proposals. It would also need to avoid duplicating and potentially harming, proposals for Skelmersdale Town Centre. It is not expected that development at Whalleys could proceed in advance of knowing the plans for Skelmersdale Town Centre and the wider plans for estate regeneration. A positive contribution would also need to be demonstrated through exceptional design which would broaden and enhance the housing mix across the Town and greatly add to the attraction of Skelmersdale as a place to live and work. Any residential development would also need to be brought forward as part of a wider development to bring forward employment and education facilities on adjacent sites.

Ormskirk and Burscough Town Centres

Paragraph 6.12 should be read in conjunction with paragraph 6.21 below, and the Interim Housing Policy Guidance Note (referred to in the preface of this SPG). In the event of there not being a housing land oversupply, Policy DE1 allows for general brownfield development in Ormskirk and Burscough as a whole, subject to a number of caveats set out in the Interim Guidance Note.

- 6.12 There is a recognised need in the Local Strategic Partnership's Regeneration Strategy to promote regeneration opportunities within Ormskirk and Burscough Town Centres. It is also highlighted in the Community Strategy's Action Plan with regard to Market Towns Initiatives within Ormskirk and Burscough. Residential development may need to be a key element within, or to help facilitate, such town centre regeneration.

Agricultural Workers Dwellings

- 6.13 Normally it would be convenient for agricultural workers to live in nearby villages or towns. However, there may be circumstances where, because of the nature and demands of the job, it is essential that one or more people engaged in an enterprise live at, or very close to, their place of work. Annex A of draft PPS7 (Sustainable Development in Rural Areas) provides Government policy on this matter. Where the relevant criteria can be met, the District Council will look favourably upon any applications provided the normal site planning considerations can be satisfied.

Replacement Dwellings

- 6.14 Replacement dwellings will be permitted in situ, where this is on a one-for-one basis.

Sites already with Planning Permission

- 6.15 Applications for renewals of existing planning permission for housing will be treated in the same way as new planning applications.
- (6.16) (Deleted)

Affordable Housing Schemes

- 6.17 Policy DE1 would, in principle, allow affordable housing schemes within any of the settlements within the District providing that the housing would meet the identified housing needs of the area. Such development would need to comply with Policy DE3 of the Re-Deposit Draft Replacement Local Plan. A separate SPG (Affordable Housing, 2004) is available, elaborating upon the Council's Affordable Housing policy.
- 6.18 Specialist student accommodation, which utilises shared facilities does not add to the Council's housing supply figures and will also be considered on the basis that a need can be demonstrated for such accommodation in the local area.

Specific Needs of a Section of the Community

- 6.19 Policy DE1 would also allow accommodation which would meet the specific needs of a section of the community. This essentially means specialist accommodation for either the frail elderly, the disabled or people with a mental health problem, vulnerable young people (including children leaving care), or students. Such housing would need to be specifically designed and operated to house one of the groups described.
- 6.20 In terms of the elderly, age restricted retirement homes and sheltered housing with a warden who offers assistance only intermittently, or in an emergency, would not constitute such special needs housing. Student accommodation would normally need to demonstrate some shared facilities.

Other development in the event of there not being an oversupply

- 6.21 Policy DE1 states that residential development, not covered by the exceptions set out above will only be permitted on brownfield sites in Skelmersdale, Ormskirk/Aughton, and Burscough if it would not result in oversupply of housing land in the District. (The 2008 Interim Housing Policy Guidance Note discusses this subject.)

6.22-6.25 (Deleted)

Density of Development

- 6.26 Policy DE1 states that the minimum density on all new residential development should be 30 dwellings per hectare, rising to at least 50 dwellings per hectare at sites with access to good public transport facilities.