



Jacqui Sinnott-Lacey
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Tuesday, 23 November 2021

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

Dear Councillor,

LATE INFORMATION – PLANNING COMMITTEE THURSDAY 25 NOVEMBER 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", written over a horizontal line.

Jacqui Sinnott-Lacey
Chief Operating Officer

**AGENDA
(Open to the Public)**

- 7. PLANNING APPLICATIONS - LATE INFORMATION** 623 - 626
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.

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:-

Jill Ryan on 01695 585017

Or email jill.ryan@westlancs.gov.uk



**PLANNING COMMITTEE:
25 NOVEMBER 2021**

Report of: Corporate Director of Place and Community

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

SUBJECT: LATE INFORMATION

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.1 – LAND BETWEEN 11 AND 21 THE GRAVEL, MERE BROW – 2021/0726/FUL

REPRESENTATIONS

Following publication of the Planning Committee Agenda several further representations have been received from local residents. The representations can be summarised as:

- No open-space provision.
- Impact on visual amenity.
- Impact on outlook from no.21 The Gravel.
- Highway safety during construction and when built.
- Impact on the front building line.
- Increased risk of surface water flooding.
- Inaccuracies in the Design and Access Statement.

SUPPORTING INFORMATION

Following publication of the Planning Committee Report and receipt of additional neighbour representations the applicant has submitted a letter of clarification dated 22.11.2021. The letter advises that the application has been amended to reduce dwelling numbers and set them further into the site to allow for an area of

public open space and reduce impact on occupiers of no.21 The Gravel, and also allow for a staggered building line. An area of public open space will be created directly on the frontage of The Gravel outside of the curtilage of the new dwellings and for this reason would be managed and maintained by the developers as an area of amenity space.

The extant permission (2019/0213/FUL) establishes the principle of development on the land, loss of the majority of open space, and there are no technical (highways or drainage) constraints.

OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

The additional representations received by local residents have not raised any new issues and I am satisfied that these have been adequately considered within the Committee Report. I am satisfied that the proposal is acceptable, given the previous permission on the site for residential development, and the retention of some publicly accessible open space on the site. The scheme would not have a significant detrimental impact on residential amenity, visual amenity, highway safety or biodiversity. I am also satisfied that an appropriate method of surface water drainage can be provided on site. I consider the proposed development accords with all relevant policies in the NPPF and Local Plan.

REPORT NO.2 – ELM TREE COMMUNITY PRIMARY SCHOOL, ELMERS WOOD ROAD, SKELMERSDALE – 2021/0885/FUL

A consultation response has been received from Sport England:

The proposed car park will be situated on a narrow piece of playing field between the multi-use games area and the western boundary of the playing field. It will not extend northwards onto the main area of playing field. Sport England provided comments on a previous planning application for a car park (LPA reference 2021/0107/FUL) where we commented that if the car park was situated between the multi-use games area and the western boundary, this would meet exception E3 of Sport England's Playing Fields Policy. The applicant has followed the advice provided by Sport England on the previous planning application.

Having assessed the application, Sport England is satisfied that the proposed development meets exception 3 of our playing fields policy, in that:

'The proposed development affects only land incapable of forming part of a playing pitch and does not:

- reduce the size of any playing pitch;
- result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas);
- reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality;
- result in the loss of other sporting provision or ancillary facilities on the site; or
- prejudice the use of any remaining areas of playing field on the site.'

This being the case, Sport England does not wish to raise an objection to this application.

REPORT NO.3 – LAND ADJACENT TO ASHVIEW, FROG LANE, LATHOM – 2020/1006/FUL

A further objection has been received. Many of the matters raised reiterate points which are contained within para 8.3 of the agenda report. Additional points raised are as follows:

Ecology:

No details have been submitted regarding existing protected and priority species that are within the area.

OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

The Council has consulted Merseyside Environmental Advisory Service (MEAS) and requested guidance as to whether ecological surveys for the site are required. Comments are awaited.

Therefore, it is proposed to amend the recommendation to Planning Committee as follows:

RECOMMENDATION

The decision to grant planning permission be delegated to the Corporate Director of Place and Community subject to the following conditions and reasons and subject to confirmation from MEAS that there would be no detrimental impact on biodiversity as a result of the development and subject to any additional conditions being added in respect of ecology.

REPORT NO.7 – LAND ADJACENT TO HIGGINS LANE, BURSCOUGH – 2021/0506/FUL

CONSULTATION RESPONSES

Following publication of the Planning Committee Agenda a representation has been received from Merseyside Environmental Advisory Service (MEAS) which advises that the development site is near to several international sites and their Functionally Linked Land. The proposals and the possibility of likely significant effects on European national and international sites has been considered and MEAS conclude that there is no pathway that could result in likely significant effects on the European sites and the proposals do not warrant a detailed Habitats Regulations Assessment.

The proposed development is within the Natural England SSSI Impact Risk Zone, and for this reason Natural England must be consulted on the planning application.

The mature southern boundary hedgerow is considered to be a Priority Habitat and is to be protected from damage during construction of the site. An amended plan is required to reflect this and provide a 7 metre buffer zone from development. A single Oak tree within the Hedgerow on the southern boundary has been recorded to have bat roost potential, the required 7m buffer zone would provide protection to any bats that may be present within the tree. It is concluded that the local bat population will not be harmed by the proposals and the Council does not need to consider the proposals against the three tests (Habitats Regulations).

It is considered highly unlikely Great crested newt will be harmed by the proposals. However, the ecology report submitted with the application advises that there is the potential for other amphibians to be present. For this reason, the Reasonable Avoidance Measures (RAMs) detailed in the report should be secured by planning condition. Reasonable Avoidance Measures for hedgehog should also be secured.

OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

I am satisfied that following submission of a suitable plan showing the required 7m buffer zone from the southern boundary hedgerow and consultation with Natural England any issues that may be identified can be addressed through detailed discussion with the Applicant, MEAS and Natural England and would not require a re-evaluation of all the issues pertaining to the planning application. I consider that the recommendation detailed at paragraph 12.1 of the Planning Committee Report *'that the decision to grant planning permission for a temporary period of three years be delegated to the Corporate Director of Place and Community subject to confirmation that the submitted ecology survey is satisfactory and subject to the following conditions and any additional conditions being added in respect of ecology'* remains valid.

ADDITIONAL CONDITION

The development shall be implemented in accordance with the Reasonable Avoidance Measures (RAMs) for amphibians set out in section 8.12 and 8.13 of the Preliminary Ecological Appraisal (Tyrer Ecological Consultants Ltd, October 2021). In addition to this the following RAMs will be in place in respect of hedgehog:

- A pre-commencement check for badger and/or hedgehog mammals;
- All trenches and excavations should have a means of escape (e.g. ramp);
- Any exposed open pipe system should be capped to prevent mammals gaining access; and
- Appropriate storage of materials to ensure that mammals do not use them.

Reason: To safeguard protected species and so ensure that the development complies with the provisions of Policy EN2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.