



## **The Sefton Local Plan Submission Version**

### **Statement of Common Ground between Taylor Wimpey (UK) Ltd and Sefton Council**

In relation to:

**Land at Brackenway, Formby (Policy MN2.12)**

December 2015

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## 1 INTRODUCTION

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- 1.1 This Statement of Common Ground (“SoCG”) has been prepared jointly by Taylor Wimpey (UK) Limited (“TWUK”) and Sefton Council (“the Council”) in relation to the Submission Version of the Sefton Local Plan (“SLP”) and its Examination in Public (“EiP”). This SoCG is made in relation to land at Brackenway, Formby, which is allocated for housing in the SLP under Policy MN2.

## 2 THE SITE

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- 2.1 The Brackenway site is located on the northern edge of the built up area of Formby and is situated to the north of Brackenway and to the west of the A565 'Formby Bypass'. A plan of the site is contained as **Appendix 1**.
- 2.2 The site in its entirety extends some 21.6 hectares, with 13.7 hectares adjacent to the existing urban area proposed for Green Belt release and a housing allocation under policy MN2.12 and 7.9 hectares to the north of the housing allocation proposed as a new ecological area. The housing allocation has an indicative development capacity in the SLP under policy MN2.12 of 286 dwellings.
- 2.3 Formby is a key town in the Borough and provides for a full range of shops, services, employment and amenities. Enclosed at Appendix 2 is a Sustainability Plan as well as a summary of the site's sustainability and accessibility credentials. TWUK and the Council agree that the site is situated in a sustainable and accessible location.

### 3 RELEASE OF THE SITE FROM THE GREEN BELT

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3.1 TWUK and the Council agree that the release of the Brackenway site from the Green Belt is based on a sound analysis of Green Belt purposes when tested against paragraph 80 of the NPPF.

3.2 This approach is confirmed by the Council's Green Belt Study (Sefton Examination Library "EL" Ref: EN1) and Local Plan Site Selection Methodology (EL Ref: LP5). TWUK and the Council agree that the release of the 13.7 hectare site from the Green Belt has been robustly assessed against the purposes of the Green Belt, including:

#### **a) Checking Unrestricted Sprawl**

3.3 The site is well contained and has logical, physical and defensible boundaries. It is bounded to the south and west by established residential areas, by the A565 'Formby Bypass' to the east, and Wham Dyke to the north.

3.4 The potential to extend the Freshfield Dune Heath Reserve to the immediate north of the site provides an opportunity to strengthen established landscape features and create a permanent physical landscape barrier to the north of the site.

3.5 As a consequence, the site provides a self-contained parcel of land and TWUK and the Council agree that its removal from the Green Belt would not result in the unrestricted sprawl of Formby.

#### **b) Preventing the Coalescence of Settlements**

3.6 The site is located approximately 1.6km south of Ainsdale, which is the closest settlement. The Woodvale Airfield is located between Formby and Ainsdale, providing a clear physical barrier in the Green Belt between these settlements.

3.7 The Council's Green Belt Study (EL Ref: EN1) identifies 'Essential Gaps' where further development would reduce the gap between settlements. The Green Belt Study identified Woodvale Airfield as an 'Essential Gap' and therefore unsuitable for release from the Green Belt due to reasons of coalescence.

3.8 Having regard to the distance between the site and Ainsdale, as well as the approach to retaining Woodvale Airfield as an essential gap in the Green Belt, TWUK and the Council agree that the development of the Brackenway site for housing would not result in the coalescence of neighbouring towns.

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<sup>1</sup> Sefton Green Belt Study (2013), p31, Table 4.7

**c) Safeguarding Against Encroachment into the Countryside**

- 3.9 The site is a self-contained parcel of land with defined physical boundaries on all sides. The A565 'Formby Bypass', Wham Dyke, and the adjoining Lancashire Wildlife Trust Reserve present important defensible boundaries which safeguard the countryside from encroachment. The proposed ecological area will provide a green buffer between the proposed housing development and the existing nature reserve.
- 3.10 TWUK and the Council agree that the site is not required to safeguard against encroachment into the countryside.

**d) Preserving the Setting and Special Character of Historic Towns**

- 3.11 The Council's Green Belt Study confirms that Sefton does not contain any nationally recognised historic towns. However, the Merseyside Green Belt aims to ensure that towns and villages retain their individual character.
- 3.12 Formby is a dormitory town which has grown up around the railway which runs between Liverpool and Southport. The town has a residential character with a variety of residential areas ranging from well-appointed low density housing to smaller higher density housing, and areas of bungalow and chalet style development. There are no dominant or important elements to the town's skyline which can be seen from the site.
- 3.13 The development of Brackenway will not have a detrimental impact on any heritage assets given the intervening residential development surrounding the site and the A565 'Formby Bypass' to the east.
- 3.14 TWUK and the Council agree that the removal of the site from the Green Belt would not contravene the purpose of preserving the setting and special character of Formby.

**e) Assisting Urban Regeneration**

- 3.15 There is no evidence that the release of the site from the Green Belt would prevent the recycling of derelict or other urban land. The Council acknowledge in their Local Plan Site Selection Methodology (EL Ref: LP5) that it is not possible to distinguish between potential Green Belt sites on this basis.
- 3.16 TWUK and the Council agree that the removal of this site from the Green Belt does not conflict with the purpose of assisting regeneration.

**Summary**

- 3.18 TWUK and the Council agree that the Brackenway site is appropriate to allocate for housing as proposed in the SLP.

## 4 A SUSTAINABLE DEVELOPMENT

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4.1 The Council and TWUK agree that the release of the site from the Green Belt and allocation for housing would deliver sustainable development when measured against the three pillars of sustainability (economic, social and environmental) under paragraph 7 of the NPPF

### **Economic Benefits**

4.2 TWUK and the Council agree that the development of the site would provide some benefits to the local economy including investment through the construction process, net additional spend by new residents, construction jobs and new apprenticeships and training opportunities.

### **Social Benefits**

4.3 TWUK and the Council agree that the site could deliver the following benefits:

- Open market housing to contribute to housing need;
- Affordable housing to contribute to the Council's affordable housing need;
- Contributions to local infrastructure; and
- Public open space for future residents.

### **Environmental Benefits**

4.4 The site has been subject to significant assessment to test the physical, environmental and technical suitability of the site for residential development. Current agreement on the status of the site, based on existing environmental assessment is provided below:

### **Flood Risk**

#### **Flood Risk Assessment to Date**

4.5 The majority of the site is situated within Flood Zone 1 with the eastern portion of the site situated within Flood Zones 2 and 3<sup>2</sup>. To address this consideration, Flood Risk Assessments have been undertaken which include:

- i. A Flood Risk Assessment ("FRA") prepared by Betts Associates (September 2013).
- ii. FRA prepared by Capita to support the Betts FRA (November 2014).

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<sup>2</sup> 53% in Flood Zone 1, 35% in Flood Zone 2 and 12% in Flood

- 4.6 Both the Betts and Capita FRA's conclude that appropriate mitigation could be undertaken to mitigate any impact of the development proposals and provide flood risk benefits in terms of the current situation for properties neighbouring the site.
- 4.7 In addition, TWUK provided further information in July 2015, including modelling, to demonstrate that the site is capable of delivering a wider flood risk benefits. This latest Flood Risk Assessment, along with further sensitivity testing and modelling work undertaken by Capita, has been peer reviewed on behalf of the Council by JBA Consulting (Flood Risk Consultants). It is agreed that, based on the Flood Risk Assessment work that has been undertaken, that a flood risk solution can be achieved that provides flood risk benefits to the majority of properties on Hawksworth Drive.
- 4.8 Proposed site specific Policy MN6 (Land at Brackenway) requires that a suitable flood risk mitigation scheme is prepared at the planning application stage that ensures there is no increase in flood risk as a result of the site's development and that there is a reduction in flood risk to properties on Hawksworth Drive. The proposed policy provides a robust mechanism to ensure that a suitable flood risk solution is delivered at the planning application stage which will be informed by detailed design.
- 4.9 TWUK and the Council agree that, based on the Flood Risk Assessment work undertaken to date, that the development of the site would not result in increased flood risk and would secure flood risk benefits for adjoining properties on Hawksworth Drive. TWUK and the Council also agree that both Policy EQ8 and site specific Policy MN6 provides an appropriate policy mechanism to ensure that the flood risk benefits are secured at detailed design stage which will be subject to a planning application for consideration by the Council, the Environment Agency and United Utilities (a copy of proposed policy EQ8 is contained as Appendix 3 and proposed Policy MN6 is set out in Section 6 of this SoCG).
- 4.10 In addition to the flood risk benefits that would be secured to the adjoining properties on Hawksworth Drive, the proposed development would deliver significant highways and ecological benefits; including a new 7.9 hectare managed grassland and wetland habitat and a new access to the Formby bypass that would serve the local area. The Flood Risk Technical Paper acknowledges the benefits provided by the Brackenway site<sup>3</sup>.

### **Highways**

- 4.11 A Highways Assessment has been undertaken that demonstrates that there is sufficient capacity to accommodate the development in the existing strategic highways network. In addition, Taylor Wimpey and the Council agree that the development would provide a range of

<sup>3</sup> Sefton Technical Flood Risk Paper, pp 3.2-3.13

off-site highways improvements, including a signal controlled junction onto the Formby Bypass. All highways works are detailed in the Council's Infrastructure Development Plan (EL Ref: MI1). The development proposals would also generate benefits; including promoting pedestrian links and connectivity and linking existing cycling routes and local amenities in the vicinity of the site.

### **Ecology**

- 4.12 Ecological surveys have identified no ecological constraints, with appropriate mitigation proposed. In addition, Taylor Wimpey and the Council agree that the proposed 7.9 hectare ecological area (which could form an extension to the Freshfield Dune Health Wildlife Reserve) has the potential to generate significant ecological benefits to the wider eco-system.

### **Other Environmental and Infrastructure Considerations**

- 4.13 The allocation of the wider Brackenway site in the SLP has been based on additional site investigation work. TWUK and the Council agree that the key findings of this work are:
- i. **Landscape** – the site is not in a protected landscape area and there are no landscape constraints preventing the development of the site. Furthermore, the ecological area has the potential to generate significant landscape and visual enhancement.
  - ii. **Arboriculture** – tree cover on the site is limited and a qualified assessment has confirmed that there are no arboricultural constraints to the development of the site.
  - iii. **Archaeology and Heritage** - an assessment of the site has confirmed that there are no designated heritage or archaeological assets and that the site has limited potential for archaeological value. As such, there are no heritage constraints preventing the development of the site.
  - iv. **Agricultural Land** – the site provides poor agricultural conditions and as such there is no evidence of high quality agricultural land status preventing the development of the site.
  - v. **Contamination** – a preliminary assessment of the site considered that the risk of contamination is considered to be low and therefore it is anticipated that there is limited risk associated with development of the site.
  - vi. **Air Quality** – there are no air quality constraints preventing the development of the site.
  - vii. **Noise** – site configuration and noise attenuation measures can be implemented to ensure that there are no significant noise impacts associated with the Formby Bypass or the Woodvale Airfield.

**viii. Utilities** – existing utilities can be provided on site without adversely impacting on the provision of service to the wider community.

4.14 TWUK and the Council agree that there are no significant constraints to the development of the site that cannot be appropriately mitigated. Furthermore, TWUK and the Council agree that the development will deliver a series of environmental benefits including flood risk benefits to adjoining properties on Hawksworth Drive, a new traffic light controlled junction onto the Formby bypass and a new ecological area which could form an extension to the adjoining Nature Reserve.

## 5 DELIVERABILITY

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5.1 TWUK and the Council agree that the site would be deliverable upon allocation because it would be suitable, available, achievable and viable in accordance with paragraph 47, footnote 11 of the NPPF and will assist in meeting the identified housing need in Sefton. TWUK and the Council agree that the site is:

- i. **Suitable** – The site would be suitable for housing development upon allocation. It is situated in a sustainable and accessible location on the northern edge of Formby.
- ii. **Available** - TWUK controls the site by way of a legal agreement and the site is therefore available for development. TWUK has experience in delivering major housing developments in the Borough.
- iii. **Achievable** – The site is not subject to any constraints which would prevent development. TWUK is a major housebuilder that has significant track record in delivering sites quickly following the grant of planning permission.
- iv. **Viable** - The site has been subject to significant viability testing, both by TWUK and as part of the Councils' Viability Study (EL Ref: MI2). The Council's viability Study concludes that the site is viable.

## 6 POLICY MN2.12

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- 6.1 TWUK and the Council support the release of the site from the Green Belt and its housing allocation under policy MN2.12. The policy provides a robust framework to deliver the site and ensures that the key environmental and infrastructure requirements of the site are addressed in order to facilitate a high quality residential development.
- 6.2 TWUK and the Council support a minor amendment to Policy MN2.12 to clarify that the 7.9ha of grassland and wetlands is outside of the proposed residential allocation. This amendment to the policy is agreed as follows as shown in red text below:

### **MN6 Land at Brackenway, Formby**

1. *Land at Brackenway, Formby, is allocated for housing (as shown on the Policy Map). Development of this site must:*
  - a) *Include a flood risk mitigation scheme that:*
    - i. *ensures that new dwellings are not at risk from either fluvial flooding in a 1 in 1000 year event, or flooding from any other source, and*
    - ii. *ensures that there is no increase in flood risk elsewhere caused by the development, and*
    - iii. *significantly reduces the existing surface water flood risk to properties on Hawksworth Drive by directing flood flows away from Eight Acre Brook to new flood storage areas adjacent to the Formby Bypass, and*
    - iv. *is accompanied by a maintenance plan / arrangement that ensures the flood risk mitigation scheme and existing watercourses within the site are maintained in perpetuity*
  - b) *Retain and manage ~~up to~~ 7.9 ha of grassland and wetland habitats **outside of the residential allocation** as a buffer zone to the adjacent nature reserve, including additional species enhancement measures. In addition, main water courses within the site (including Wham Dyke) must be maintained and enhanced with watercourse buffer habitats*
  - c) *Include a signal controlled junction onto the Formby Bypass **and a secondary means of access via Paradise Lane.***
2. *These requirements will be achieved through the use of planning conditions, Section 106 and other legal agreements*

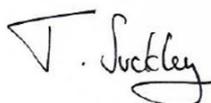
## 7 CONCLUSION

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- 1.1 This SoCG has been prepared jointly by both TWUK and the Council. It sets out the areas of agreement and has been prepared to assist the Inspector at the Local Plan Examination.

### ISSUED BY

Signed:



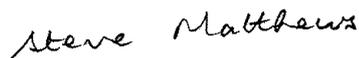
**Print Name:** Jon Suckley (PARTNER)

**Date:** 3 December 2015

**HOW Planning LLP on behalf of Taylor Wimpey (UK) Limited**

### APPROVED BY

Signed:



**Print Name:** Steve Matthews (ACTING PLANNING MANAGER)

**Date:** 3 December 2015

**On behalf of Sefton Council**

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## APPENDIX 1: SITE LOCATION PLAN

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- Key
- Development site boundary
  - Potential extension of Freshfield Dune Heath reserve
  - Freshfield Dune Heath reserve
  - Bridleway
  - Byway



**Brackenway, Formby**

Site Location

Scale: NTS

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## **APPENDIX 2: SITE SUSTAINABILITY PLAN AND APPRAISAL**

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Figure 5 : A Sustainable Location



## Supporting Vibrant Communities

The proposed allocation of The Acres will play an important role in facilitating sustainable and inclusive communities.

Formby is a key town in the Borough and provides a full range of shops, services, employment, and amenities. Appropriate amounts of housing and employment development will need to be provided in Formby in order to maintain its important role as a key town. This approach is supported in the emerging Local Plan with the Preferred Option seeking to promote growth in Formby through the provision of 768 dwellings (excluding windfall development) during the Plan Period.

The Acres is appropriately located for a strategic housing allocation in the Sefton Local Plan as it is located on the edge of the urban area of Formby and is considered to be a sustainable location.

### Location and Accessibility

The site is located adjacent to the A565 'Formby Bypass' and is approximately 1.6 km to the north of Formby Town Centre. It is also located 850 metres north west of the local retail centre at the B5424 'Church Road / Piercefield Road / Ryeground Lane / Green Lane' junction.

Employment opportunities exist within Formby Town Centre. There is also an employment provision to the south east of the site at Stephenson Way, Formby about 2.5 km away.

The site is well served by the existing public transport network. Bus stops are located approximately 460m from the site on the B5425 'Southport Road'. These bus stops provide up to 10 services an hour to destinations including Formby Town Centre, Southport and Liverpool City Centre, with journeys to Formby Town Centre taking approximately 15 minutes whilst journeys to Southport take approximately 30 minutes. Although these bus stops are located outside of the recommended walking distance of 400m this is a very good level of service and provides commuter, retail and leisure opportunities from the site.

The closest rail station to this site is Freshfield station which is located approximately 1.3 km from the edge of the site and can be accessed on foot via the pedestrian footways in the local vicinity. Freshfield station is located on the Southport branch of the Northern Line. In the summer months it provides up to 4 services per hour to Southport and Liverpool whilst in the winter months this is reduced to 2 services per hour.

The site is in an accessible location on the edge of Formby. It has excellent access to local facilities including those within the Town Centre.

### Education

The site is well served by existing schools within 2km including Trinity St Peter's Church of England Primary School (580m), Freshfield Primary School (1km), Our Lady of Compassion Roman Catholic Primary School (1.6km), Clarence High School (720m), Formby High School (1.5km) and Formby College (1.6km). In addition to the above schools the site is located within 1.3km of the Early Days Nursery and within 2km of the Pinefield Education Centre.

### Healthcare

The site is well related to existing healthcare provision with one dental practice 'Old Mill Lane Dental Surgery' located within 1.15km and one doctors surgery 'Freshfields Surgery' located within 1.1km. Additionally, Ainsdale Centre for Health and Wellbeing is located 2.5 km from the site.

### Community Facilities

The site is located in close proximity to a number of places of worship including St Anne's Roman Catholic Church (720m), St Peter's Church of England Church (720m), Formby United Reformed Church (1km), Formby Christian Fellowship Church (1.2km), and Formby Baptist Church (1.6km).

The closest community centre to the site is Raven Meols Community Centre which is located at 225 Park Road, Formby, 2.5km from the site.

The site is located in close proximity to Formby's key sports and recreation sites including Formby Cricket, Hockey & Squash Club (1km), Formby Hall Golf Resort & Spa (950m), and Formby Golf Club (1.4km).

### Amenities

The site is located approximately 650m to the north east of a designated local centre located around the Chapel Lane/ Three Tuns Lane roundabout. This local centre provides facilities including a Convenience Store, Hair Salon, Formby Post Office, Rowlands Pharmacy, a number of food takeaway outlets and a Public House.

Further facilities in the area include a Spar convenience store located at the Piercefield Road/Church Road roundabout, along with a Waitrose supermarket located 1.7km from the site, and many newsagents, such as Aughton Newsagents and Freshfield News.

The site is also located approximately 1.7km to the north east of Formby Town Centre, which provides a wide range of services and facilities, meeting local shopping and employment requirements for the site.

Additional restaurants and public houses are located within Formby Town Centre, such as The Gallery Restaurant and ZYKA Indian restaurant; these are approximately 1.7km from the site.

## Summary

The development of the proposed housing area at The Acres is considered to be the most appropriate location for development and should be the Council's priority for Green Belt release on the edge of Formby. The site is considered to not serve all the functions of the Green Belt as set out in the NPPF.

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## APPENDIX 3: PROPOSED POLICY EQ8

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### EQ8 MANAGING FLOOD RISK AND SURFACE WATER

#### Flood risk generally

1. Development must be located in areas at lowest risk of flooding from all sources, unless the Sequential test and where appropriate the Exceptions test set out in national policy have been passed. Within the site, uses with the greater vulnerability to flooding must be located in areas with lower risk of flooding, unless it is demonstrated that there are overriding reasons why this should not take place.

2. Development must not increase flood risk from any sources within the site or elsewhere, and where possible should reduce the causes and impacts of flooding.

2A. Ground floor and basement access levels of all more vulnerable development should be 600mm above the 1 in 100 annual probability fluvial flood level or the 1 in 200 annual probability tidal flood level with an allowance for climate change, taking into account the presence of defences and the residual risks of failure of those defences.

2B. Ground floor and basement access levels of all more vulnerable development should be 300mm above the 1 in 100 annual probability surface water flood level with an allowance for climate change.

#### Surface water management

3. In addition to the national requirements, site-specific Flood Risk Assessments will also be required for all development on sites of 0.5 hectares or more in Critical Drainage Areas as defined in the Strategic Flood Risk Assessment.

4. Where reasonably practical, development must incorporate sustainable drainage systems to manage surface water flooding run-off within the site so that:

a) Surface water run-off rates and volumes are reduced by 20% (compared to the pre-existing rates) for sites covered by buildings or impermeable hard surfaces, and for greenfield sites do not exceed greenfield rates.

b) Surface water discharge is targeted using a sequential approach, and proposals to the attenuated discharge surface water into anything other than the ground must demonstrate why the other sequentially preferable alternatives cannot be implemented:

- i. Into the ground (infiltration)
- ii. Into a watercourse or surface water body,
- iii. Into a surface water sewer, or
- iv. Into a combined sewer.

c) Above ground, natural drainage features rather than engineered or underground systems are used.

5. Sustainable drainage systems must be designed to provide effective drainage for properties and their capacity must take account of the likely impacts of climate change and likely changes in impermeable area within the site over the lifetime of the development. Sustainable drainage systems and any water storage areas must control pollution and should enhance water quality and existing habitats and create new habitats where practicable.

5A. Suitable arrangements for long-term access to and operation, maintenance and management of sustainable drainage systems must be incorporated within development proposals. This includes both surface and subsurface components of sustainable drainage systems

6. Development on an area which is an adopted Sustainable Drainage System or has a formal flood risk management function is acceptable in principle where the development proposals do not reduce the ability of the area to manage the surface water or flood risk.

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