

PLANNING COMMITTEE

HELD: 14 JANUARY 2016

Start: 7.30 p.m.
Finish: 10.35 p.m.

PRESENT: Councillor Bell (Chairman)
Councillor Owen (Vice-Chairman)

Councillors: Ashcroft Nixon
Mrs. Baybutt O'Toole
Dereli Pendleton
G. Hodson Pope
Hudson Savage
McKay Mrs. Stephenson
C. Marshall West
Mee Mrs. Westley

Officers: Assistant Director Planning (Mr. J. Harrison)
Head of Development Management (Mrs. C. Thomas)
Legal and Member Services Manager (Mr. M. Jones)
Principal Planning Officer (Mrs. A. Veevers)
Member Services/Civic Officer (Mrs. J.A. Ryan)

In attendance: Councillor J. Hodson (Portfolio Holder for Planning)
Councillor Owens (Derby Ward)
Councillor Dowling (Knowsley Ward)
Deputy Assistant Director Housing & Regeneration (Mr. I. Gill)

53. APOLOGIES

There were no apologies for absence received.

54. MEMBERSHIP OF THE COMMITTEE

There were no changes to the membership of the Committee.

55. URGENT BUSINESS, IF ANY, INTRODUCED BY THE CHAIRMAN

There were no urgent items of business.

56. DECLARATIONS OF INTEREST

Councillor Bell declared a non-pecuniary interest in respect of Yew Tree Farm, Liverpool Road South, Burscough by virtue of his membership of Burscough Parish Council in view of their objection to the application.

57. DECLARATIONS OF PARTY WHIP

There were no declarations of Party Whip.

58. MINUTES

RESOLVED That the minutes of the meeting held on the 10 December 2015 be approved as a correct record and signed by the Chairman.

59. PLANNING APPLICATIONS

The Assistant Director Planning submitted a report on planning applications (all prefixed 2015 unless otherwise stated) as contained on pages 1315 to 1443 of the Book of Reports and on pages 1515 to 1529 giving details of late information.

RESOLVED A. That the under-mentioned planning applications be approved subject to the conditions in the report:-

1119/FUL; 0884/FUL;

B. That in respect of planning application 0171/OUT relating to Yew Tree Farm, Liverpool Road South, Burscough:-

- (i) It was noted that the description of the planning application had been amended as follows and that Policy SP3 – Yew Tree Farm had been added to the list of relevant West Lancashire Local Plan policies (and to the recommended reasons for approval).

Description

Outline planning permission (including details of access) for the erection of up to 580 dwellings (C3); Extra Care or Care Accommodation (C2); a Local Centre (comprising up to 500m² of A1, A2, A3, A4 and A5 floorspace; and community uses); the construction of 4.6 hectares of Employment Development (up to 13,800m² of B1, B2 and B8 floorspace); the provision of open space and associated recreation facilities (including parkland, allotments, play areas, a linear park, cycle and pedestrian facilities); together with the provision of related infrastructure including the construction of drainage works (including sustainable urban drainage systems), roads, services and related utilities; and associated works.

- (ii) the decision to grant planning permission be delegated to the Assistant Director Planning in consultation with the Chairman or Vice-Chairman of the Planning Committee subject to a planning obligation under S106 of the Town and Country Planning Act 1990 being entered into to secure the provision of:

- Affordable housing and specialist housing for the elderly
- The provision and maintenance of the public open space and SUDs infrastructure
- The provision and maintenance of biodiversity mitigation

- measures
- Appropriate sustainable travel measures, subject to viability
 - Safeguarding of primary school site throughout the plan period and if not required, the provision in lieu, of a commuted sum towards education provision if required.
- (iii) any planning permission granted by the Assistant Director Planning pursuant to resolution (ii) above be subject to the conditions set out on pages 1388 to 1398 of the Book of Reports but subject to the amendment to conditions/additional condition below:

Condition 4

Development shall not begin until a phasing programme for the whole of the site has been submitted to and approved in writing by the Local Planning Authority. The phasing plan shall identify residential and employment phases, drainage phases, provision of the internal link roads, provision of the public open space, provision of the Linear Park and provision of the retail/community development. Any amendment to the phasing programme should provide evidence to demonstrate that such changes would not be likely to give rise to any significant environmental impacts. In instances where phasing changes may give rise to environment impacts then the amended phasing programme shall be accompanied by an Environmental Statement prepared in accordance with the (Environmental Impact Assessment) Regulations 2011 (or as amended).

Condition 9

No construction works shall take place on any residential phase until full engineering details of the signalised junction at the main entrance to the site on Liverpool Road South as shown on Plan Ref CBO-0054-001 Rev E have been submitted to and approved in writing by the Local Planning Authority. No dwellings, other than those adjacent to Lordsgate Lane (as shown in orange on Parameters Plan ref: 6815_SP(90)22/1) shall be occupied until the new junction has been provided in accordance with the approved details.

Condition 10

The southern roundabout access shown on Plan Ref HC/15820/001 shall be implemented in accordance with a S278 Agreement before any development served from that access is occupied.

Condition 32

Notwithstanding the provisions of Schedule 2, Part 15 Class B(e) to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) no

substations shall be provided within the site without the prior approval in writing to the Local Planning Authority of the detailed siting and external appearance of the substations.

Additional Condition 36

A monitoring strategy in respect of trips from the site, the flows at the A59/A5209 junction (to allow the site trips to be discounted and the background flows derived) shall be submitted to and approved in writing by the Local Planning Authority on or before the Occupation of **400** Dwellings. Such monitoring strategy to include but not be limited to the following:

- the proposed neutral months to be used for monitoring;
- the proposed weeks to be used for monitoring such weeks not being school holidays for the borough or bank holidays and avoiding major roadwork's on the local highway network;
- methodology of how the data will be captured;
- how and when it will be submitted to the Council;
- timetabling of monitoring and submission of data; and
- and the approved monitoring strategy shall be carried out at the Owner's expense;

Once approved by the LPA, the monitoring strategy shall be implemented thereafter.

Prior to the Occupation of 450 Dwellings the results of such monitoring shall be submitted to the Local Planning Authority in accordance with the programme for reporting set out in the said approved monitoring strategy. If the "no development" flows exceed the flows set out in the TA received by the LPA on 19th February 2015 then mitigation measures shall be submitted to and agreed in writing with the LPA which address the issues raised by the flows exceeding those set out in the 19th February 2015 TA. Such measures (if any are required) shall be implemented prior to occupation of the 451st dwelling.

Reason 36

In order that the highway network is not undermined and that the development continues to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document

- C. That planning application 0924/FUL relating to Land to the West of Ingram, Birch Green, Skelmersdale be approved subject to the conditions as set out on pages 1411 to 1414 but subject to the amendment of Condition 6 as below:-

Condition 6

The development shall proceed in accordance with the details and

specifications (including tree protection measures) contained within the Arboricultural Impact Assessment by Outline Trees Consultancy dated November 2015 and received by the Local Planning Authority on 1st December 2015 and within 9 months of the occupation of the development hereby approved the landscaping shall be implemented in accordance with the details provided on Plan Ref WCM/MIS/AL/01 received by the Local Planning Authority on 9th October 2015. All trees and shrubs shall comply with BS. 3936 (Specification of Nursery Stock) and shall be planted in accordance with BS.4428 (General Landscape Operations). All planting shall be maintained and any dead or dying material shall be replaced for a period of ten years from the agreed date of planting.

- D. That planning application 1109/FUL relating to Pear Tree Farm, Lowry Hill Lane, Lathom be approved subject to the conditions as set out on pages 1321 to 1323 of the Book of Reports and with the additional condition as set out below:-

Condition 9

A contaminated land investigation shall be carried out in respect of the proposed development site in order to identify whether there are substances in, on or under the land with potential to cause harm to human, ecological, environmental, structural or controlled water receptors, and to assess the degree of risk posed by those substances to each receptor.

The investigation should be carried out by appropriately qualified and experienced consultants.

The investigation shall begin with a desk study that adequately characterises the site, including its geography, geology, hydrology and historical use. From this a conceptual site model shall be produced, based on the past and intended use of the site and identifying all potential pollutant linkages.

If the desk study and conceptual site model identify potential pollutant linkages, an intrusive site investigation shall be carried out in accordance with BS10175:2001 'Investigation of Potential Contaminated Sites – Code of Practice' and any other relevant Government guidance current at the time.

The investigation shall take the form of a sufficient number of sampling points arranged spatially so as to ensure adequate cover of the site, especially those areas intended for use as gardens and landscaped areas, or where concentrations of contaminants are anticipated.

Sufficient samples must be obtained to characterise the soils, and in addition to soil samples, shall include ground and surface water samples where the conceptual model demands. Additionally,

monitoring for landfill gas shall be carried out where appropriate and the results assessed against the latest version of the CIRIA report. The samples shall be analysed for a full suite of organic and inorganic contaminants. The analysis must be carried out at a laboratory that is UKAS accredited, and which complies with the Environment Agency's MCERTS standard in respect of each contaminant.

Sample results shall be screened against Government Soil Guideline Values (SGV) where these are available. Where these are not available, the results must be screened using clearance values that have been derived using best available toxicological data using a statistical model acceptable to the Local Planning Authority (LPA). In those cases where values are exceeded, more detailed site-specific risk assessments must be carried out to decide whether remediation is required. These assessments must be carried out using best toxicological data for the contaminant concerned, and by means of a statistical model acceptable to the LPA.

Where the investigation confirms the presence of contamination likely to cause harm to receptors, whether human or otherwise, a remediation scheme shall be devised that will result in the contamination being dealt with so as to remove the risk to receptors and make the site suitable for its intended use.

The results of the desk study and site investigation, together with details of any proposed remediation, shall be approved by the LPA before development of the site commences. Any remediation scheme approved shall be carried out as part of the development of the site, and shall be followed by a validation report sufficient to prove that the remediation has been effective. This report must also be approved by the LPA.

Where it is evident that a risk to controlled waters may exist, the Environment Agency must be consulted and any requirements made by them must be carried out.

Reason 9

To ensure that the development is adequately protected against potentially contaminated land and so complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document

- E. That planning application 1044/COU relating to The Fat Olive, 8 St. Helens Road, Ormskirk be approved subject to the conditions as set out on pages 1338 to 1339 of the Book of Reports and with the amendment of Condition No. 2 and an additional condition as set out below :-

Condition 2

The development hereby approved shall be carried out in accordance with details shown on the following plans:-

Plan reference G02 Rev C received by the Local Planning Authority on 11 January 2016.

Plan reference G01, G03 and G04 received by the Local Planning Authority on 9 October 2015.

Additional Condition 11

Prior to the first occupation of the building, a Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the property shall be managed in accordance with the approved Plan.

Reason 11

To safeguard the amenity of adjacent properties and the area generally and so comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

- F. That planning application 0885/LBC relating to Moor Hall, Prescott Road, Aughton be approved subject to the conditions as set out on pages 1440 to 1442 of the Book of Reports and with the amendment to Condition 2, the removal of Condition 8 and an additional Condition below:-

Condition 2

Due to the receipt of the amended site plan Condition 2 is revised to include the following reference 02-02-012B received by the Local Planning Authority on 11th January 2016.

Additional Condition 27

The windows on the east elevation shall be fitted with obscure glass (Pilkington level 5 or equivalent) prior to commencement of use of the development hereby approved and shall remain so fitted at all times thereafter for the duration of the development.

Reason 27

To safeguard the amenity of adjacent properties and the area generally and so to comply with the provision of policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

- G. That planning application 1121/COU relating to 38 Holly Close, Westhead, Ormskirk be refused for the following reason:-

Through the intensity of the use the proposed development would result in noise and disturbance and a loss of amenity to nearby

residents, in an area characterised by mainly elderly persons accommodation, contrary to Policy GN3 of the West Lancashire Local Plan and one of the Core Planning principles in the National Planning Policy Framework.

(Notes:

1. In accordance with the procedure for public speaking on planning applications on this Committee members of the public spoke in connection with application nos. 2015/1044/COU; 2015/1121/COU.
2. The Parish Clerk from Aughton Parish Council, Mrs. Tess Reddington spoke in connection with planning application 2015/0171/OUT
3. In accordance with Regulatory Procedure Rule 7 (b) Councillor Owens spoke in connection with planning applications 2015/1044/COU and 2015/1121/COU.
4. Councillor Hudson left the meeting during consideration of planning application 2015/0171/OUT relating to Yew Tree Farm and was not present for the remainder of the meeting.
5. Councillors Owens left the Chamber at the conclusion of planning application 2015/1121/COU, 38 Holly Close, Westhead and was not present for the remainder of the meeting.
6. After consideration of planning application 2015/1121/COU relating to 38 Holly Close, Westhead the meeting was adjourned for a 5 minute comfort break.

60. WEST LANCASHIRE STATEMENT OF COMMUNITY INVOLVEMENT 2016 UPDATE

Consideration was given to the report of the Assistant Director Planning as contained on pages 1455 to 1514 of the Book of Reports. Members were asked to consider the report and the Statement of Community Involvement attached at Appendix A to the report and that agreed comments be referred to the Assistant Director Planning for consideration, in consultation with the Portfolio Holder.

RESOLVED That Officers be thanked for a very comprehensive report.

- CHAIRMAN -