



Jacqui Sinnott-Lacey  
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Wednesday, 13 October 2021

**TO: COUNCILLORS D O'TOOLE, J FINCH, MRS P BAYBUTT, A BLUNDELL,  
N DELANEY, S EVANS, A FENNELL, N FUREY, G JOHNSON, G  
OWEN, E POPE, J THOMPSON, J UPJOHN AND  
MRS M WESTLEY**

Dear Councillor,

**LATE INFORMATION – PLANNING COMMITTEE THURSDAY 14 OCTOBER 2021**

Please find attached a report containing details of Late Information prepared by the Corporate Director of Place and Community, relating to items on the agenda for the above mentioned meeting.

Yours faithfully

A handwritten signature in black ink, appearing to be 'JS' followed by a flourish.

Jacqui Sinnott-Lacey  
Chief Operating Officer

**AGENDA  
(Open to the Public)**

- 7. PLANNING APPLICATIONS – LATE INFORMATION** 533 - 540  
To consider the report of the Corporate Director of Place and Community.

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

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

For further information, please contact:-  
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**PLANNING COMMITTEE:  
14 OCTOBER 2021**

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**Report of: Corporate Director of Place and Community**

**Contact: Mrs. C. Thomas (Extn.5134)**  
**Email: catherine.thomas@westlancs.gov.uk**

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**SUBJECT: LATE INFORMATION**

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## **1.0 INTRODUCTION**

The information below has been received since compilation of your Agenda. The following also includes suggested adjustments to the recommendations further to the receipt of late plans and/or information.

## **2.0 ITEM 7 – PLANNING APPLICATIONS**

### **REPORT NO.2 –38 GRANVILLE PARK, AUGHTON – 2021/0734/FUL**

Further advice has been sought from the Council's drainage engineer. Given the difference in levels across the site and the proposal to create a basement garage, it is important to ensure that surface water is appropriately managed on site. Therefore, an additional condition is recommended as follows:

#### Condition

No development shall take place until a strategy for surface water drainage is approved in writing by the Local Planning Authority. The drainage scheme shall be completed in accordance with the approved details prior to the proposed extension being brought into use.

#### Reason

To ensure that there is no increase in flood risk on or off the site resulting from the proposed development in accordance with policy GN3 of the Local Plan.

**Additional Representations**

A further representation has been received from South Lathom Residents Association (SLRA) which expresses the view that the application is not ready for reserved matters to be approved. The reasons put forward for this can be summarised as:

- Condition 24 attached to the outline approval which relates to submission of information in respect of coal mining has not been fully satisfied within this reserved matters submission, and therefore passing a reserved matters approval prior to remedial works having been identified appears to be premature.
- Impact on the street scene due to proximity of the proposed flats to the boundary with Old Engine Lane.
- The contribution towards the Linear Park is at the expense of site layout which should include areas of public open space. The proposed financial contribution is excessive and subject to viability.
- The 'West Lancashire Green Infrastructure and Cycling Strategy (September 2017)' not been listed as supporting information in paragraph 9.1 of the report.
- Paragraph 5.1 of the Planning Committee report is misleading when it states '*the matters for consideration are restricted to appearance, landscaping, layout and scale*'. Other matters remain to be considered such as sewerage.
- Sewerage plans could affect the site layout and impact new and old residents.
- United Utilities do not appear to have been consulted.
- No space has been allocated for an electricity substation.
- Assurances given to residents about interrupting electricity supplies are unclear.
- Details regarding the works to Old Engine Lane, west of the bollarded egress point from the site have not been revealed.
- The application does not include measures to improve pedestrian/cycle links as stated in the Planning Committee report.
- Lathom South Parish Council have stated that '*the applicants could use their own resources to provide a cycle link to XL Business Park, especially as such a link from the opposite side of Slate Brook is already part of the approved development of the area and the site owner is actively considering bringing forward the approved plans*'. This has been misreported in the Planning Committee Report.
- Representations made at different stages of consultation are grouped rather than being separated out for each stage.
- The two stages of consultation were carried out when there was a dearth of clear and unambiguous plans to comment on.
- Why was no further opportunity given for comment before the application was discussed at September Planning Committee.
- The site layout plan should be amended to include mine shafts with remedial action identified. The layout plan should include the electricity substation. Negotiations around the Linear Park should be re-opened. A direct cycle link from the site to the planned cycle path along the opposite side of Slate Brook should be sought. A Sewage Statement should be provided. Plans for Old

Engine Lane should be published after public consultation. The flats should be relocated and replaced with houses with back gardens adjacent to Old Engine Lane. Commitment should be given to protect the electrical and fresh water supplies of neighbouring houses, together with existing sewage pipes.

Two additional representations have been received from the same author commenting that:

- The Firwood Road Development Brief indicates that densities and massing should vary to reflect the surrounding area and development should take account of the amenity of neighbouring properties.
- The Council's SPD Design Guide indicates that developments should not be overbearing, overshadow or result in loss of privacy for neighbouring properties.
- The proposed flats- Oakmere would be overbearing and result in overlooking and loss of privacy to Balcary.
- Whilst the developer listened to concerns regarding the relationship between Balcary and the proposed Oakmere properties at a public meeting, the scheme has not been amended.
- It would be possible to amend the scheme to provide houses opposite Balcary.
- The developer has not explored the option of redesigning the site layout to address concerns regarding the relationship between Balcary and the proposed Oakmere properties.
- The neighbour notification period expires on the day of Planning Committee.

Councillor Rigby has also expressed concern about the neighbour re-notification process ending on the day of the Planning Committee meeting.

### **OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY**

The Coal Authority have been consulted on the current reserved matters application and have confirmed that they have no objections to the proposed development. The response from the Coal Authority advises the proposed development layout has been informed by mine entries and a suitable scheme of remediation and capping has been proposed. The Coal Authority recommended the wording of the condition which was imposed on the outline consent and as the statutory consultee in relation to former mining legacy, have confirmed that they are satisfied with the submission.

Impact on visual amenity is discussed within the Planning Committee report. With specific regard to the street scene of Old Engine Lane, I am satisfied that given the set back of the proposed flats from the site boundary this would be acceptable.

Concern has been expressed regarding the financial contribution towards the proposed Linear Park being at the expense of open space on the site. However, the site contains 3 distinct areas of open space, one containing a trim trail, one surrounding the historic powder hut and a green wedge to Slate Brook. The costs of delivering the Linear Park in the Green Infrastructure and Cycling Strategy are indicative only and likely to have increased since 2017.

The 'West Lancashire Green Infrastructure and Cycling Strategy (September 2017)' has not been listed as supporting information in paragraph 9.1 of the report because paragraph 9.1 relates to supporting information supplied by the applicant.

The submitted Flood Risk Assessment (FRA) has been fully considered by statutory bodies and evidence is provided within the FRA which confirms that United Utilities are satisfied that foul water flows emanating from the site will be allowed to drain freely into the nearest available public foul/combined sewerage system located within the public highway.

Given the extent of the development, it is acknowledged that an electricity substation is likely to be required. It is normal practice to remove permitted development rights for substations on applications such as this, hence the inclusion of condition 10 which means that planning permission will be required for a substation, should it be required.

Disruption to services, for example electricity and drainage has been raised as a concern by local residents and the applicant has responded to this within their submitted Statement of Community Involvement. This is a civil matter and is not a material consideration in the assessment of the proposals. However, the applicant has acknowledged that they will work with statutory undertakers to avoid any disruption to existing supplies.

Matters in respect of lighting upgrades to Old Engine Lane have been agreed during the outline application and are not for consideration as part of this reserved matters application.

The application has now been the subject of three rounds of consultation. It is of note that the Council's neighbour notification letter advises that: *"In the interests of economy and operational efficiency, the Council will not acknowledge or respond to any comments or queries received in relation to the matter subject of this letter or notify you of any minor amendments. I can assure you however that all written comments received will be given full consideration by the Council in reaching its decision."*

In relation to the interface distances between Balcary and the proposed Oakmere properties, I am satisfied that the separation distances in the Council's Design Guide are met and the development would not result in loss of privacy to Balcary, be overbearing or result in poor outlook to an extent which would warrant a refusal of planning permission.

In respect of the timing of the third round of consultations, it is normal working practice for representations to be received up until 5pm (normal working day) the day of Planning Committee and be reported verbally as late information, however, to cover the eventuality of representations which highlight new material considerations being received beyond this time the recommendation included in Sections 3 and 12 of the Planning Committee Report are revised as detailed below.

To address some of the concerns raised it is proposed to amend the Committee report and recommendation as follows:

## **Amendment to Committee Report**

Paragraph 8.3 of the planning committee report is amended to read as follows:

### 8.3 Lathom South Parish Council (13.11.2021, 07.06.2021)

The application omits detail, for example location of mineshafts and substations. There is insufficient detail to allow meaningful comment.

The developer should consider providing a cycle link to XL Business Park.

The suds pond does not appear to be part of the more recent plans.

Lack of public open space.

Loss of trees.

Lack of detail in respect of the freshwater pipeline, foul water drainage and electricity supply to existing houses, and incidental land shown on the layout plan.

Cars may park on the Firwood Road frontage.

An attenuation pond should not be counted as public open space.

Paragraph 5.2 of the planning committee report is amended to read as follows:

- 5.2 The reserved matters for consideration are appearance, landscaping, layout and scale. As agreed under application 2019/0069/OUT access to the residential development would be taken from Firwood Road, the houses would then be arranged around an estate road and series of cul-de-sacs. The dwellings would be two storey and there would be a trim trail located within the site and a suds attenuation meadow adjacent to Slate Brook which is to the east.

Paragraph 11.23 of the planning committee report is amended to read as follows:

- 11.23 I am satisfied that the proposed development will be acceptable in terms of highway safety and that adequate off-road parking would be provided on the site. The application incorporates measures which when delivered would improve connectivity of the site to its surroundings and encourage the use of sustainable modes of transport in accordance with Policies GN3 and IF2 of the Local Plan.

## **Amend Recommendations**

- 3.0 **RECOMMENDATION: APPROVE subject to no further comments being received which raise new material planning considerations and subject to conditions:**

### 12.0 **RECOMMENDATION**

- 12.1 That the decision to approve reserved matters be delegated to the Corporate Director of Place and Community subject to no further comments being received which raise new material planning considerations and subject to the following conditions:

## **Add Condition**

It is recommended that an additional condition is added which requires foul and surface water to be drained on separate systems.

### **Condition 11**

Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution and to ensure that the development complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

## **REPORT NO.7 – FORMER RAILWAY HOTEL, 1 STATION ROAD, PARBOLD – 2021/0233/FUL**

### **OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY**

Following discussions on the site visit and observing the current condition of the forecourt and car park of the former public house, it is proposed to add an additional condition to require surfacing details for these areas to be submitted and approved.

It is proposed to revise the wording of condition 11 to allow for works to commence on the conversion of the former public house, in advance of submission of noise protection measures for the residential element of the scheme. It is also proposed to amend conditions 2 and 13 to ensure the provision of electric vehicle charging points at a ratio of one per proposed flat.

Condition 11 - Amendment to clarify of timing of works

No development above slab level of the residential element shall be commenced until details of the measures to protect the proposed residential dwellings from noise from the retail uses and nearby train line have been submitted to and approved in writing by the Local Planning Authority. The Scheme shall include the standards of glazing of habitable room windows together with a scheme of alternative ventilation. The approved details shall be implemented prior to first occupation of any of the residential dwellings and shall thereafter be retained

Condition 2 and 13 - Amendment to plan reference numbers

Plan ref: 0268(P)103H replaced by plan ref: 0268(P)103J received on 5th October 2021 showing three Electrical Vehicle Charging Points to serve the residential block i.e. one EVCP per unit.

Add condition re surfacing materials

Notwithstanding any description of materials in the application, no building shall be occupied until samples and / or full specification of materials to be used externally on all hard surfaces within the development site have been submitted

to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials.

The development shall be carried out using only the agreed materials prior to first occupation/use of any approved use/building on the site.

Reason: To ensure that the external appearance of the site is satisfactory and that the development therefore complies with the provisions of Policies EN4 and GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

