



Kim Webber B.Sc. M.Sc.
Chief Executive
52 Derby Street
Ormskirk
West Lancashire
L39 2DF

Wednesday, 27 September 2017

TO: COUNCILLORS **G DOWLING, A YATES, I ASHCROFT, MRS P BAYBUTT, C COOPER, T DEVINE, D EVANS, C MARSHALL, D MCKAY, M MILLS, D O'TOOLE, R PENDLETON, E POPE, A PRITCHARD AND MRS M WESTLEY**

Dear Councillor,

A meeting of the **PLANNING COMMITTEE** will be held in the **COUNCIL CHAMBER - 52 DERBY STREET, ORMSKIRK, L39 2DF** on **THURSDAY, 5 OCTOBER 2017** at **7.30 PM** at which your attendance is requested.

Yours faithfully

A handwritten signature in black ink, appearing to be "Kim Webber", written over a horizontal line.

Kim Webber
Chief Executive

AGENDA
(Open to the Public)

1. APOLOGIES

2. MEMBERSHIP OF THE COMMITTEE

To be apprised of any changes to the membership of the Committee in accordance with Council Procedure Rule 4.

3. URGENT BUSINESS, IF ANY INTRODUCED BY THE CHAIRMAN

Note: No other business is permitted unless, by reason of special circumstances, which shall be specified at the meeting, the Chairman is of the opinion that the item(s) should be considered as a matter of urgency.

4. DECLARATIONS OF INTEREST

639 -
640

If a member requires advice on Declarations of Interest, he/she is advised to contact the Borough Solicitor in advance of the meeting. (For the assistance of members a checklist for use in considering their position on any particular item is included at the end of this agenda sheet.)

5. DECLARATIONS OF PARTY WHIP

Party Whips are not to be used by this Committee in respect of its functions concerning the determination of applications, approval of consents, the taking of enforcement action and the exercise of powers and duties with regard to highways, hedgerows, the preservation of trees and high hedge complaints. When considering any other matter which relates to a decision of the Cabinet or the performance of any member of the Cabinet, in accordance with Regulatory Committee Procedure 9, Members must declare the existence of any party whip, and the nature of it.

6. MINUTES

641 -
644

RESOLVED: To receive as a correct record the minutes of the meeting held on the 7 September 2017.

7. PLANNING APPLICATIONS

645 -
754

To consider the report of the Director of Development and Regeneration.

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@westlancls.gov.uk

**FIRE EVACUATION PROCEDURE FOR:
COUNCIL MEETINGS WHERE OFFICERS ARE PRESENT
(52 DERBY STREET, ORMSKIRK)**

PERSON IN CHARGE: Most Senior Officer Present
ZONE WARDEN: Member Services Officer / Lawyer
DOOR WARDEN(S) Usher / Caretaker

IF YOU DISCOVER A FIRE

1. Operate the nearest **FIRE CALL POINT** by breaking the glass.
2. Attack the fire with the extinguishers provided only if you have been trained and it is safe to do so. **Do not** take risks.

ON HEARING THE FIRE ALARM

1. Leave the building via the **NEAREST SAFE EXIT**. **Do not stop** to collect personal belongings.
2. Proceed to the **ASSEMBLY POINT** on the car park and report your presence to the **PERSON IN CHARGE**.
3. **Do NOT** return to the premises until authorised to do so by the **PERSON IN CHARGE**.

NOTES:

Officers are required to direct all visitors regarding these procedures i.e. exit routes and place of assembly.

The only persons not required to report to the Assembly Point are the Door Wardens.

CHECKLIST FOR PERSON IN CHARGE

1. Advise other interested parties present that you are the person in charge in the event of an evacuation.
2. Make yourself familiar with the location of the fire escape routes and inform any interested parties of the escape routes.
3. Make yourself familiar with the location of the assembly point and inform any interested parties of that location.
4. Make yourself familiar with the location of the fire alarm and detection control panel.
5. Ensure that the zone warden and door wardens are aware of their roles and responsibilities.
6. Arrange for a register of attendance to be completed (if considered appropriate / practicable).

IN THE EVENT OF A FIRE, OR THE FIRE ALARM BEING SOUNDED

1. Ensure that the room in which the meeting is being held is cleared of all persons.
2. Evacuate via the nearest safe Fire Exit and proceed to the **ASSEMBLY POINT** in the car park.
3. Delegate a person at the **ASSEMBLY POINT** who will proceed to **HOME CARE LINK** in order to ensure that a back-up call is made to the **FIRE BRIGADE**.
4. Delegate another person to ensure that **DOOR WARDENS** have been posted outside the relevant Fire Exit Doors.

5. Ensure that the **ZONE WARDEN** has reported to you on the results of his checks, **i.e.** that the rooms in use have been cleared of all persons.
6. If an Attendance Register has been taken, take a **ROLL CALL**.
7. Report the results of these checks to the Fire and Rescue Service on arrival and inform them of the location of the **FIRE ALARM CONTROL PANEL**.
8. Authorise return to the building only when it is cleared to do so by the **FIRE AND RESCUE SERVICE OFFICER IN CHARGE**. Inform the **DOOR WARDENS** to allow re-entry to the building.

NOTE:

The Fire Alarm system will automatically call the Fire Brigade. The purpose of the 999 back-up call is to meet a requirement of the Fire Precautions Act to supplement the automatic call.

CHECKLIST FOR ZONE WARDEN

1. Carry out a physical check of the rooms being used for the meeting, including adjacent toilets, kitchen.
2. Ensure that **ALL PERSONS**, both officers and members of the public are made aware of the **FIRE ALERT**.
3. Ensure that **ALL PERSONS** evacuate **IMMEDIATELY**, in accordance with the **FIRE EVACUATION PROCEDURE**.
4. Proceed to the **ASSEMBLY POINT** and report to the **PERSON IN CHARGE** that the rooms within your control have been cleared.
5. Assist the **PERSON IN CHARGE** to discharge their duties.

It is desirable that the **ZONE WARDEN** should be an **OFFICER** who is normally based in this building and is familiar with the layout of the rooms to be checked.

INSTRUCTIONS FOR DOOR WARDENS

1. Stand outside the **FIRE EXIT DOOR(S)**
2. Keep the **FIRE EXIT DOOR SHUT**.
3. Ensure that **NO PERSON**, whether staff or public enters the building until **YOU** are told by the **PERSON IN CHARGE** that it is safe to do so.
4. If anyone attempts to enter the premises, report this to the **PERSON IN CHARGE**.
5. Do not leave the door **UNATTENDED**.

Agenda Item 4

MEMBERS INTERESTS 2012

A Member with a disclosable pecuniary interest in any matter considered at a meeting must disclose the interest to the meeting at which they are present, except where it has been entered on the Register.

A Member with a non pecuniary or pecuniary interest in any business of the Council must disclose the existence and nature of that interest at commencement of consideration or when the interest becomes apparent.

Where sensitive information relating to an interest is not registered in the register, you must indicate that you have an interest, but need not disclose the sensitive information.

Please tick relevant boxes

Notes

	General		Notes
1.	I have a disclosable pecuniary interest.	<input type="checkbox"/>	<i>You cannot speak or vote and must withdraw unless you have also ticked 5 below</i>
2.	I have a non-pecuniary interest.	<input type="checkbox"/>	<i>You may speak and vote</i>
3.	<p>I have a pecuniary interest because</p> <p>it affects my financial position or the financial position of a connected person or, a body described in 10.1(1)(i) and (ii) and the interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest</p> <p>or</p> <p>it relates to the determining of any approval consent, licence, permission or registration in relation to me or a connected person or, a body described in 10.1(1)(i) and (ii) and the interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest</p>	<p style="text-align: center;"><input type="checkbox"/></p> <p style="text-align: center;"><input type="checkbox"/></p>	<p><i>You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below</i></p> <p><i>You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below</i></p>
4.	<p>I have a disclosable pecuniary interest (Dispensation 20/09/16) or a pecuniary interest but it relates to the functions of my Council in respect of:</p> <p>(i) Housing where I am a tenant of the Council, and those functions do not relate particularly to my tenancy or lease.</p> <p>(ii) school meals, or school transport and travelling expenses where I am a parent or guardian of a child in full time education, or are a parent governor of a school, and it does not relate particularly to the school which the child attends.</p> <p>(iii) Statutory sick pay where I am in receipt or entitled to receipt of such pay.</p> <p>(iv) An allowance, payment or indemnity given to Members</p> <p>(v) Any ceremonial honour given to Members</p> <p>(vi) Setting Council tax or a precept under the LGFA 1992</p>	<p style="text-align: center;"><input type="checkbox"/></p> <p style="text-align: center;"><input type="checkbox"/></p> <p style="text-align: center;"><input type="checkbox"/></p> <p style="text-align: center;"><input type="checkbox"/></p> <p style="text-align: center;"><input type="checkbox"/></p> <p style="text-align: center;"><input type="checkbox"/></p>	<p><i>You may speak and vote</i></p> <p><i>You may speak and vote</i></p> <p><i>You may speak and vote</i></p> <p><i>You may speak and vote</i></p> <p><i>You may speak and vote</i></p> <p><i>You may speak and vote</i></p>
5.	A Standards Committee dispensation applies (relevant lines in the budget – Dispensation 20/9/16-19/09/20)	<input type="checkbox"/>	<i>See the terms of the dispensation</i>
6.	I have a pecuniary interest in the business but I can attend to make representations, answer questions or give evidence as the public are also allowed to attend the meeting for the same purpose	<input type="checkbox"/>	<i>You may speak but must leave the room once you have finished and cannot vote</i>

'disclosable pecuniary interest' (DPI) means an interest of a description specified below which is your interest, your spouse's or civil partner's or the interest of somebody who you are living with as a husband or wife, or as if you were civil partners and you are aware that that other person has the interest.

Interest

Prescribed description

Employment, office, trade, profession or vocation

Any employment, office, trade, profession or vocation carried on for profit or gain.

Sponsorship

Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M.

	This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to M's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

"body in which the relevant person has a beneficial interest" means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest; "director" includes a member of the committee of management of an industrial and provident society;

"land" excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income; "M" means a member of a relevant authority;

"member" includes a co-opted member; "relevant authority" means the authority of which M is a member;

"relevant period" means the period of 12 months ending with the day on which M gives notice to the Monitoring Officer of a DPI;

"relevant person" means M or M's spouse or civil partner, a person with whom M is living as husband or wife or a person with whom M is living as if they were civil partners;

"securities" means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

'non pecuniary interest' means interests falling within the following descriptions:

- 10.1(1)(i) Any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
- (ii) Any body (a) exercising functions of a public nature; (b) directed to charitable purposes; or (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union), of which you are a member or in a position of general control or management;
- (iii) Any easement, servitude, interest or right in or over land which does not carry with it a right for you (alone or jointly with another) to occupy the land or to receive income.
- 10.2(2) A decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a connected person to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward, as the case may be, affected by the decision.

'a connected person' means

- (a) a member of your family or any person with whom you have a close association, or
- (b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
- (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
- (d) any body of a type described in sub-paragraph 10.1(1)(i) or (ii).

'body exercising functions of a public nature' means

Regional and local development agencies, other government agencies, other Councils, public health bodies, council-owned companies exercising public functions, arms length management organisations carrying out housing functions on behalf of your authority, school governing bodies.

A Member with a personal interest who has made an executive decision in relation to that matter must ensure any written statement of that decision records the existence and nature of that interest.

NB Section 21(13) of the LGA 2000 overrides any Code provisions to oblige an executive member to attend an overview and scrutiny meeting to answer questions.

Agenda Item 6

PLANNING COMMITTEE

HELD: Thursday, 7 September 2017

Start: 7.30 P.M.

Finish: 8.55 P.M.

PRESENT:

Councillor: G Dowling (Chairman)
A Yates (Vice-Chairman)

Councillors: Mrs P Baybutt Mrs C Cooper
N Delaney T Devine
D Evans C Marshall
M Mills D O'Toole
R Pendleton E Pope
Mrs D Stephenson Mrs M Westley

Officers: Assistant Director of Development & Regeneration (Mr I Gill)
Head of Development Management (Mrs C Thomas)
Principal Planning Officer (Mr R Hitchcock)
Assistant Solicitor (Mrs J Williams)
Member Services/Civic Support Officer (Mrs J A Ryan)

In attendance: Councillor J Hodson (Portfolio Holder Planning)

24 APOLOGIES

There were no apologies for absence received.

25 MEMBERSHIP OF THE COMMITTEE

In accordance with Council Procedure Rule 4, the Committee noted the termination of membership of Councillors Ashcroft and Pritchard and the appointments of Councillors Mrs. Stephenson and Delaney for this meeting only, giving effect to the wishes of the Political Groups.

26 URGENT BUSINESS, IF ANY INTRODUCED BY THE CHAIRMAN

There were no urgent items of business.

27 DECLARATIONS OF INTEREST

The Deputy Director of Development and Regeneration, Mr I Gill declared an interest in respect of planning application 0813/WL, Units 38 and 40 Gorsey Place, Skelmersdale as the application was for premises under the ownership of the Council which was also being dealt with within his Directorate and would therefore leave the Chamber during consideration of this item.

28 DECLARATIONS OF PARTY WHIP

There were no Declarations of Party Whip.

29 MINUTES

RESOLVED: That the minutes of the meeting held on the 27 July 2017 be approved as a correct record and signed by the Chairman.

30 PLANNING APPLICATIONS

The Director of Development and Regeneration submitted a report on planning applications (all prefixed 2017 unless otherwise stated) as contained on pages 584 to 625 of the Book of Reports and on pages 633 to 635 of the Late Information Report.

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

0813/WL3; 0196/FUL; 0251/COU;

B That planning application 0541/FUL relating to Land Adjacent to 67 Gorsey Lane, Banks be refused for the reasons as set out on pages 617 to 618 of the Report.

C That planning application 0588/FUL relating to the Railway Hotel, 1 Station Road, Parbold be approved subject to the conditions as set out on pages 605 to 608 of the Book of Reports and with the additional Condition No. 12 as set out on pages 633 to 634 of the Late Information Report.

(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: 0196/FUL and 0588/FUL
2. The Deputy Director of Development and Regeneration left the Chamber during consideration of planning application 0813/WL3 relating to Units 38 and 40 Gorsey Place, Skelmersdale.
3. In accordance with Regulatory Procedure Rule 7(b) Councillor Barron spoke in connection with application no 0541/FUL.
4. Parbold Parish Clerk, Liz Broad spoke in connection with planning application 0196/FUL relating to Land to the rear of 9-15 Tan House Lane, Parbold.
5. Parbold Parish Clerk, Liz Broad spoke in connection with planning application 0588/FUL relating to the Railway Hotel, 1 Station Road, Parbold.
6. Councillor Barron left the Chamber at the conclusion of planning application 0541/FUL relating to Land Adjacent to 67 Gorsey Lane, Banks and was not

present for the remainder of the meeting.

7. Councillor Devine left the Chamber during consideration of planning application 0251/COU relating to 1 Knowsley Mews, Ormskirk was not present for the remainder of the meeting.

.....
- CHAIRMAN -



Report of: Director of Development and Regeneration

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

SUBJECT: PLANNING APPLICATIONS

Background Papers

In accordance with Section 100D of the Local Government Act 1972 the background papers used in the compilation of reports relating to planning applications are listed within the text of each report and are available for inspection in the Planning Division, except for such documents as contain exempt or confidential information defined in Schedule 12A of the Act.

Equality Impact Assessment

There is no evidence from an initial assessment of an adverse impact on equality in relation to the equality target groups.

Human Rights

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from Article 8 (the right to respect for private and family life, home and correspondence) and Article 1 of Protocol 1 (the right of peaceful enjoyment of possessions and protection of property).

CONTENT SHEET

<u>Report No</u>	<u>Ward</u>	<u>Pan No</u>	<u>Site Location & Proposal</u>	<u>Recommendation</u>
1	Aughton Park	2017/0703/FUL	Land At The Junction With Long Lane Aughton Park Drive Aughton Lancashire Erection of 8 detached houses (3 to 4 bed) on a land of former school playing field.	Planning permission be granted. Pages 6 - 20
2	Burscough West	2017/0431/ARM	Yew Tree Farm Liverpool Road South Burscough Lancashire L40 7RE Approval of Reserved Matters for 146 dwellings with associated car parking and landscaping for phases 1a & 1b (denoted as 1 & 1a on the Outline approved master plan). The reserved matters for which consent is sought on these two phases are appearance & scale, layout and landscaping. Discharge of Condition No. 27 (foul and surface water drainage strategy) and Condition No. 35 (updated noise assessment) of planning permission 2015/0171/OUT.	Planning permission be granted. Pages 21 - 34

3	Derby	2017/0627/WL3	<p>Site Of Former Westec House Derby Street Ormskirk Lancashire</p> <p>Approval of Reserved Matters for the erection of 19 houses and a block comprising 8 apartments with associated parking including details of access, appearance, landscaping, layout and scale.</p>	<p>That planning permission be delegated to the Director of Development and Regeneration subject to a planning obligation (Deed of Variation) under S106 of the Town and Country Planning Act being entered into.</p> <p>Pages 35 - 45</p>
4	Hesketh-with-Becconsall	2017/0492/ARM	<p>Henry Alty Ltd Station Road Hesketh Bank Preston Lancashire PR4 6SP</p> <p>Approval of Reserved Matters for the erection of 212 dwellings including associated infrastructure and landscaping and details of appearance, landscaping, layout and scale.</p>	<p>That planning permission be delegated to the Director of Development and Regeneration subject to a planning obligation (Deed of Variation) under S106 of the Town and Country Planning Act being entered into.</p> <p>Pages 46 - 69</p>

5	Newburgh	2017/0738/FUL	Former Farm Shop Course Lane Newburgh Lancashire WN8 7LA Replace existing greenhouses with new agricultural building.	Planning permission be granted. Pages 70 - 77
6	North Meols	LCC/2017/0064	Becconsall Exploration Site Marsh Road Banks Lancashire PR9 8DY County Matter - Variation of Condition 1 of permission LCC/2017/0016 to allow works to plug and abandon the borehole and to restore the site in accordance with Condition No. 17 of permission LCC/2017/0016 to be undertaken between 01 April 2018 and 31 October 2018.	NO OBJECTIONS be raised to the application and Lancashire County Council be notified accordingly. Pages 78 - 83

7	Scott	2017/0402/WL3	<p>55A Pennington Avenue Ormskirk Lancashire L39 1NG</p> <p>Conversion of existing communal residents lounge, kitchen and offices into a new 3 bed flat. Refurbishment of previous wardens flat and separation of communal garden to provide allocated gardens. Allocation of 4 parking spaces outside of the building for exclusive use of flats. Change of use from grassed open space to provide 3 no car parking spaces.</p>	<p>Planning permission be granted.</p> <p>Pages 84 - 91</p>
8	Tanhouse	2017/0885/FUL	<p>192 - 198 Ennerdale Tanhouse Skelmersdale Lancashire WN8 6AN</p> <p>Change of use from residential to mixed use of residential with communal space and office space.</p>	<p>Planning permission be granted.</p> <p>Pages 92 - 96</p>

No.1 APPLICATION NO.	2017/0703/FUL
LOCATION	Land At The Junction With Long Lane Aughton Park Drive Aughton Lancashire
PROPOSAL	Erection of 8 detached houses (3 to 4 bed) on a land of former school playing field.
APPLICANT	CARO Developments
WARD	Aughton Park
PARISH	Aughton
TARGET DATE	8th September 2017

1.0 REFERRAL

1.1 This application was to be determined under the Council's delegation scheme, however, Councillor O'Toole has requested it be referred to Committee to consider the impact of the development upon the occupants of neighbouring properties.

2.0 SUMMARY

2.1 It is considered that the principle of residential development at this site is acceptable. I am satisfied that there will be no significant detrimental impact upon the character of the area, amenity of neighbouring properties, biodiversity, trees or highway implications. The development is considered to be compliant with relevant planning policies and the application is therefore recommended for approval.

3.0 RECOMMENDATION: APPROVE with conditions.

4.0 THE SITE

4.1 The application site relates to an area of land, extending to approx. 2660 sq m, to the west of Aughton Park Drive, where it meets with Long Lane. The site is currently bounded by hedging and was formally used as a recreation field in conjunction with Mount Carmel Preparatory School (now demolished and redeveloped with housing – planning reference 2014/1052/FUL). The site is located within the settlement boundaries of Aughton, however it is also allocated as an area of Green Infrastructure (Policy EN3) in the WLLP. The site is surrounded to the north, east and southern boundaries by other residential development and to the rear (west) is Aughton Park railway station.

4.2 There is an extant planning permission on the site for the erection of a medical centre and retail unit (planning permission 2015/0274/FUL).

5.0 THE PROPOSAL

- 5.1 This application seeks planning permission for the erection of 8 detached houses (4 no x 4 bed properties and 4 no x 3 bed properties) on land of the former school playing field associated with Mount Carmel Preparatory School.
- 5.2 There would be four house 'Type A' detached dwellings (located to the rear west of house Type B/C) and would be accessed via a new access from Long Lane. The dwellings would measure approx. 9.4m x 11.4m x 7.9m (H). The properties accommodate 4 bedrooms and an integral single garage.
- 5.3 It is proposed to erect three house 'Type B' dwellings, these dwellings would face onto Aughton Park Drive (to the east part of the site). The dwellings would measure approx. 9.0m x 9.1m x 7.6m (H), would accommodate 3 bedrooms and an integral garage.
- 5.4 One house 'Type C' would be erected to the front (south east corner) of the site and would face onto Aughton Park Drive. This dwelling would measure approx. 9.0m x 9.7m x 7.6m (H). This property would accommodate 3 bedrooms and an integral garage.

6.0 PREVIOUS RELEVANT DECISIONS

- 6.1 2017/0270/FUL - Erection of 8 detached houses (3 to 4 bed) on land of former school playing field. WITHDRAWN.
- 6.2 2015/1191/CON GRANTED - Approval of details reserved by condition no. 22 of planning permission 2015/0274/FUL relating to a strategy for the delivery of goods.
- 6.3 2015/0274/FUL GRANTED - Erection of A1 retail unit and D1 medical centre with associated pharmacy, car parking and service area and public open space.
- 6.4 (On adjacent site) 2015/0358/FUL GRANTED - Variation of condition no.2 imposed on planning permission 2014/1052/FUL to read: 'The development hereby approved shall be carried out in accordance with details shown on the following plans:- Plan reference P01 Rev E received by the Local Planning Authority on 21.05.15; P02 Rev C; P05 Rev C; P06 Rev B and P10 received by the Local Planning Authority on 8/04/15 and P03 Rev D received by the Local Planning Authority on 15/04/2015.
- 6.5 (On adjacent site) 2014/1052/FUL GRANTED - Proposed development of 7 houses on land at 1 Aughton Park Drive following demolition of the existing building (former Mount Carmel Preparatory School).

7.0 CONSULTEE RESPONSES

7.1 Lancashire County Council (Highways)

(08/09/2017) - The latest proposal is acceptable on the basis that it will remain a private road and not be adopted as public highway.

Only design comment is with regard to the access; would expect the rumble strip to be at the junction radii tangent point and the footways should only extend to 2m past the rumble strip (as is normal road design). This will save on construction and can be picked up with the detailed junction design for the section 278 agreement.

The construction of the new road junction on Long Lane and the access points on Aughton Park Drive will require works to be carried out on the adopted highway which must be carried out under a suitable legal agreement under the Highways Act 1980.

Recommend planning conditions.

7.2 United Utilities (07/08/2017) – No objections subject to planning conditions.

7.3 Environmental Health

(04/08/2017) – Does not require a contaminated land survey.

(15/08/2017) – No objection to the application in principle. Recommends planning conditions.

7.4 Technical Services Manager (08/08/2017) – No objections subject to planning conditions.

7.5 Network Rail (17/07/2017) – Comments received. Recommends planning conditions.

8.0 OTHER REPRESENTATIONS

8.1 AUGHTON PARISH COUNCIL (15/08/2017) – Comments that:

Residential Amenity - the bungalows at 14 & 15 Carmel Close whose rear gardens back on to Aughton Park Drive, will be overlooked by the 4 new dwellings fronting Aughton Park Drive, which could result in overlooking and loss of privacy with regard to bathroom, main bedroom and outside amenity space;

Drainage - members considered a condition should be imposed in respect of Surface Water and Foul Sewage ensuring 'no development should take place until schemes had been submitted and approved by the Local Planning Authority';

Highways - members considered good visibility splays with generous footways were essential at the new access road off Long Lane in order to safeguard pedestrian and highway safety. An organised site visit was considered desirable to allow the Planning Committee Members the opportunity to view the location and consider the points raised above.

8.2 One neighbour objection has been received on the grounds that:

Site has permission for a medical centre, co-op and parking area which were one storey in height;
Impact upon privacy;
Overlooking rear of properties on Carmel Close;
Proposals are intrusive;
Increase in traffic, noise and parking problems.

9.0 SUPPORTING INFORMATION

9.1 Arboricultural Assessment (January 2015)

Drainage Statement (March 2017) and (01/09/2017)

Planning Statement / Design and Access Statement / Drainage Statement

Phase II Geotechnical Investigation (December 2015)

Extended Phase 1 Ecological Assessment (January 2015)

10.0 LOCAL PLAN ALLOCATION

10.1 National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG) and the West Lancashire Local Plan 2012-2027 DPD (WLLP) provide the policy framework against which the development proposals will be assessed.

The site is located within the settlement area of Aughton and also within an area of green infrastructure as designated in the West Lancashire Local Plan 2012-2027. The following policies are therefore relevant:

National Planning Policy Framework (NPPF)

Promoting sustainable transport
Delivering a wide choice of high quality homes
Requiring good design
Conserving and enhancing the natural environment

West Lancashire Local Plan (WLLP) 2012-2027 DPD

GN1 Settlement boundaries
GN3 Criteria for sustainable development

RS1 Residential Development
IF2 Enhancing Sustainable Transport Choice
EN1 Low Carbon Development and Energy Infrastructure
EN3 Provision of Green Infrastructure and Open Recreation Space
EN2 Preserving and Enhancing West Lancashire's Natural Environment

Supplementary Planning Document – Design Guide (January 2008)

Supplementary Planning Document - Provision of Public Open Space in New Residential Developments (July 2014).

11.0 OBSERVATIONS OF DIRECTOR OF DEVELOPMENT AND REGENERATION

11.1 The main areas for consideration in determining this planning application are:

Principle of development;
Design and External appearance of the development;
Impact upon neighbouring properties;
Highways;
Arboricultural considerations;
Ecological considerations;
Drainage.

Principle of Development

Housing

11.2 Policy RS1 'Residential Development' of the West Lancashire Local Plan (WLLP) confirms that residential development will be permitted within the Borough's 'Key Service Centres' subject to other policies being satisfied. The proposal is therefore in principle acceptable in this respect.

Loss of Green Space

11.3 The application site is located within the settlement boundary of Aughton, however is also allocated as an area of Green Infrastructure under Policy EN3 'Provision of Green Infrastructure and Open Recreation Space' of the WLLP.

11.4 Policy GN1 'Settlement boundaries' of the WLLP and the NPPF favours brownfield development and national guidance supports the presumption in favour of sustainable development.

11.5 Policy EN3 of the WLLP protects the loss of existing open space and sports and recreation facilities (including school playing fields) and states that development will only be permitted on such sites if the following criteria are met:

The open space in question has been agreed by the Council to be unsuitable for retention because it is underused, poor quality or poorly located;
The proposed development would be ancillary to the use of the site as open space and the benefits to recreation would outweigh any loss of the open space area; or
Successful mitigation takes place and alternative, improved provision is provided in the same locality.

- 11.6 The policy continues to state that development will not be permitted, where the proposed development would affect the open character of the area, restrict public access to accessible green space, and where the open space is a focal point within the built up area and contributes to the distinctive character and setting of the settlement.
- 11.7 The application site is identified as 'Green Space' due to its previous use as a playing field associated with Mount Carmel Preparatory School. The school site has now been redeveloped with housing (2014/1052/FUL) and this site has already had the principle of its reuse established under 2015/0274/FUL (Erection of A1 retail unit and D1 medical centre with associated pharmacy, car parking and service area and public open space) – therefore it is considered the land is now unsuitable for retention as a school playing field. It is proposed that an area of the site will be put forward as a landscaped area 'Pocket Park' for use by the local community. Its future management and maintenance will be subject to a planning condition. As the scheme would deliver some mitigation as it includes the provision of publicly accessible open space I consider that on balance Policy GN3 is complied with.

Affordable and Specialist Housing

- 11.8 Policy RS2 of the WLLP relates to affordable and specialist housing and states that for new residential developments of 8 or more dwellings a percentage of affordable / specialist housing will be required. In this particular location for a development of this size, 25% of the units would need to be affordable i.e. 2 units.
- 11.9 However, since the publication of the WLLP, a written ministerial statement of 02/03/2015 confirms that contributions should not be sought from developments of 10 units or less and which have a maximum combined gross floor space of no more than 1000 square metres (gross internal area). The applicant confirms that the combined floor space is 996sqm, therefore, affordable / specialist housing will not be requested in this instance.

Design and External appearance of the development

- 11.10 Policy GN3 in the WLLP requires new development to be of high quality design and have regard to visual amenity and complement its surroundings through sensitive design, including appropriate siting, orientation and scale.
- 11.11 The Council's SPD Design Guide states that new development should be of a scale, mass and built form, which responds to the characteristics of the site and its surroundings. Care should be taken to ensure that buildings do not disrupt the visual amenities of the streetscene because of their height, scale or roofline.
- 11.12 There is no consistent style of property within the area, there are residential apartments and detached dwellings to the north, bungalows to the east and two storey properties to the south. The proposal includes three separate house types, all two-storey detached and of a relatively traditional style. Given the mix of house types within the area and that the building line and height of the dwellings are consistent with existing development in the locality, I consider that the design and external appearance of the development is acceptable and would blend in with the character of the existing street scene.
- 11.13 The layout adopts a cul-de-sac type formation, with new access road off Long Lane and 4 no. dwellings to either side. However, the cul-de-sac is not laid out in a traditional form were the dwellings face inwards. Instead, the 4 units to the west of the road will face inwards; but the other 4 units will face onto Aughton Park Drive. Given that this is similar to the layout of the adjacent residential development (2014/1052/FUL), I am satisfied that this arrangement is acceptable.
- 11.14 In terms of private amenity space, all plots have satisfactory rear garden areas and additional amenity space to the front. A landscaped area has also been provided to the south of the site, adjacent to the side of the dwellings facing Long Lane and within the "pocket park". In my view this would positively enhance the street scene and soften the boundaries of the site.

Impact upon neighbouring properties

- 11.15 Policy GN3 of the West Lancashire Local Plan states that development should "retain or create reasonable levels of privacy, amenity and sufficient garden / outdoor spaces for occupiers of the neighbouring and proposed properties".
- 11.16 I note concerns from a local resident and Aughton Parish Council in relation to overlooking and loss of privacy to existing occupiers of neighbouring properties.
- 11.17 To the north of the site is a residential development of seven detached dwellings that were granted planning permission under application 2014/1052/FUL. No. 1 Aughton Park Drive and no. 1 Mount Carmel Gardens are adjacent to the site boundaries. I consider that the positioning and scale of the proposed dwellings, which run parallel to the existing dwellings to the north is such that it will not

result a detrimental impact upon the occupants of these neighbouring properties. It has been indicated that first floor windows to the side of Type A and B dwelling will comprise of obscure glazing, this will prevent any potential overlooking or loss of privacy to adjacent properties (this will be subject to a planning condition).

- 11.18 To the east of the site lie nos. 1, 12, 14 and 15 Carmel Close which are bungalow style dwellings. The Councils Design Guide recommends that the minimum distance between buildings, facing back to back is 21m.
- 11.19 As no. 1 and no.12 Carmel Close are at an offset position to the development, I do not consider that the proposals would result in significant overlooking or loss of privacy to the occupants of these properties. The rear garden area of No. 14 and no.15 Carmel Close are to the direct east of the site. The proposed development would be at a distance of approx. 17m from the rear boundary and approx. 24m from the rear windows of no.14 and no.15 Carmel Close. There is also a road (Aughton Park Drive) separating these properties. Taking into consideration that the recommended interface distances have been exceeded together with the site conditions I do not consider that the proposed development would result in such a detrimental impact upon the occupants of these neighbouring properties to warrant refusal of the planning application.
- 11.20 To the south of the site are properties located on Long Lane. House Type A is approx. 18m from no. 76-78 Long Lane. The windows to the south side of House Type A comprises of obscure glazing. This interface distance exceeds the recommendation of the Councils Design Guide which recommends a 12m distance between main elevations and those that do not contain primary windows. Taking this into consideration, I am satisfied that the development would not detrimentally impact upon the occupants of these properties situated on Long Lane.
- 11.21 House Type C is approx. 25m from no. 84 Long Lane. House Type C does have a bedroom window at first floor level (southern elevation). However, the separation distance exceeds the recommendations of the Design Guide and the development is on the other side of the highway, therefore I do not foresee a significant impact upon the occupants of no.84 Long Lane as a result of the development.
- 11.22 Policy GN3 of the WLLP also seeks to create reasonable levels of amenity to proposed properties. To the rear of the site is a railway line and train station (Aughton Park Station) which runs from Ormskirk to Liverpool. Due to the proximity of the proposed properties there is likely to be noise and vibration associated with trains passing. There is no noise assessment accompanying the application and the only noise mitigation proposed appears to be an acoustic fence to the garden boundaries of 'type A' housing which will provide some protection to garden areas but not to habitable rooms particularly bedrooms above ground floor level. Therefore as part of a planning condition on any

approval, a noise and vibration survey (together with protection / mitigation measures) will be requested.

Highways

- 11.23 House Type B and C (four dwellings) will be accessed via Aughton Park Drive. A new access road will be created from Long Lane which will enable access to House Type A (four dwellings). Parking will be provided by means of an integral garage space and driveway space.
- 11.24 Since the first submission of the planning application amendments to the highway layout have been made in response to initial concerns raised by the Highway Authority.
- 11.25 The Highway Authority have confirmed that the highway arrangement shown on Drawing LO3 Rev B is now acceptable on the basis that the new access will remain a private road and not adopted as a public highway. The only design comment that the Highway Engineer has made is in relation to the access to Long Lane. The Highway Authority would expect a rumble strip to be at the junction radii tangent point and the footways should only extend to 2m past the rumble strip. The detailed junction design will form part of the section 278 agreement and will be subject to a planning condition. Therefore the requirements of the HA will be met.
- 11.26 Concerns have been raised from a resident of Carmel Close in relation to increase in traffic, noise and parking problems. It is worth noting that there is an extant planning permission on this site for A1 and D1 use with associated car parking and service areas (2015/0274/FUL). The development of the site for residential use would in my opinion result in a significant decrease of vehicular movements to the site in comparison. Satisfactory parking space has been provided at each plot and meets with the parking standards listed within Policy IF2.

Arboricultural considerations

- 11.27 Policy EN2 'Preserving and Enhancing West Lancashire's Natural Environment' of the West Lancashire Local Plan states that development involving the loss of, or damage to, woodlands or trees of significant amenity, screening, wildlife or historical value will only be permitted where the development is required to meet a need that could not be met elsewhere and where the benefits of the development clearly outweigh the loss or damage.
- 11.28 An Arboricultural Impact Assessment has been submitted with the planning application dated January 2015. The site is surrounded by a conifer hedge which would be removed to facilitate the development proposals. The Council's Arboricultural Officer has considered the details submitted and does not have any

objections to the removal of the hedge and considers that the landscaping proposals are appropriate.

Ecological considerations

- 11.29 Policy EN2 of the West Lancashire Local Plan (2012-2027) seeks to protect biodiversity by resisting development, which would destroy or adversely affect important wildlife habitats.
- 11.30 An Extended Phase 1 Ecological Assessment (January 2015) has been submitted with the planning application. The survey concludes that there were no records of protected species on the site and advises that no further surveys are required.
- 11.31 The survey recommends that as the hedge within the site provide a suitable foraging and nesting habitat for breeding birds, that works to the hedge should be avoided during the bird breeding season. This will be subject to a planning condition on any approval, together with the recommended habitat improvements listed in paragraph 5.4 of the submitted assessment.

Drainage

- 11.32 A Drainage Statement and layout has been provided (March 2017) and (01/09/2017) with the planning application. The details submitted indicate surface water will be disposed of via a combined drain from Long Lane and a surface water sewer on Aughton Park Drive. In terms of foul sewage it is proposed to discharge from the four properties on Aughton Park Drive (House Type B and C) to the combined United Utilities manhole with the drainage from the other four properties (House Type A) (accessed via Long Lane) will utilise the combined sewer on Long Lane.
- 11.33 Although the Council's Drainage Engineer is satisfied with how foul and surface water will be disposed of, referring to the supporting drainage statement he raises concerns in relation to the allowance that should be used in the surface water drainage calculations. The submitted report allows for 10% for climate change which should be 30%, and an allowance for urban creep of 10% should also be made. A planning condition will therefore be attached to any planning approval in relation to the submission of a formal surface water drainage strategy.

12.0 RECOMMENDATION

- 12.1 That planning permission be GRANTED subject to the following conditions:

Conditions

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

2. The development hereby approved shall be carried out in accordance with details shown on the following plans:-
Plan reference 'Proposed Block Plan (LO5 Rev A)'; 'Proposed Landscape Plan (LO4 Rev B)'; 'Proposed Site Plan (LO3 Rev B)' and SCP/17350/ATR02 received by the Local Planning Authority on 31/08/2017.
Plan reference Street Elevations (G14 Rev A) received by the Local Planning Authority on 05/07/2017.
Plan reference House A elevations (G04 RevA); House A Ground Floor Plan (G01 Rev A); House A First Floor Plan (G02 Rev A) and House A Roof Plan (G03 Rev A) received by the Local Planning Authority on 05/07/2017.
Plan reference House B Elevations (G08 Rev A); House B Ground Floor Plan (G05 Rev A); House B First Floor Plan (G06 Rev A) and House B Roof Plan (G07 Rev A) received by the Local Planning Authority on 05/07/2017.
Plan reference House C Elevations (G12 Rev A); House C Ground Floor Plan (G09 Rev A); House C First Floor Plan (G10 Rev A) and House C Roof Plan (G11 Rev A) received by the Local Planning Authority on 05/07/2017.
Plan reference 'Proposed Drainage Layout' (D01-P1) received by the Local Planning Authority on 05/09/2017.
3. No development above slab level shall take place until full details and samples of the external materials to be used for the construction of the dwellings have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any subsequent Orders or statutory provision re-enacting the provisions of these Orders, the garages shall be maintained as such and shall not be converted to or used for living accommodation without the prior written approval of the Local Planning Authority.
5. No development shall take place until details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority.
6. Within 9 months from the date when any part of the development hereby approved is first brought into use the approved landscaping scheme shall be carried out (L04 Rev B received by the Local Planning Authority on 31/08/2017). All trees and shrubs planted 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 dead or dying material shall be replaced for a period of seven years from the agreed date of planting.
7. Any proposed hardstanding on the site shall be made of a porous materials or provision shall be made to direct run off water from the hard surface to a permeable or porous area or surface within the site boundaries.
8. No development shall take place during the bird-breeding and nesting season (March to August) unless evidence has been submitted to and agreed by the Local Planning Authority that there are no nesting birds on the site. If nesting birds are identified on the site during this time no development shall take place

- until details of proposed working practices have been submitted to and agreed in writing with the Local Planning Authority; thereafter the construction phases of the development shall take place in accordance with the agreed scheme.
9. The recommendations for habitat improvements contained within paragraph 5.4 of the Extended Phase 1 Ecological Assessment received by the Local Planning Authority on 05/07/2017 shall be implemented in full throughout the duration of the development.
 10. Prior to the first occupation of the dwellings, each dwelling shall be provided with an electric vehicle charging point which shall be retained for that purpose thereafter.
 11. Prior to the occupation of the dwellings, the first floor window(s) on the side elevations of House Type A and B below a height of 1.7m above the floor of the room in which the window is installed, shall be fitted with obscure glazing (Pilkington level 3 or equivalent) and shall be non-opening and shall remain so fitted at all times thereafter for the duration of the development.
 12. No development shall commence until a scheme for protecting the proposed residential accommodation from noise and vibration has been submitted to and approved by the Local Planning Authority; the scheme should include acoustic glazing of habitable room windows together with acoustic ventilation, and all works which form part of the scheme shall be completed before any of the permitted residential accommodation is occupied, and retained thereafter.
 13. No development shall take place until a scheme for the future management and maintenance of the landscaped area 'Pocket Park' to the south of site (as shown on drawing no. L03 Rev B received by the Local Planning Authority on 31/08/2017) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the "pocket park" shall be maintained and managed in accordance with the approved schemes.
 14. No part of the development shall be occupied until all the highway works within the adopted highway have been constructed in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority as part of an appropriate legal agreement, under the Highways Act 1980.
 15. The new estate road for the approved development shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level up to the entrance of the site compound before any development takes place within the site and shall be further extended before any development commences fronting the new access road.
 16. Prior to the commencement site of clearance and for the full period of construction, facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.
 17. The proposed car parking spaces shall be provided in accordance with the approved plan prior to the occupation of the associated dwelling house.

Reasons

1. Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and to ensure compliance with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
3. To ensure that the external appearance of the building(s) is satisfactory and that the development therefore complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
4. To allow for the effective use of parking areas and to ensure that the development complies with the provisions of Policies GN3 & IF2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
5. To ensure that the site is properly drained in the interest of local amenity and that the development, therefore, complies with the provisions of Policies GN3 & IF3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
6. To assimilate the proposed development into its surroundings and to ensure that the development complies with the provisions of Policy EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
7. To ensure that the site is properly drained in the interest of local amenity and that the development, therefore, complies with the provisions of Policies GN3 & IF3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
8. To ensure that the proposed development has no detrimental impact upon protected species or their habitats and is in accordance with Policy EN2 of the West Lancashire Local Plan.
9. To ensure that the proposed development has no detrimental impact upon protected species or their habitats and is in accordance with Policy EN2 of the West Lancashire Local Plan.
10. To ensure that the development complies with the provisions of Policy IF2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
11. To protect the privacy of adjacent residential properties and so comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
12. To protect the amenity of the occupiers of the proposed residential properties and so comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
13. The character and location of the site is such that the Local Planning Authority wish to exercise maximum control over future development in order to comply with the provisions of Policy EN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
14. In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway works are acceptable.
15. To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.

16. To safeguard the safety and interests of the users of the highway 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.
17. To allow for the effective use of parking areas and to ensure that the development complies with the provisions of Policies GN3 & IF2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

Notes

1. The applicant is advised that the new site access, will need to be constructed under an appropriate legal agreement of the 1980 Highways Act. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant is advised to contact the Lancashire Highways by e-mailing highways@lancashire.gov.uk.
2. The alterations to the existing highway as part of the new works may require changes to the existing street lighting at the expense of the client/developer.
3. This consent does not give approval to a connection being made to the County Council's highway drainage system.
4. The developer is to submit directly to Network Rail, a Risk Assessment and Method Statement (RAMS) for all works to be undertaken within 10m of the operational railway under Construction (Design and Management) Regulations, and this is in addition to any planning consent. Network Rail would need to be reassured the works on site follow safe methods of working and have also taken into consideration any potential impact on Network Rail land and the existing operational railway infrastructure. Review and agreement of the RAMS will be undertaken between Network Rail and the applicant/developer. The applicant/developer should submit the RAMs directly to: AssetProtectionLNWNorth@networkrail.co.uk

Reason for Approval

1. The Local Planning Authority has considered the proposed development in the context of the Development Plan including, in particular, the following Policies in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document:
GN1 Settlement boundaries
GN3 Criteria for sustainable development
RS1 Residential Development
IF2 Enhancing Sustainable Transport Choice
EN1 Low Carbon Development and Energy Infrastructure
EN3 Provision of Green Infrastructure and Open Recreation Space
EN2 Preserving and Enhancing West Lancashire's Natural Environment
together with Supplementary Planning Guidance and all relevant material considerations. The Local Planning Authority considers that the proposal complies with the relevant Policy criteria and is acceptable in the context of all

relevant material considerations as set out in the Officer's Report. This report can be viewed or a copy provided on request to the Local Planning Authority.

No.2 APPLICATION NO.	2017/0431/ARM
LOCATION	Yew Tree Farm Liverpool Road South Burscough Lancashire L40 7RE
PROPOSAL	Approval of Reserved Matters for 146 dwellings with associated car parking and landscaping for phases 1a & 1b (denoted as 1 & 1a on the Outline approved master plan). The reserved matters for which consent is sought on these two phases are appearance & scale, layout and landscaping. Discharge of Condition No. 27 (foul and surface water drainage strategy) and Condition No. 35 (updated noise assessment) of planning permission 2015/0171/OUT.
APPLICANT	Redrow Homes Lancashire & Crompton Property Developments Ltd
WARD	Burscough West
PARISH	Burscough
TARGET DATE	17th August 2017

1.0 SUMMARY

- 1.1 This is a reserved matters application for the first phase of development at the Yew Tree Farm site. The proposed layout, design and landscaping is considered to be acceptable. The development will not have a detrimental impact on highway safety and adequate parking has been provided. Satisfactory interface distances have been achieved in order to protect neighbouring residential amenity. Although no affordable housing has been provided on the site, this has been thoroughly examined through viability testing and found to be acceptable due to the significant amount of "up front" costs associated with this initial phase of development. In my view the proposal complies with the relevant policies of the Local Plan and the Yew Tree Farm Masterplan.

2.0 RECOMMENDATION: APPROVE with conditions

3.0 THE SITE

- 3.1 The site comprises of the first two phases (Phase 1a and 1b) of the wider strategic development site of Yew Tree Farm, previously granted outline planning permission for a mixed-use development (2015/0171/OUT) and within the settlement boundary of Burscough. The site itself includes an area of approximately 6.7 hectares. It is an irregular rectangular shaped area of agricultural land that gently slopes down from south to north. Higgins Lane runs along the northern boundary and Liverpool Road South along the eastern

boundary with residential properties beyond to the north and east. To the south and west are open agricultural fields; however, these form part of the overall strategic development site of Yew Tree Farm, part of which benefits from outline planning permission for residential use. Therefore, the site will in time, be surrounded by residential development on all sides.

4.0 THE PROPOSAL

- 4.1 This is a reserved matters application for the erection of 146 dwellings. The application includes details of site layout, scale, appearance and landscaping. The site is separated into two parts (Phase 1a and 1b) by an existing watercourse, which will be retained and enhanced to incorporate areas of public open space and footpath/cycle links from the site to Higgins Lane. The main signalised access to the wider site will be created off Liverpool Road South in accordance with the access details approved at outline stage. This access incorporates toucan pedestrian crossings on all arms of the junction (including Lordsgate Lane) and right-turn lanes into Higgins Lane and the site. The main site access indicates a 7.3m wide spine road will be constructed to serve this first phase but which will eventually run through the strategic development site and connect to Tollgate Road. A second vehicular access point into the site will be formed off Higgins Lane, opposite Hesketh Road. The principle of both these access points has been approved under the outline permission for the site.
- 4.2 The proposal includes a mix of 2, 3 and 4 bedroomed properties, incorporating 8 apartments, terraced, semi-detached and detached dwellings. All the properties are two-storey and incorporate private parking areas. Three detached properties face towards Liverpool Road South and 17 properties are accessed directly off Higgins Lane.
- 4.3 A large storm water basin is proposed to the south of the main access spine road and a long swale is also proposed along the Higgins Road boundary behind the existing hedgerow.

5.0 PREVIOUS RELEVANT DECISIONS

- 5.1 2015/0171/OUT - Demolition of the existing buildings, and 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. APPROVED SUBJECT TO A S106 AGREEMENT (20.03.2017).

- 5.2 2014/1054/SCO - Scoping Opinion - Residential-led mixed-use development - Development IS EIA development (25.11.2014)
- 5.3 2006/0808 - Refurbishment and conversion of disused farmhouse to residential use and erection of detached double garage – GRANTED (05.09.2006)
- 5.4 2005/1499 - Conversion of barns into four dwellings and reinstatement of farmhouse. Erection of detached four car garage block and detached double garage – REFUSED (28.09.2016) and APPEAL DISMISSED
- 5.5 1997/0818 - Conversion of barns into three dwellings including single storey extensions – GRANTED (09.02.998)

6.0 CONSULTEE RESPONSES

- 6.1 LANCASHIRE CONSTABULARY (24.05.2017) – Recommend security measures.
- 6.2 ENVIRONMENT AGENCY (07.06.2017) – No objection.
- 6.3 LCC LEAD LOCAL FLOOD AUTHORITY (12.06.2017) – No objection subject to the requirements of drainage conditions imposed on the outline planning permission.
- 6.4 LCC HIGHWAYS (24.08.2017 and 13.06.2017) – No objections.
- 6.5 NATURAL ENGLAND (19.06.2017) – No objection subject to satisfactory Habitats Regulations Assessment.
- 6.6 MERSEYSIDE ENVIRONMENTAL ADVISORY SERVICE (23.06.2017) – Conclusions of the Habitats Regulations Assessment for the outline planning application remain valid for this RM application. The RM application does not seek to discharge any of the ecological conditions but these will be required to be discharged prior to development commencing. Landscaping plans require amending (now done). Drainage strategy acceptable from an ecological perspective.
- 6.7 UNITED UTILITIES (18.08.2017) (20.09.2017) –No further comments to make with regard to the drainage. Previously commented in detail at the outline stage and recommended a number of drainage condition.

7.0 OTHER REPRESENTATIONS

- 7.1 Burscough Parish Council raise the following concerns:

Proposed introduction of parking restrictions on A59 would leave Lordsgate School without adequate dropping off and picking up facilities;
Access onto Higgins Lane is located contrary to the Masterplan and will increase traffic through Truscott Estate;
Combined pedestrian/cycle routes contradict Highway Code and a separate cycle route should be incorporated;
The pathway that joins Higgins Lane is not suitable to be used as part of the linear park, if that is what is intended;
Parking for proposed houses directly off Higgins Lane is a danger, particularly as this route is already used by speeding vehicles and traffic calming has had to be introduced;
Increased on-street parking on Higgins Lane will cause obstructions opposite existing houses and potential for buses/emergency vehicles will be restricted;
Construction of junction/road works will inconvenience residents and mitigation should be put in place;
Full quota of 35% affordable housing should be delivered;
Plans are misleading and there should no shared surfaces as they are a danger to certain members of the public;
Shortage of sewer network capacity and surface water flooding in the area and the development will exacerbate this situation;
Groundwater flooding problem needs investigating before construction;
Proposed swales and storm pond are not fenced and are a danger to children;
Premature to provide details for swales etc. when drainage for the site has not been approved – consideration of the drainage system may necessitate significant changes to layout;
Object to any discharge to the sewer on the A59 before the surface water has been reduced – mitigation should be completed before any houses are occupied;
Maintenance plans need to be in place and operational while the site is under development and not wait until completed;
The bus shelter will be removed and nobody has asked the Parish Council about this which is in ownership of the PC;
No evidence of a decentralised energy system as per Masterplan;
Too small an area of POS and it includes a ditch so no safe area for children to play;
Drainage reports not up-to-date;
Lack of a through route when the Masterplan promised the site would not be developed in piecemeal fashion with no certainty that the road network will ever be completed;
The through road is required to enable a potential future bus service provision and without such, the development does not meet the sustainability figures in the Masterplan and without a bus service there is no viable travel plan;
Traffic and drainage calculations are out of date and should be reviewed;
Burscough PC supports the comments of the Burscough Flood Group.

7.2 Burscough Flood Group raise the following concerns:

The submitted drainage report, together with reports relied upon are now out of date and new issues raised by the BFG should now be considered;
Surface water may not leave the SUDs system due to the existing capacity issues;
Question raised whether or not the SUDs system has a large enough capacity to deal with prolonged periods of rainfall;
Rising water levels recorded;
WLBC report undertaken in 2010 by Entec UK Ltd not used in assessing the YTF development;
West Lancashire should designate Burscough a Critical Drainage Area.

- 7.3 Nine individual letters of objection have been received to the proposal from neighbouring residents who raise the following concerns:

More surface water should be taken out of the existing system other than at Lordsgate Lane;
Feeding more water through this estate will be adding to the amount of water in the culvert, a system that is already prone to flooding;
At what point will UU upgrade their infrastructure;
Increased traffic in the Truscott Estate;
Maintenance of drainage swale etc. on site is crucial;
Increased traffic, parking and congestion along Higgins Lane;
Terraced style housing not in keeping with existing semi-detached housing along Higgins Lane;
Attenuation ponds a danger to children;
Drainage in Higgins Lane already floods;
Object to bus stop re-located outside my house;
Loss of privacy;
Detrimental impact on overloaded infrastructure in Burscough;
Insufficient turning circle will be left for the existing and proposed houses on Higgins Lane leading to highway safety issue;
Higgins Lane should be widened or the Ledbury houses changed to be the same layout as the Alton backing onto Higgins Lane with their own access road.

8.0 SUPPORTING INFORMATION

- 8.1 The application is supported by the following information:
Design and Access Statement
Noise Assessment
Viability Assessment
Drainage Strategy

9.0 RELEVANT PLANNING POLICIES

- 9.1 The National Planning Policy Framework (NPPF) and the West Lancashire Local Plan (2012-2027) (WLLP) provide the policy framework against which the

development will be assessed. The site is also subject of a Supplementary Planning Document: Yew Tree Farm Masterplan (February 2015) which aims to guide applicants in their proposals for development on the site.

- 9.2 The site is allocated as SP3 – Yew Tree Farm, Burscough – A Strategic Development Site. The site is also within a Mineral Safeguarding Area.

Relevant West Lancashire Local Plan (2012-2027) DPD policies:

SP1 – A Sustainable Development Framework for West Lancashire

SP3 – Strategic Development Site: Yew Tree Farm

GN1 – Settlement Boundaries

GN3 – Criteria for Sustainable Development

RS1 – Residential Development

RS2 – Affordable and Specialist Housing

EC1 – The Economy and Employment Land

IF1 – Maintaining Vibrant Town and Local Centres

IF2 – Enhancing Sustainable Transport Choice

IF3 – Service Accessibility and Infrastructure for Growth

IF4 – Developer Contributions

EN1 – Low Carbon Development and Energy Infrastructure

EN2 – Preserving and Enhancing West Lancashire’s Natural Environment

EN3 – Provision of Green Infrastructure and Open Recreation Space

EN4 - Preserving and Enhancing West Lancashire’s Built Environment

- 9.3 Additionally the following supplementary planning documents are relevant:

SPD – Yew Tree Farm Masterplan (Feb 2015)

SPD - Open Space (July 2014).

SPD – Design Guide (Jan 2008)

10.0 OBSERVATIONS OF DIRECTOR OF DEVELOPMENT AND REGENERATION

Background

- 10.1 Outline planning permission, with all matters reserved except access, was granted for a mixed use development on the site (comprising up to 580 dwellings, care accommodation, a local retail centre, community uses, 4.6 hectares of employment development, the provision of open space and associated recreation facilities including a linear park) on 20th March 2017 (Ref: 2015/0171/OUT). The outline permission includes 36 conditions and a S106 Agreement.
- 10.2 No conditions have yet been discharged on the outline application; however, this Reserved Matters application seeks to include details of the scale, appearance, layout and landscaping for the first phase of development on the wider site as well as two conditions (namely Condition 27 – updated foul and surface water drainage strategy; and Condition 35 – updated noise assessment).

Principle of Development

- 10.3 The principle of a residential development on the site has already been established through the approval of outline permission under planning reference 2015/1071/OUT. Although the outline permission was for a mixed use development, the approval of the proposed residential development does not prejudice the delivery of a mixed use scheme on the remainder of the site covered by the outline permission nor the adopted Supplementary Planning Document: Yew Tree Farm Masterplan. There have been no significant policy changes in the interim which may have affected this decision, therefore I am satisfied that the principle of development remains compliant with the aims and objectives of the NPPF and Policies RS1 and SP3 of the Local Plan.

Affordable and Specialist Housing for the Elderly

- 10.4 Policy RS2 and the Masterplan require that up to 35% of the units on the site must be affordable. Furthermore, both Policy RS1 and Policy RS2 along with the Masterplan require that at least 20% of the total number of residential units on the site should be designed specifically to accommodate the elderly. The outline planning permission included a S106 Agreement that incorporated the above provisions, subject to viability.
- 10.5 In terms of affordable housing, none is proposed on this first phase of development as the applicant claims the development is not viable if required to provide affordable housing. In view of this deficiency, I sought an independent assessment of the applicant's viability appraisal by Keppie Massey. Following a thorough examination of costs and revenues, Keppie Massey are satisfied that the applicant's viability assessment is reasonable. They have confirmed that due to the large amount of "up front" costs associated with bringing this strategic site forward (such as the signalised site access off Liverpool Road South, signalisation of the Square Lane junction, initial drainage infrastructure, re-location of a water main and creation of the initial stretch of spine road) the development is not viable if affordable housing were to be provided on the site. It is important to note however, that future phases of development on the Yew Tree Farm site would not bear the same costs associated with the initial servicing of the site, (in particular the significant off-site highway works) and it will therefore be expected that subsequent residential phases provide the requisite amount of affordable housing.
- 10.6 In terms of specialist housing for the elderly and lifetime homes compliance four of the ground floor apartments would be suitable. Whilst the houses across the site will not be constructed for use by the elderly without adaptation, they will be constructed to meet current Building Regulations and will be capable of adaptation if necessary. The Housing White Paper (February 2017) indicates that it will be necessary for developments to meet the needs of accommodation

for the elderly. Whilst, it is not specific how this is to be achieved it has been indicated that compliance with Part M of the Building Regulations would meet the test. This development meets those requirements. I am satisfied that the proposed development complies with Policies RS1 and RS2 in this respect.

Siting, Layout and Design

- 10.7 The layout of the development is such that a main spine road runs along the southern side of the site which will serve the whole of the wider site in future. Some houses front this spine road and some smaller cul-de-sacs lead off it. A secondary access into the site will be off Higgins Lane. 17 smaller properties front Higgins Lane and are served directly off it. The residential units would be two storey in height and there is a mix of detached, semi-detached and terraced properties, along with two blocks of two-storey 2-bed apartments, which would be appropriate and in keeping with the surrounding area. The layout has been designed to ensure that there would be three dwellings fronting onto Liverpool Road South behind a landscaped entrance area. This ensures an active frontage onto Liverpool Road South whilst providing an attractive entrance feature. There would be a swale running parallel with Higgins Lane and an area between Phase 1a and 1b incorporating an existing watercourse. Houses close to the swale and landscaped area around the watercourse would either face directly onto the swale, or have windows in their gable elevation that face the swale and landscaped areas. This would ensure that there is passive surveillance to these areas.
- 10.8 The density of the development equates to approximately 22 dwellings per hectare which is low; however this includes large areas of the site used for landscaping and swales. The dwellings in the main benefit from front gardens, with some properties having off road parking to the side of the houses, ensuring that there would not be an over-dominance of hardstanding to the frontage of houses. Generally there is a good mix of dwellings and adequate interface distances and garden lengths have been provided which ensures acceptable privacy and amenity space standards are compliant with the Council's SPD Design Guide. The proposed layout offers a legible scheme with clear routes for vehicle and pedestrian movement throughout.
- 10.9 The dwellings themselves would be constructed from brick and render which reflects the character of the local area. There are a variety of styles of house types along Liverpool Road South and the design of the dwellings would not be out of character with these properties. Higgins Lane is characterised on the northern side by brick two-storey semi-detached houses from Peters Avenue to Truscott Road and beyond that by blocks of 4 or 6 terraced properties and as such those blocks of 4 terraced properties proposed along the southern side of Higgins Lane would be acceptable. Concerns have been expressed about the design and layout of some of the proposed dwellings. Whilst I acknowledge concerns about the uniformity of the design and the use of standard house-types,

overall I am satisfied that the resulting layout is acceptable and would not appear incongruous within its surroundings or detrimentally affect the Higgins Lane or Liverpool Road South street scenes. The proposal is therefore in accordance with Policy GN3 of the WLLP.

Impact on Residential Amenity

- 10.10 In terms of the relationships between the proposed dwellings, I am satisfied that the proposed layout, in general, accommodates the required interface distances. Where this is not the case, I am satisfied that the resulting impact has been designed out by ensuring that the main outlook is focused away from the neighbouring property.
- 10.11 With regards amenity for existing residents, Higgins Lane lies to the immediate north; however, those proposed dwellings that face properties along Higgins Lane are 24m from main habitable windows, exceeding the Council's guidance advocated in the Design Guide. Existing dwellings along Liverpool Road South are separated from the development by either Liverpool Road South itself or a large attenuation basin and the spine road.
- 10.12 In terms of future occupier's amenity, condition 35 of the outline planning permission requires the submission of an updated noise assessment for each phase which would highlight any additional noise mitigation measures that may be necessary on the site. The assessment for this phase concludes that noise from Liverpool Road South and the Burscough Industrial Estate would be too distant to require any additional noise mitigation to any of the proposed dwellings over and above standard double glazing. As such this condition can be discharged as far as the proposed development on Phase 1 is concerned.
- 10.13 I am satisfied that the proposed development would satisfy the requirements of Policy GN3 in respect of neighbouring amenity.

Highways and Parking

- 10.14 The proposed main access point to the development from Liverpool Road South has already been approved in principle under the outline planning permission as has the impact of the development on highway capacity and safety, there has been no material change in circumstance since this time and LCC do not raise any highway capacity issues. All the requirements of the conditions imposed on the outline permission are still applicable relating to the design and provision of the accesses as well as the off-site highway improvements.
- 10.15 The secondary access point off Higgins Lane is indicated on the Yew Tree Farm Masterplan in the same position as that proposed and has been found to be acceptable to LCC. The design and width of the spine road has been agreed with LCC and includes a 3m wide joint pedestrian footway/cycleway at their request.

- 10.16 Concerns have been raised about the provision of parking spaces in front of proposed dwellings fronting Higgins Lane and the difficulty this will create in accessing existing driveways along Higgins Lane, together with the loss of on-street parking in this area. LCC highways were asked to examine the parking arrangement along this stretch of Higgins Lane and have concluded that the introduction of driveways in this location would not impact upon highway safety.
- 10.17 In terms of parking provision, all detached garages meet the recommended 6m x 3m internal dimensions. All two and three bedroomed properties have the stipulated parking provision of 2 spaces. Of the 4 bedroomed detached properties, all those with detached garages meet the stipulated provision of 3 spaces as do those with single integral garages as the integral garages meet the required internal measurements. However 22no. 4 bedroomed detached dwellings include integral double garages that do not meet the required internal measurements however these properties have the capacity to park one car in the garage and 2 cars on the driveway, therefore meeting the Local Plan requirement to provide 3 spaces.
- 10.18 I am satisfied that vehicles could manoeuvre safely within the site and access and egress would not cause adverse harm to highway safety or the free flow of traffic in the local area. Moreover, I am also satisfied that adequate parking provision has been made within the site. On this basis I consider that the proposed development is compliant with Policies GN3 and IF2 in the Local Plan.

Trees and Biodiversity

- 10.19 A detailed landscaping scheme has been submitted which includes the layout and planting of the areas of open space as well as incidental planting within the residential areas which will increase biodiversity and assimilate the development into its semi-rural surroundings. In addition, the majority of the existing hedgerow along Higgins Lane will be retained. I am satisfied that increased compensatory planting has been provided to mitigate for the loss of existing trees.
- 10.20 A Habitats Regulations Assessment was undertaken in relation to the outline application and MEAS have advised that the conclusions of the Habitats Regulations Assessment remain valid for this Reserved Matters application. This application does not seek to discharge any of the ecological conditions attached to the outline permission which must be adhered to before any work can commence on this site. Subject to the discharge of these conditions, I am satisfied that the proposed development is compliant with Policy EN2 of the Local Plan.

Surface Water, Drainage and Flood Risk

- 10.21 In terms of drainage, there are two main issues on this site. Firstly, it is known

that there are surface water flooding issues in the Burscough area and secondly, the foul water system is at capacity. At the time the outline planning application was considered, the statutory bodies assessing the impact of the proposed development on the above matters (United Utilities (UU), Environment Agency (EA) and LCC Lead Local Food Authority)) did not raise any objections to the proposal. Stringent conditions were imposed on the outline planning permission requiring details of the surface water management scheme and compliance with the submitted Flood Risk Assessment. Full details of drainage have not been applied for under this Reserved Matters application; however, such details are required to be agreed prior to commencement of development on the site and a discharge of condition application has been submitted with regards Condition 26 of the outline permission (requiring an updated foul and surface water strategy) which is currently under consideration. However, I am satisfied that the broad principles of the strategy submitted at outline stage can be accommodated within the layout of the proposed development.

- 10.22 Condition 27 of the outline planning permission requires an updated foul and surface water drainage strategy for each phase. This refers to an overall strategy rather than specific details for both foul and surface water that are required under Conditions 28, 29 and 30 of the outline permission. In this regard, the updated strategy is considered to be acceptable to both the Lead Local Flood Authority and United Utilities.

Public open space and Linear Park

- 10.23 Policy SP3 of the Local Plan along with the Masterplan requires the wider site to deliver a new town park and a Linear Park. The town park is proposed alongside Phase 4 of the wider site (to the west of this site). The linear park will run alongside the southern side of the proposed spine road. Along with the main town park, greenspaces were envisaged as part of the Masterplan and on this site, these are centred around the existing hedge along Higgins Lane, the swale alongside the hedge, around the large attenuation basin proposed to the south of the spine road and within the on-site informal area of public open space.
- 10.24 I consider the proposed development accords with the Masterplan in terms of the location of the relevant elements of the Linear Park and public open space. The proposal is therefore considered to comply with Policies SP3, EN3 and the Masterplan in this regard.

Financial Benefits

- 10.25 The scheme will deliver financial benefits in the form of New Homes Bonus which would equate to approximately £1,700,000 over six years. The development is also CIL liable and would require a CIL payment in the region of £1,643,000.

11.0 RECOMMENDATION

11.1 That planning permission be GRANTED subject to the following conditions and reasons:

Conditions

1. The development hereby approved shall be carried out in accordance with details shown on the following plans:-
Plan reference 4205-DSL-001 Rev F (Detailed site layout) received by the Local Planning Authority on 25th September 2017;
Plan reference 4205-DSL-002 Rev B (Phasing layout) received by the Local Planning Authority on 29th August 2017;
Plan reference 4205-DSL-004 Rev B (Detailed details layout) received by the Local Planning Authority on 29th August 2017;
Plan reference 4205-DSL-005 Rev B (Detailed site layout) received by the Local Planning Authority on 29th August 2017;
Plan reference 4205-DSL-007 Rev B (Land disposal layout) received by the Local Planning Authority on 29th August 2017;
Plan reference F-SD0900 (Post and Rail fencing) received by the Local Planning Authority on 21st April 2017;
Plan reference F-SD0906 Rev A (Screen fencing fencing) received by the Local Planning Authority on 21st April 2017;
Plan reference F-SD0922 (Typical railing panel and gate) received by the Local Planning Authority on 21st April 2017;
Plan reference F-SD0926 (Typical horizontal railing fence) received by the Local Planning Authority on 21st April 2017;
Plan reference CBO-0054-001 Rev E (Proposed Liverpool Road South Site Access) received by the Local Planning Authority on 21st April 2017;
House type plans:
The Warwick
The Amberley
The Stratford
The Oxford
The Cambridge
The Shaftesbury
The Canterbury
The Welwyn
The Harrogate
The Alton
The Ledbury
The Ledbury 3
all received by the Local Planning Authority on 21st April 2017.
2. Materials for the development hereby approved shall be implemented in accordance with the schedule contained within Plan Ref: 4205-DSL-003 Rev B (Materials Layout) received by the Local Planning Authority on 29th August 2017 unless otherwise agreed in writing with the Local Planning Authority.

3. Landscaping of the site shall be carried out in accordance with the details provided in Plans Ref: 5472.01 Rev A, 5472.02 Rev A, 5472.03 Rev A and 5472.04 Rev A received by the Local Planning Authority on 5th September 2017 unless otherwise agreed in writing by the Local Planning Authority.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any subsequent Orders or statutory provision re-enacting the provisions of these Orders, all garages on the site shall be maintained as such and shall not be converted to or used for living accommodation without the prior written approval of the Local Planning Authority.
5. Prior to the first occupation of any dwelling, that dwelling shall be provided with an external electric vehicle charging point which shall be retained for that purpose the duration of the development.
6. The development hereby approved shall be carried out in accordance with the Rutter Johnson Drainage Strategy for Phase 1 Residential Development dated April 2017 along with Plan Ref: 16069-D01 Rev B received by the Local Planning Authority on 24th April 2017 unless otherwise agreed in writing.

Reasons

1. For the avoidance of doubt and to ensure compliance with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
2. To ensure that the external appearance of the building(s) is satisfactory and that the development therefore complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
3. To assimilate the proposed development into its surroundings and to ensure that the development complies with the provisions of Policy EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
4. The character and location of the property are such that the Local Planning Authority wish to exercise maximum control over future development and to ensure there is sufficient parking for each dwelling in order to comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
5. In the interests of sustainable transport choice and to comply with Policy IF2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
6. To ensure that the site is properly drained in the interest of local amenity and that the development, therefore, complies with the provisions of Policies GN3 & IF3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

Notes

1. The proposed alterations to the existing highway as part of the new works may require changes to existing street lighting columns and telegraph poles on Higgins Lane and Liverpool Road South at the expense of the client/developer.

Reason for Approval

1. The Local Planning Authority has considered the proposed development in the context of the Development Plan including, in particular, the following Policy/Policies in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document:
 - SP1 - A Sustainable Development Framework for West Lancashire
 - SP3 - Strategic development Site: Yew Tree Farm
 - GN1 - Settlement Boundaries
 - GN3 - Criteria for Sustainable Development
 - RS1 - Residential Development
 - RS2 - Affordable and Specialist Housing
 - EC1 - The Economy and Employment Land
 - IF1 - Maintaining Vibrant Town and Local Centres
 - IF2 - Enhancing Sustainable Transport Choice
 - IF3 - Service Accessibility and Infrastructure for Growth
 - IF4 - Developer Contributions
 - EN1 - Low Carbon Development and Energy Infrastructure
 - EN2 - Preserving and Enhancing West Lancashire's Natural Environment
 - EN3 - Provision of Green Infrastructure and Open Recreation Space
 - EN4 - Preserving and Enhancing West Lancashire's Built Environmenttogether with Supplementary Planning Guidance and all relevant material considerations. The Local Planning Authority considers that the proposal complies with the relevant Policy criteria and is acceptable in the context of all relevant material considerations as set out in the Officer's Report. This report can be viewed or a copy provided on request to the Local Planning Authority.

No.3 APPLICATION NO.	2017/0627/WL3
LOCATION	Site Of Former Westec House Derby Street Ormskirk Lancashire
PROPOSAL	Approval of Reserved Matters for the erection of 19 houses and a block comprising 8 apartments with associated parking including details of access, appearance, landscaping, layout and scale.
APPLICANT	West Lancashire Borough Council
WARD	Derby
PARISH	Unparished - Ormskirk
TARGET DATE	2nd October 2017

1.0 SUMMARY

1.1 Outline planning permission for a residential development on this site was approved in October 2016. All matters were reserved and this application seeks approval of these reserved matters. The proposed scheme, which includes 19 dwellings and a two storey block containing 8 apartments, is considered to be acceptable and compliant with relevant policies of the Local Plan. I am satisfied that the proposed layout allows for suitable and safe access and the provision and retention of reasonable levels of amenity for the occupants of future and neighbouring properties. In addition suitable parking provision and amenity space has been provided for each unit, the landscaping scheme proposed is acceptable and a suitable drainage strategy has been provided. The development remains subject to the conditions imposed under the approved outline scheme.

2.0 RECOMMENDATION: Approve subject to a planning obligation and conditions.

3.0 THE SITE

3.1 The application site lies on the south side of Derby Street on the opposite side of the road from Bath Springs. It is accessed via Derby Street and bounded to the south and east by residential properties. Further residential properties are located to the west along with a car park.

3.2 The application site previously contained Westec House Council offices but following demolition now comprises areas of hardstanding, rubble and grass, along with one structure which comprises 7 garages which are to be demolished as part of this proposal. The boundaries are a mix of concrete, timber and palisade fencing along with hedgerows and trees. There is a change in levels

across the site from north to south. The site is currently in use for car parking, although this is a temporary arrangement.

4.0 THE PROPOSAL

- 4.1 This is a reserved matters application for the erection of 27 residential units comprising 19 dwellings and 8 apartments. The application includes details of access, site layout, scale, appearance and landscaping. One access point is proposed to serve the site and this would be retained off Derby Street.
- 4.2 The proposal includes a mix of 8 x 1 bedroomed apartments provided within one 2-storey block located to the rear of the site, 4 x 2 bedroomed terraced dwellings, 8 x 2 bedroomed semi-detached dwellings, 6 x 3 bedroomed semi-detached dwellings and 1 x 3 bedroomed detached dwelling. Of these, 8 apartments and 1 terraced dwelling would be provided as affordable housing (apartments provided as affordable rent and the dwelling provided as shared ownership). This amounts to approximately 33.5% of the total number of units provided.
- 4.3 The scale and design of the proposed units are relatively similar throughout; the proposed apartment block would be 2 stories in height with 4 units on each floor.

5.0 PREVIOUS RELEVANT DECISIONS

- 5.1 2015/0383/WL3 – APPROVED (14.10.2016) Outline application for residential development (all matters reserved).

6.0 CONSULTEE RESPONSES

- 6.1 LCC HIGHWAYS (19.07.2017) – No objections in principle to the proposals and is of the opinion that the proposed development should have a negligible impact on highway safety and highway capacity in the immediate vicinity of the site. From observations on site and the information provided on the applicant's plans the sight line requirements for the access road and all of the proposed driveways are fully achievable. The proposed site layout is acceptable in principle however the applicant has been requested to extend the footway on the east side of the access by 2 metres past the rumble strip or remove the rumble strip in order to accommodate pedestrians movements to and from the site. Conditions have been recommended.
- 6.2 ENVIRONMENT AGENCY (19.07.2017) – No additional comments to make further to our response to the outline application dated 11th May 2015.
- 6.3 DIRECTOR OF LEISURE and WELLBEING (Environmental Health) (03.08.2017) – No objection to the application in principle. One of the properties is within 10m of the road at Derby Street which is fairly busily trafficked and therefore noisy. I would advise that the rooms of the habitable windows of this property are

upgraded to a higher standard of sound insulation with acoustic trickle vents. I would prefer that the details of this are agreed prior to the application being determined, however this could be managed by a condition.

- 6.4 LEAD LOCAL FLOOD AUTHORITY (31.07.2017) – The LLFA were not consulted on the original application and therefore did not request conditions that are subject to this application.
- 6.5 LANCASHIRE FIRE AND RESCUE (05.07.17) - comments provided regarding fire safety measures.
- 6.6 LANCASHIRE CONSTABULARY (07.07.2017) – comments provided regarding crime reduction measures.
- 6.7 TECHNICAL SERVICES MANAGER (24.08.2017) – The proposal to dispose of the foul sewerage to the public sewer system is acceptable. With regard to the disposal of surface water, I am satisfied with the proposed drainage strategy/plan.

7.0 OTHER REPRESENTATIONS

- 7.1 Two representations have been received from neighbouring residents. One of these objects to the proposed development on the following grounds:

The removal of the current boundary hedge and trees between the development site and apartments of Scarisbrick House and Derby House; the mature trees provide a habitat for bird life as well as providing pleasant views. The loss of this landscaping would be detrimental to wildlife and the aesthetics of the area (photos are provided which can be viewed on the Council's website).

The other representation received offers support for the proposed development as it will enhance the whole area in general.

8.0 SUPPORTING INFORMATION

- 8.1 The application is supported by the following information:

Phase I&II Ground Investigation Report
Design and Access Statement
Bat Roost Assessment
Drainage Statement
Arboricultural Impact Assessment
Ecological Assessment

9.0 RELEVANT PLANNING POLICIES

9.1 The National Planning Policy Framework (NPPF) and the West Lancashire Local Plan (2012-2027) (WLLP) provide the policy framework against which the development will be assessed.

9.2 The site is located within the Key Service Centre of Ormskirk as designated in the West Lancashire Local Plan 2012-2027 DPD

9.3 Relevant West Lancashire Local Plan policies:

SP1 – A Sustainable Development Framework for West Lancashire

GN1 – Settlement Boundaries

GN3 – Design of Development

RS1 – Residential Development

RS2 – Affordable and Specialist Housing

IF2 – Enhancing Sustainable Transport Choice

IF3 – Service Accessibility and Infrastructure for Growth

EN1 – Low Carbon Development and Energy Infrastructure

EN2 – Preserving and Enhancing West Lancashire's Natural Environment

In addition the following supplementary documents are material considerations:

SPD – Design Guide (Jan 2008);

10.0 OBSERVATIONS OF DIRECTOR OF DEVELOPMENT AND REGENERATION

Principle of Development

10.1 The principle of a residential development on the site has already been established through the approval of outline permission under planning reference 2015/0383/WL3. There have been no significant policy changes in the interim which may have affected this decision, therefore I am satisfied that the principle of development remains compliant with the aims and objectives of the NPPF and Policy RS1 of the Local Plan.

Affordable and Specialist Housing for the Elderly

10.2 Provision of 35% affordable housing is required on sites of this scale under the terms of Policy RS2 of the Local Plan in this locality. In addition to this, Policies RS1 and RS2 also require that 20% of new residential units should be suitable for the elderly. Policy is flexible as to how this requirement should be met, and this provision can form part of the affordable housing provision. The outline planning permission included a S106 Agreement that incorporated the above provisions and a requirement that all affordable housing would be provided as Affordable Rent.

- 10.3 The applicant has proposed that 9 units would be provided as affordable housing. This amounts to approximately 33% of the total number of units proposed. Whilst this is slightly less than the required 35%, the inclusion of any more units would amount to a provision of affordable housing in excess of the Policy requirement which may have implications for the overall viability of the site. The applicant proposes a mix of Shared Ownership (1 x unit) and Affordable Rent (8 units). Whilst this does not accord with the terms of the original S106 Agreement, I am satisfied that this tenure mix is acceptable. The location of the proposed Affordable Housing units is considered to be acceptable; as they are located towards the rear of the site their delivery is likely to come towards the end of the construction phase. However, as required by the existing S106 Agreement a suitable timetable for delivery would be agreed.
- 10.4 In terms of specialist housing for the elderly, these would comprise of 6 of the proposed apartments (22% of the total number of units provided). These units would be designed to HAPPI principles. A lift is proposed within the proposed apartment block to aid access to the first floor. In addition the applicant has confirmed that all units would be compliant with Part M of the Building Regulations. The Housing White Paper (February 2017) indicates that it will be necessary for developments to meet the needs of accommodation for the elderly. Whilst, it is not specific how this is to be achieved it has been indicated that compliance with Part M of the Building Regulations would meet the test. This development meets those requirements. I am satisfied that the proposed development complies with Policies RS1 and RS2 in this respect.

Siting, Layout and Design

- 10.5 The site is relatively long and narrow and the proposed layout reflects this. However, despite the limitations of the site configuration, the dwellings have been provided in relatively spacious plots, with the exception of the row of four terraced houses to the rear of the site; these would however reflect the grain of development along Wigan Road. In terms of the level of amenity afforded to residents of the development, I am satisfied that the private rear gardens generally accord with the standards advised in the Council's Design Guide SPD. A communal garden is proposed for the apartment block and the size of the space provided is considered to be acceptable.
- 10.6 All of the buildings proposed would be two stories in height which reflects the scale of the development in the area and would be in keeping with the surroundings of the site. A suitable mix of dwelling types is proposed. The design of the proposed dwellings and apartment block is considered acceptable.
- 10.7 The proposed development would provide adequate interface distances between the dwellings.

- 10.8 The proposed layout offers a legible scheme with clear routes for vehicle and pedestrian movement throughout. Parking is generally provided to the side of each dwelling which is welcomed as it allows for some frontage landscaping to be provided. There are some communal parking areas proposed at the very rear of the site to serve the apartment blocks; given the location of this area I am satisfied this layout is acceptable.
- 10.9 The applicant has provided full details of boundary fencing around the periphery of the site and within the site itself. The details provided are considered to be acceptable. In addition a refuse storage area has been provided to serve the proposed apartments and its location, in siting/design terms, is considered acceptable.

Impact on Residential Amenity

- 10.10 The proposed dwellings close to the site frontage would share a rear site boundary with the apartments of Derby House and Scarisbrick House. Whilst existing landscaping along this boundary would be removed as part of this proposal (this will be discussed in more detail later), I remain satisfied that the required interface distances have been provided.
- 10.11 Similarly, I have considered the impact of the proposal on the amenities of existing neighbouring properties to the east and I am satisfied that suitable interface distances have been provided.
- 10.12 The proposed apartment block and row of four terraced houses would have a rear outlook towards neighbouring properties which front onto Wigan Road. It is noted that some of these neighbouring properties have two-storey outriggers with a mixture of clear and obscured glazed windows. In some cases the interface distances in this area are less than the 21m advised in the Council's SPD Design Guide. However the common boundary would be screened by proposed compensatory planting and given this is a densely populated area (close to the Town Centre), I am satisfied that the relationship between the proposed apartment block/ terraced properties and the neighbouring properties would not be uncommon in such an environment and would not be so harmful to the amenities of nearby residents to warrant a refusal of planning permission.
- 10.13 For the above reasons, I am satisfied that the proposed development would satisfy the requirements of Policy GN3 in respect of neighbouring amenity.

Highways and Parking

- 10.14 The existing access to the site would be retained off Derby Street and I am satisfied that this would provide a suitable and safe access to the proposed development. The existing access is well used and the proposed development is unlikely to generate significantly more vehicular movements than the existing use

of the site. Therefore I am satisfied that the proposed development is unlikely to adversely affect highway safety in the immediate vicinity of the site or the free flow of traffic in the locality.

- 10.15 In terms of parking provision, each of the semi-detached properties benefits from 2 parking spaces provided with side driveways. This level of parking accords with Policy IF2 of the Local Plan. The apartment block would be served by a communal parking area which provides approximately 9 spaces; this provision also accords with Policy IF2 of the Local Plan. The four terraced dwellings would have one parking space to the front of each property and have access to a further 3 communal spaces. Whilst this is slightly less than the required 2 spaces per dwelling, I am satisfied that local circumstances, that is the sustainable location of the site and its proximity to the Town Centre and public transport links, justifies a deviation of this policy requirement.
- 10.16 I am satisfied that vehicles can manoeuvre safely within the site and that adequate parking provision has been made within the site. On this basis the proposed development is considered to be compliant with Policies GN3 and IF2 in the Local Plan.

Trees and Biodiversity

- 10.17 The proposed development would result in the loss of all trees within the site. At present there is tree cover along part of the western boundary, along the southern boundary and along a small part of the eastern boundary. Whilst this cover undoubtedly contributes to the visual amenity of the surrounding area, the retention of the trees in a residential setting is not possible. If some or all of these trees were retained, they would cause significant overshadowing of some of the proposed private amenity spaces which would in turn result in likely pressure from future residents to reduce canopies/remove trees. Essentially the existing tree cover on site is not appropriate for a future residential setting.
- 10.18 A replacement landscaping scheme has been submitted and this provides for compensatory planting along part of the frontage of the site, along the rear part of the western boundary and the rear boundary. Further landscaping is proposed within the site in the form of front gardens and small hedge planting. This scheme, which includes details of species and a timetable for planting, is considered to be acceptable.
- 10.19 The applicant has provided an Ecological Assessment of the site and a Bat Roost Assessment of the block of garages which are to be demolished. Both of these have confirmed that the site/buildings have no ecological value of any significance. Some of the trees have been identified as having bird nesting potential and therefore it is considered necessary to attach a condition restricting the removal of trees through the bird nesting season (unless prior checks are carried out by a suitable qualified person). In addition other precautionary

measures have been recommended within the submitted survey reports which are considered appropriate and again, the implementation of these measures can be secured by way of a condition. The submitted report has highlighted the presence of an invasive species on site and recommends a management plan to prevent the spread of this species as a result of the proposed development. I am satisfied this can be secured by condition.

Drainage

- 10.20 The proposed drainage scheme would see foul water from the development connected to the public sewer system. This is considered acceptable.
- 10.21 Surface water from the proposed development would be disposed of via an existing surface water sewer which is located beneath the proposed access road. The applicant is proposing to achieve a 30% reduction in the existing run off rates through the use of oversized surface water pipes and control of the discharge rate via a hydrobrake.
- 10.22 The proposed drainage strategy is considered to be acceptable.

Planning Obligations

- 10.23 As discussed earlier, the outline permission for the redevelopment of this site is subject to a S106 Agreement requiring the provision of affordable housing and elderly accommodation. This agreement also made provision for the delivery of on-site Public Open Space. However this was only included as the number of units to be provided was unknown at the outline stage. As the proposal involves less than 40 dwellings, there is no requirement for any on-site Public Open Space to be provided. A Deed of Variation will be required to the section 106 Agreement to amend the tenure of the affordable housing units.

Financial benefits

- 10.24 The scheme will deliver financial benefits in the form of New Homes Bonus which would equate to approximately £170,908 over six years. The development is also CIL liable and would require a CIL payment in the region of £150,238 with the proposed shared ownership unit potentially eligible for social housing relief.

11.0 RECOMMENDATION

- 11.1 That planning permission be delegated to the Director of Development and Regeneration subject to a planning obligation (Deed of Variation) under S106 of the Town and Country Planning Act being entered into as set out above and subject to the following conditions.

Conditions

1. The development hereby approved shall be carried out in accordance with details shown on the following plans:-
Drawing nos. P01, P03 Rev A, P05, P11, P12, P14, P15, P16, P17, P18, P20, P22, P24, P25 Rev B, P26 Rev B, P27 Rev B, P28 Rev A, 11474_L01 Rev P01, 11474_L02 Rev P01, 11474_L03 Rev P01, 11474_L04 Rev P01, 11474_L05 Rev P01, 01 (Preliminary), 406 (Existing surface impermeable area), 407 (surface impermeable area plan), 410 (Hydrobrake manhole details), 401 (Drainage layout), 17C004/001 A (Topographical Survey) received by the Local Planning Authority on 14th June 2017
Drawing nos. P02 Rev B received by the Local Planning Authority on 25th September 2017
Drawing no. P06 received by the Local Planning Authority on 8th September 2017
2. For the full period of construction/demolition, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway.
3. The drainage scheme hereby approved shall be implemented in full and maintained as such at all times for the duration of the development.
4. No development above slab level shall take place until a scheme for protecting the proposed dwellings from noise from Derby Street has been submitted to and approved in writing by the Local Planning Authority; and all works which form part of the scheme shall be completed for each dwelling prior to the respective dwelling being occupied.
5. Within 9 months from the date when any part of the development hereby approved is first brought into use the approved landscaping scheme shall be carried out. All trees and shrubs planted 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 dead or dying material shall be replaced for a period of seven years from the agreed date of planting.
6. No development shall take place until a management plan for the control of identified invasive species (Montbretta and Cotoneaster) during the construction phase has been submitted to and approved in writing by the local planning authority. The agreed management plan shall be implemented and adhered to in full at all times.
7. The recommendations outlined in Section 6 of the submitted Ecological Assessment (Urban Green, May 2017) received by the local planning authority on 14th June 2017 shall be adhered to at all times during and after the construction of the development hereby approved.
8. Tree felling, vegetation clearance works, demolition, site preparation and development works that may affect nesting birds shall not be carried out between March and August (inclusive), unless the absence of nesting birds has been confirmed by further surveys or inspections and details of these are submitted to and approved in writing by the local planning authority.

9. The car parking spaces and manoeuvring areas hereby approved shall be marked out and available for use prior to the first occupation of the dwellings and permanently maintained thereafter.
10. Prior to the first occupation of the any of the dwellings hereby approved, details of the future management and maintenance of the area of open land to the site frontage shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the land shall be managed and maintained in accordance with the approved details

Reasons

1. For the avoidance of doubt and to ensure compliance with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
2. To prevent stones and mud being carried onto the public highway to the detriment of road safety.
3. To ensure that the site is properly drained in the interest of local amenity and that the development, therefore, complies with the provisions of Policies GN3 & IF3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
4. To safeguard the amenity of future occupants and so comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
5. To assimilate the proposed development into its surroundings and to ensure that the development complies with the provisions of Policy EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
6. To prevent the spread of a Schedule 9 invasive species.
7. To safeguard wildlife and their habitat and in the interests of nature conservation so to ensure compliance with the provisions of Policy EN2 of the West Lancashire Local Plan 2012-2027 DPD.
8. To safeguard a protected species and so ensure that the development complies with the provisions of Policy EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
9. To make effective use of the parking areas hereby approved and as vehicles reversing to and from the highway are a hazard to other road users.
10. For the avoidance of doubt and to ensure compliance with the provisions of Policy GN3 and EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

Notes

1. The amended site access and associated off-site works, will need to be constructed under a section 278 agreement of the 1980 Highways Act. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant is advised to contact Lancashire County Council before

works begin on site. Further information and advice can be found at www.lancashire.gov.uk and search for 278 agreement.

2. Your attention is drawn to the fact that the Conditions that were imposed on the Outline planning permission for this development still apply and must be complied with in the implementation of this approval.

Reason for Approval

1. The Local Planning Authority has considered the proposed development in the context of the Development Plan including, in particular, the following Policy/Policies in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document:

SP1 - A Sustainable Development Framework for West Lancashire

GN1 - Settlement Boundaries

GN3 - Design of Development

RS1 - Residential Development

RS2 - Affordable and Specialist Housing

IF2 - Enhancing Sustainable Transport Choice

IF3 - Service Accessibility and Infrastructure for Growth

EN1 - Low Carbon Development and Energy Infrastructure

EN2 - Preserving and Enhancing West Lancashire's Natural Environment

together with Supplementary Planning Guidance and all relevant material considerations. The Local Planning Authority considers that the proposal complies with the relevant Policy criteria and is acceptable in the context of all relevant material considerations as set out in the Officer's Report. This report can be viewed or a copy provided on request to the Local Planning Authority.

No.4 APPLICATION NO.	2017/0492/ARM
LOCATION	Henry Alty Ltd Station Road Hesketh Bank Preston Lancashire PR4 6SP
PROPOSAL	Approval of Reserved Matters for the erection of 212 dwellings including associated infrastructure and landscaping and details of appearance, landscaping, layout and scale.
APPLICANT	Persimmon Homes Lancashire
WARD	Hesketh-with-Becconsall
PARISH	Hesketh-with-Becconsall
TARGET DATE	4th August 2017

1.0 SUMMARY

1.1 This application is for reserved matters for a residential development on an allocated housing site. The scheme seeks to address the reasons for refusal of the previous reserved matters application by providing an increased level of affordable housing and reducing the impact of the development on the coastal zone. The scheme is acceptable in terms of layout, appearance, and design. The proposed development would allow for the provision and retention of reasonable levels of amenity for the occupants of future and neighbouring properties and would not be detrimental to highway safety. The development is compliant with the Habitat Regulations in respect of ecology. I consider that the development is compliant with the relevant policies in the Local Plan and in particular with policy EC3 which seeks to deliver up to 270 dwellings on this site.

2.0 RECOMMENDATION: APPROVE subject to planning obligation and conditions.

3.0 THE SITE

3.1 The site comprises part of a wider site previously granted outline planning permission for a mixed-use development (2013/1258/OUT). The site itself includes an area of approximately 8 hectares and forms approximately two thirds of the land granted outline planning permission. The site is located within the key sustainable village of Hesketh Bank. It is bound to the north by the West Lancashire Light Railway, a Biological Heritage Site and a fishing pond. To the east is the Douglas Boatyard, public footpath and River Douglas. The southern boundary is denoted by a ditch with a small field and residential development beyond. The western boundary comprises a mix of residential properties, leading off Greenways, Astland Gardens, Station Road and Mill Lane along with Booths supermarket.

3.2 The site is irregular in shape and comprises the previously developed land occupied by Alty's. There is an assortment of buildings on the site, mostly fairly old and in poor condition (brick and corrugated sheet) and used for storage and sales of horticultural material, as well as areas of hardstanding. To the south of this is a greenfield area, the northern section of which incorporates a vegetated area and Great Crested Newt mitigation ponds (required as mitigation for displacement of GCN's on the Booths site). This area forms the Hesketh Bank Brickworks South Biological Heritage Site and the Coastal Zone. The southern section of the greenfield site is grazing land and rented to a tenant farmer. This part of the site slopes steeply down towards the River Douglas to the west and also to the south. Land along the eastern edge of the application site is also designated as the River Douglas Corridor BHS.

4.0 THE PROPOSAL

- 4.1 This is a reserved matters application for the erection of 212 dwellings. The application includes details of site layout, scale, appearance and landscaping. The site is separated into two distinct parts, one accessed off a proposed roundabout on Station Road, utilising the existing access to the Alty's business, the other accessed directly off Hesketh Lane, between 264 and 266 Hesketh Lane. The principle of both these access points has previously been approved under the outline permission for the site.
- 4.2 The proposal includes a mix of 2, 3 and 4 bedroomed properties, incorporating apartments, bungalows, terraced, semi-detached and detached dwellings. Of these, 2 bungalows, 26 houses and 15 apartments (42no.) would be provided as affordable housing. These would be at 30% discount to market value. This amounts to approximately 20% of the total number of dwellings. The heights of the properties vary, with the vast majority being two storey, although the apartments are three storey and two of the house-types are two and half storey with rooms in the roof space.
- 4.3 The two distinct residential areas served off separate access points are different in character with the northern part, on the brownfield site, being of a higher density than the southern part. The two areas are separated by public open space, which is designated as a Biological Heritage Site and provides mitigation ponds for Great Crested Newts. A footpath/cyclepath connects the two residential areas.
- 4.4 A landscaped buffer zone is proposed along the eastern boundary of the southern part of the site, adjacent to the riverbank public footpath, which will form part of a linear park. A footpath/cyclepath is proposed in this area along with wildflower planting and hedgerows.

5.0 PREVIOUS RELEVANT DECISIONS

- 5.1 2016/0279/ARM REFUSED (13.01.2017) Approval of Reserved Matters for the erection of 212 dwellings including associated infrastructure and details of appearance, landscaping, layout and scale.
- 5.2 2013/1258/OUT GRANTED (30.04.2015) Outline - Residential development across two phases, including associated garages, roads, landscaping and public realm creation in the form of a linear park and B1 employment uses. Details of access included.
- 5.3 2004/1057 REFUSED (29.07.2005) Redevelopment of land for mixed use of employment and residential incorporating the erection of a building and use of land for storage, display and sale of building and horticultural supplies, erection of a block of individual units, provision of associated car parking and vehicle manoeuvring areas, erection of 83 dwellings, new access roads and provision of public open space.
- 5.4 2003/1462 GRANTED (20.05.2004) Erection of building for the storage, sale and distribution of horticultural supplies.
- 5.5 Adjacent site 2007/0553/FUL GRANTED (19.11.2007) Erection of foodstore with tea shop, car parking, servicing, associated landscaping and creation of three ponds.
- 5.6 Adjacent site 2005/0333 GRANTED (11.07.2005) Reserved Matters - Refurbishment and two-storey rear extension to existing building to provide three shop units with flat above and provision of car park at side.
- 5.7 Adjacent site 2003/0905 GRANTED (19.05.2004) Outline – Erection of Foodstore (1765sqm); car parking; service area; new access and extension to existing shop (including details of siting and access)
- 5.8 Adjacent site 2013/0858/OUT GRANTED (14.10.2013) Outline - Three detached dwellings including details of access.
- 5.9 Adjacent site 2013/1329/OUT GRANTED (13.02.2014) Outline - Construction of 2 No. detached homes including details of access.

6.0 CONSULTEE RESPONSES

- 6.1 MERSEYSIDE ENVIRONMENTAL ADVISORY SERVICE (20.06.17 and 14.07.17) – Updated bat, barn owl, great crested newt and amphibian surveys have been submitted and are considered acceptable. A revised Habitat Management Plan has also been submitted to take into account MEAS advice and this is also now acceptable.

Previous advice regarding application 2016/0279/ARM is still applicable with regard to European Protected Sites, Habitats Regulations Assessment, Nationally Protected Sites, Biological Heritage Sites, Barn Owls, Breeding Birds and Invasive Species. That is, that the proposed development will have no likely significant effects on Martin Mere SPA, Martin Mere Ramsar, Ribble and Alt Estuaries SPA and Ribble and Alt Ramsar. The development will have a direct effect on the Hesketh Bank South Brickworks BHS and is adjacent to the Douglas Estuary Biological Heritage site. The supporting information identifies recommendations for habitat creation and mitigation. The development is unlikely to harm, the features for which the sites have been designated provided the CEMP is adhered to.

The proposed development will affect European protected species. Therefore the LPA must assess the development against the three tests set out in the Habitats Regulations. The bat report confirms that buildings 1 and 10 are used as day roosts by Pipistrelle bat. Having reviewed the proposals against the three tests, provided the measures set out in section 9 of the bat report are incorporated into the CEMP and ecological mitigation strategy the proposals will not be detrimental to maintaining the Pipistrelle bat population at favourable conservation status.

The great crested newt report confirms a medium population of great crested newt, a European protected species on the site. The proposals have been reviewed against the three tests and provided the measures set out in section 5 of the GCN report are incorporated into the CEMP and ecological mitigation strategy the proposals will not be detrimental to maintaining the GCN population at favourable conservation status.

The submission of copies of Natural England Licences authorising the development to go ahead with regard to bats and great crested newts should be required by condition.

Mitigation for the loss of bird nesting and barn owl roosting habitat will be required which can be incorporated into the Ecological Mitigation Strategy. Invasive species are present on site and their removal should be dealt with within the CEMP.

- 6.2 NATURAL ENGLAND (01.06.17) – No objection in principle. Advice for previous application applies equally to this application. Natural England concurs with the view of MEAS that the development is unlikely to have a significant effect on European Protected sites and Appropriate Assessment is not required.
- 6.3 LEAD LOCAL FLOOD AUTHORITY - No response received to date; however, comments on previous application 2016/0279/ARM stated:

(3.06.16) – no objections in principle as condition 26 on the outline approval requires the submission of drainage details as part of a discharge of conditions application. Prior to designing a surface water drainage scheme for this site, a full ground investigation should be carried out to explore the option of infiltration in preference to discharging to a surface water body. The LLFA Authority should be consulted on the discharge of conditions application when it is received.

- 6.4 UNITED UTILITIES (05.09.17) – No objection subject to conditions.
- 6.5 ENVIRONMENT AGENCY (07.06.17) – No objection in principle. Future management of drainage ditch along the southern boundary (classed as an ordinary watercourse) falls under responsibility of the Lead Local Flood Authority and recommend consulting with them.
- 6.6 LCC HIGHWAYS (20.07.17) (20.09.17)(21.09.2017) No objection in principle. Conditions recommended.

Some of the internal roads are not to adoptable standard. All internal roads and turning heads should be proven by swept path analysis with a large twin axel refuse vehicle. There are some concerns regarding sight lines for parking spaces and in some cases the road layouts do not provide variation in width to facilitate passing. Better use of horizontal deflection would ensure that vehicle speeds are kept below 20mph.

Parking provision is below the recommended level. This will lead to parking on street, where there is limited space available. This may restrict access into the site and also lead to road safety issues. However the development would not result in a severe highway impact.

- 6.7 DIRECTOR OF LEISURE AND WELLBEING (13.06.17) - No objections in principle to this application subject to an acceptable noise assessment, which could be dealt with by way of condition.
- 6.8 POLICE ARCHITECTURAL LIAISON OFFICER (19.05.17) comments provided regarding security considerations within the proposed development.
- 6.9 CANAL AND RIVER TRUST (05.06.17) – no objections or comments to make on the proposed development.
- 6.10 ELECTRICITY NORTHWEST (09.06.17) – there are multiple HV and LV circuits which run through the proposed development site in addition to the existing distribution substation. The applicant is advised that care must be taken when excavating and any circuit diversions must be carried out at the applicant's expense.

- 6.11 LANCASHIRE FIRE AND RESCUE (06.06.17) - comments provided regarding fire safety measures.

7.0 OTHER REPRESENTATIONS

- 7.1 SOUTH RIBBLE BOROUGH COUNCIL (06.06.17) – No comments to make.

- 7.2 HESKETH BANK AND TARLETON ACTION GROUP (07.06.17, 15.08.17, 26.08.17 and 26.09.17) – object to the application on the following grounds:

Development does not comply with the Council's Local Plan policies;
Encroachment into land designated as Coastal Zone – still same number of dwellings as previously refused;
Unresolved issues raised by LCC highways;
Lack of provision of an appropriate buffer between the development and an open ditch on the southern part of the site;
Dwellings an inappropriate height and distance from existing properties;
Lack of masterplan;
Vague response to the public open space management plan;
Offer of affordable housing less than 35%;
The application will not deliver employment use and will therefore not comply with Policy EC3 (iii);
Since outline application approved there have been lots of changes in the area – no GP in Hesketh Bank, more houses built, no Green Lane Link, no bank in the area, original traffic surveys out of date;
Overlooking;
There should be a commitment by the developer to remediate the former tip on the northern site;
Not proper delivery of a linear park proposed – just paths over existing right of way;
Number of dwellings should be reduced, number of houses for elderly should be reviewed, layout should be reviewed at interface with existing properties, “brick-works” themed visitor centre should be created, the old tip could be remediated to provide car parking;
Doesn't meet terms of condition 16 regarding parking and access strategy;
Integral garages do not meet standard;
Should be fewer houses;
Includes a significant road section that LCC won't adopt;
Safety issues relating to site lines, vehicle speeds and off road parking;
Does not include plans to remediate the disused tip.

- 7.3 A representation on behalf of the West Lancashire Light Railway Trust has been received raising the following concerns:

The proposed 6 car parking spaces to replace the current arrangement is inadequate;

The access shown for the light railway site would not allow for removal or delivery of locomotives as it is too far away from the railway;
Two dwellings shown to be built over the light railway current parking area;
Current proposal indicates demolition of an existing toilet block;
No boundary treatment shown as part of the application;
Remain confident that acceptable terms can be agreed with landowner which will secure the future tenure of the site for the light railway and allow for future expansion but ask that the matters referred to in the required parking management and access strategy be provided.

- 7.4 In addition I have received 14 neighbour representations objecting to the development on the following grounds:

Insufficient affordable housing;
Insufficient schools, doctors and other infrastructure;
Building in the coastal zone;
Traffic congestion;
Condition of roads will get worse;
Area changed from rural community to a commuter dormitory settlement;
Increased water pressure, sewerage and drainage problems;
Inconsistences in the applicant's design and access statement;
Already many houses for sale in the area so new housing not needed;
No delivery of the full linear park;
Dwellings close to existing ditch along southern boundary should be removed unless moved at least 6m from the top of the ditch;
Houses more than two storey are out of keeping with the village;
Density of housing too much and more appropriate to a town;
Loss of privacy;
Loss of light;
Increased noise, lighting and disturbance close to existing properties;
Failure to undertake proper masterplanning exercise;
No justification to build exactly same amount of dwellings in coastal zone as previous scheme;
A number of proposed dwelling boundaries go down to an existing shared ditch with no means of access for maintenance.

8.0 SUPPORTING INFORMATION

- 8.1 The application is supported by the following information:
Design and Access Statement
Arboricultural Impact Assessment
Statement of Community Involvement
Planning Statement
Bat and Barn Owl Survey
Great Crested Newt and Amphibian Survey
Viability Assessment

9.0 RELEVANT PLANNING POLICIES

- 9.1 The National Planning Policy Framework (NPPF) and the West Lancashire Local Plan (2012-2027) (WLLP) provide the policy framework against which the development will be assessed.
- 9.2 The site is allocated as EC3 – Rural Development Opportunity site in the Local Plan. The site also includes the following designations:
EN2.1 Nature Conservation Sites/Major Wildlife Corridor
EN2.5 Coastal Zone
EN2.6 Landscape of Local History Importance
IF2.1 Linear Park
- 9.3 Relevant West Lancashire Local Plan policies:
SP1 – A Sustainable Development Framework for West Lancashire
GN1 – Settlement Boundaries
GN3 – Design of Development
GN4 – Demonstrating Viability
EC3 – Rural Development Opportunities
RS1 – Residential Development
RS2 – Affordable and Specialist Housing
IF2 – Enhancing Sustainable Transport Choice
IF3 – Service Accessibility and Infrastructure for Growth
IF4 – Developer Contributions
EN1 – Low Carbon Development and Energy Infrastructure
EN2 – Preserving and Enhancing West Lancashire’s Natural Environment
EN3 – Provision of Green Infrastructure and Open Recreation Space
EN4 – Preserving and Enhancing West Lancashire’s Built Environment

In addition the following supplementary documents are material considerations:

SPD – Design Guide (Jan 2008);
SPD – Provision of Public Open Space in New Residential Developments (July 2014)

10.0 OBSERVATIONS OF DIRECTOR OF DEVELOPMENT AND REGENERATION

Background

- 10.1 Outline planning permission, with all matters reserved except access, was granted for a mixed use development on the site (comprising, residential,

landscaping and public realm creation in the form of a linear park and B1 employment uses) on 30th April 2015 (Ref: 2013/1258/OUT). The outline permission includes 34 conditions and a S106 Agreement that secures the provision of affordable and specialist housing for the elderly subject to viability, the marketing and phasing of the employment land, provision and maintenance of public open space and a primary school contribution if required.

- 10.2 A Reserved Matters application 2016/0279/ARM for Approval of Reserved Matters for the erection of 212 dwellings including associated infrastructure and details of appearance, landscaping, layout and scale was refused on 13th January 2017 for the following reasons:

1. The proposed scheme shows significant encroachment of residential development into the coastal zone and is therefore contrary to Policy EN2 of the West Lancashire Replacement Local Plan 2012-2027 Development Plan Document.

2. The proposed scheme fails to provide an acceptable amount, type and distribution of affordable housing and therefore fails to comply with Policy RS2 of the West Lancashire Replacement Local Plan 2012-2027 Development Plan Document.

The current application aims to address the above reasons for refusal.

- 10.3 No conditions have yet been discharged on the outline application; however, this Reserved Matters application seeks to include details of some conditions (namely Condition 2 – layout, scale, external appearance and landscaping; Condition 3 – access; Condition 4(c), (d), (e) (f) and (h) – materials, parking, boundary treatment, trees and landscaping including management; Condition 7 – levels; Condition 18 – tree method statement; Condition 20 (landscaping and habitat management plan; Condition 22 – bat and barn owl mitigation; Condition 23 – Great Crested Newt mitigation; Condition 24 – Amphibian Survey).

Principle of Development

- 10.4 The principle of a residential development on the site has already been established through the approval of outline permission under planning reference 2013/1258/OUT. Although the outline permission was for a mixed use development, the approval of the proposed residential development does not prejudice the delivery of a mixed use scheme on the remainder of the site covered by the outline permission. In this regard, the conditions pertaining to the outline permission are still applicable. There have been no significant policy changes in the interim which may have affected this decision, therefore I am satisfied that the principle of development remains compliant with the aims and objectives of the NPPF and Policy RS1 of the Local Plan.

Coastal Zone

- 10.5 Concerns have been raised that residential development is proposed within the part of the southern area of the site close to the River Douglas which is designated as a Coastal Zone in the Local Plan. This was one of the reasons why the previous Reserved Matters application 2016/0279/ARM was refused. Policy EN2 of the Local Plan limits development within coastal zones and does not list housing as an appropriate use. The potential impact of the development on the coastal zone was given due consideration at the outline planning application stage and it was acknowledged that the proposal was contrary to this particular Local Plan policy. The Local Plan allocates the site for a mixed use scheme incorporating up to 270 dwellings and in order to provide a substantial level of housing on this site, it was evident at the outline planning application stage that ingress into the coastal zone would be required.
- 10.6 The Local Plan provides a justification for sites being allocated as coastal zone areas. It advises that much of the Ribble estuary provides habitats for protected wildlife. However some coastal areas are not statutorily protected, as is the case here, and the coastal zone designation is applied in order to ensure that development is not harmful to environmental sensitivity or visually intrusive. Hence the designation of the coastal zone is primarily to ensure that the development would not have a significant impact on landscape or ecology.
- 10.7 In considering the previous reserved matters application on this site Members concerns regarding development in the coastal zone appeared to relate primarily to flood risk and the potential tidal inundation of the proposed dwellings and also to the extent of the linear park which is to be provided along the river bank. Members were of the view that some of the proposed dwellings would be sited close to the River Douglas and would encroach into the Coastal Zone too much, leaving insufficient area for the linear park. It was also considered that should the river inundate, these properties would be at risk of flooding. In order to address this concern, the revised layout removes one dwelling closest to the river in the south-east corner of the site and increases the amount of undeveloped land for the linear park by 0.21ha by pushing the whole of the eastern section of dwellings further into the site. There is no likelihood of coastal flooding impacting the proposed dwelling as inundation has never occurred so far into the site and neither the EA nor the Canal and River Trust have raised this as a concern. Furthermore the LLFA are satisfied that the proposed dwellings would not be at risk of flooding.
- 10.8 The area of land to be provided as part of the linear park has increased beyond that provided in the previous application. I am satisfied that the land identified for the linear park will provide an attractive riverside environment for future users to enjoy. If any fewer dwellings were proposed on the site, in order to retain a larger proportion of Coastal Zone undeveloped, the applicant's indicate that the scheme would not be viable.

10.9 On balance, I am of the view that the development complies with the Local Plan ambitions for the development of this site. An important part of the linear park will be provided and whilst ingress into the coastal zone is required to deliver housing, the properties will not be at risk of flooding and the development will not have a significant impact on ecology or be visually unacceptable. Therefore I do not consider the impact on the coastal zone to be a so significant to warrant a refusal of planning permission.

Affordable and Specialist Housing for the Elderly

10.10 Provision of 35% affordable housing is required on sites of this scale under the terms of Policy RS2 of the Local Plan in this locality. In addition to this, Policies RS1 and RS2 also require that 20% of new residential units should be suitable for the elderly. Policy is flexible as to how this requirement should be met, and this provision can form part of the affordable housing provision. The outline planning permission included a S106 Agreement that incorporated the above provisions and also included an 80:20 tenure split of social rented to intermediate affordable housing types.

10.11 Following the previous refusal of planning permission on the basis of the inadequate provision of affordable housing of 11.3%, the applicant subsequently negotiated a reduction in the site acquisition cost with the landowner. This has been possible in this case as the application process has taken a considerable amount of time and the owner wishes to relocate in the very near future, hence a willingness to re-negotiate terms.

10.12 The applicant has now put forward an affordable housing contribution of 20% at 30% discount to market value which includes two bungalows, 25 houses and all the apartments. Keppie Massey were again instructed to review the revised viability model and are satisfied that the applicant's revised proposal based on 42 units and a CIL payment of £1,466,306 is reasonable.

10.13 In terms of specialist housing for the elderly and lifetime homes compliance five of the ground floor apartments would be suitable as well as the three bungalows. Whilst the houses across the site will not be constructed for use by the elderly without adaptation, they will be constructed to meet current Building Regulations and will be capable of adaptation if necessary. The Housing White Paper (February 2017) indicates that it will be necessary for developments to meet the needs of accommodation for the elderly. Whilst, it is not specific how this is to be achieved it has been indicated that compliance with Part M of the Building Regulations would meet the test. This development meets those requirements and I am satisfied that the proposed development complies with Policies RS1 and RS2 in this respect.

10.14 The current application addresses the second reason for refusal of application 2016/0279/ARM in that the amount of affordable housing has increased, a wider variation in type of dwelling has been introduced and, although still contained wholly within the northern parcel of land, the distribution across this parcel is more widespread. This is a difficult site with numerous constraints, including the need to remediate brownfield land and also give due consideration to the BHS. In this instance based on an objective assessment of viability, I consider the revised proposal is reasonable and will deliver a significant level of affordable housing in compliance with policy RS2 in the Local Plan.

Siting, Layout and Design

10.15 The layout of the development has not changed substantially from the previously refused application, which was considered to be acceptable overall. Three detached bungalows have been introduced to replace detached houses, dwellings fronting the linear park along the eastern boundary of the southern parcel of land have been repositioned approximately 1.5m from the river bank, dwellings have been repositioned along the southern boundary to reduce the number close to the river bank and provide a maintenance buffer for the existing ditch. A plan indicating replacement parking and potential future access to the undeveloped land to the north (outside the application boundary) has been submitted, although this is required to be agreed in more detail as a condition of the outline permission).

10.16 The density of the proposed development equates to 43 dwellings per hectare, which is reasonable for the site given its location within the settlement boundary of this sustainable village and is in accordance with Policy RS1. Various types and size of dwellings are proposed, including 2 bedroomed apartments, 2 bedroom houses and 3, 4 and 5 bed detached houses as a mix of terraced, semi-detached and detached. Three detached 3 bedroomed bungalows have been introduced.

10.17 The two apartment blocks are sited on the northern part of the site, close to the entrance and adjacent to the Booths site. Here, the land rises over the bridge and Booths and its associated car park are elevated so as to ensure the proposed three storeys are not prominent and out of character with the surrounding area. There is a bank of proposed car parking along this boundary, which abuts the existing Booths retaining wall.

10.18 Generally there is a good mix of dwellings and adequate interface distances and garden lengths have been provided which ensures acceptable privacy and amenity space standards, compliant with the Council's SPD Design Guide. The proposed layout offers a legible scheme with clear routes for vehicle and pedestrian movement throughout.

- 10.19 The two access points to the site and the creation of the linear park along the eastern boundary provide an opportunity for the site to be permeable in terms of linkages. There is an existing Great Crested Newt mitigation area and Biological Heritage Site in between the two separate residential areas and this area has been treated with sensitivity through the introduction of hedging to offer protection to the area, along with the provision of more formal footpath links through it. The layout of the site ensures that public areas of amenity space are overlooked.
- 10.20 Concerns have been expressed about the design and height of some of the proposed dwellings and it is considered by some local residents that the proposed development does not fit with the character of the area. Whilst I acknowledge concerns about the uniformity of the design and the use of standard house-types, overall I am satisfied that the design and layout of the scheme adheres to the principles within the NPPF and the Local Plan. In terms of height of properties, there are three house-types that are of 2 and half storey height at 9m (with the houses incorporating dormer or Velux windows in the roof space). These are generally within the central part of the northern site. However, there is a block of 4no 2 and half storey dwellings adjacent to 20 Astland Gardens, which is a bungalow. These are set 5m from the side boundary of this property, approximately 16m from the side elevation with an intervening shrub and tree screen. In my view, the variety of heights adds interest to the overall scheme, which breaks up the overall uniformity.
- 10.21 Each dwelling benefits from a private amenity area. These generally meet and exceed the recommended garden lengths specified in the Council's SPD, although on some of the plots this is reduced to accommodate a rear pathway. Although some gardens are narrow they are generally commensurate with the size of the dwelling proposed.
- 10.22 Although residents have expressed concerns that a more spacious layout has not been proposed on this village site close to the river with Green Belt beyond, on balance I am satisfied that design, layout and scale maximises the use of the land and complies with relevant local plan policies and the Council's Design Guide and would not significantly adversely affect the character and appearance of the local area.

Impact on Residential Amenity

- 10.23 In terms of the relationships between the proposed dwellings, I am satisfied that the proposed layout, in general, accommodates the required interface distances. Where this is not the case, the resulting impact has been designed out by ensuring that the main outlook is focused away from the neighbouring property.
- 10.24 A number of residents immediately adjoining the site have raised concerns about loss of privacy and overlooking. 30 Station Road adjoins the site at the entrance

and Plots 90 and 91 sit close to the boundary. The proposed Chedworth house type on Plot 90 includes a ground floor WC and a first floor landing window on the gable elevation, which will be conditioned to be obscurely glazed to avoid any potential for overlooking of the garden. There is now a bungalow proposed at Plot 91, which faces the rear garden of 30 Station Road, however it includes an 11m rear garden and there are no windows at first floor level.

- 10.25 Planning permission has been granted for residential development at Mill Lane, bordering the site; however I am satisfied that the layout of the proposed development has taken into account development on this land and the relevant interface distances have been adhered to. Likewise, development to the rear of 266 Hesketh Lane has been approved in outline for two dwellings and this has been taken into account in the design of the layout.
- 10.26 A number of properties along Astland Gardens abut the site. No's 9-15 Astland Gardens have long rear gardens and interface distances of between 40m and 29m are maintained. A distance of 22m between rear facing windows is maintained to 17 and 19 Astland Gardens in accordance with the Council's SPD Design Guide. However, 19 Astland Gardens is an end property that includes windows to habitable rooms on its gable elevation. The distance between the rear facing windows on the proposed Hanbury house types at Plot 77 and 78 directly facing the gable of 19 Astland Gardens is 20m to the ground floor dining room and 21m to the first floor bedroom in compliance with the Design Guide.
- 10.27 The distance between 20 Astland Gardens and the gable of the proposed house at Plot 72 is 16m and there is one obscure glazed first floor bathroom window on the gable of the Souter housetype, therefore no direct overlooking will occur. Finally, the detached property Over Astland borders a significant length of the western boundary of the site. The gable elevations of two housetypes face Over Astland, however the distance between the properties is 25m in compliance with the SPD Design Guide. In addition, the driveways and access to these properties is approximately 30m from Over Astland and at this distance with intervening vegetation, no undue noise and disturbance is likely to occur.
- 10.28 In terms of residential amenity, whilst there will be a significant amount of new residential development bordering existing properties, I am satisfied that the proposed development would satisfy the requirements of Policy GN3 in respect of neighbouring amenity.

Highways and Parking

- 10.29 The proposed access points to the development from Station Road and Hesketh Lane have already been approved in principle under the outline planning permission as has the impact of the development on highway capacity and safety, there has been no material change in circumstance since this time and LCC do not raise any highway capacity issues. All the requirements of the

conditions imposed on the outline permission are still applicable relating to the design and provision the accesses as well as the off-site highway improvements – e.g. Provision of footways and junction improvements at Hesketh Lane/Church Road.

- 10.30 In terms of parking provision, the application as originally submitted was substantially deficient. However, the applicant has taken account of LCC highway comments and has now amended all detached garages to meet the necessary requirements of 6m x 3m internal dimensions. All 2 and 3 bedroomed properties have the stipulated parking provision of 2 spaces. However, the 4 bedroomed detached properties have integral garages of 2.4m x 4.8m. The Highway Authority have expressed concern that these integral garages do not measure 6m by 3m.
- 10.31 However the garages do meet the standards required for a parking space and would accommodate a small car. The properties also have additional off street car parking on the driveway for larger vehicles. As Members are aware a 6mx 3m garage will accommodate a large car and domestic storage. In this case as the garages are on the small side a condition will be imposed to require the provision of sheds in the rear gardens of the 4 bed properties with integral garages, to assist with domestic storage. A condition is also recommend to prevent the future conversion of the garages. The southern part of the site is a relatively spacious layout where in my view opportunities for on street car parking would exist without detriment to highway safety or the free flow of traffic. In relation to the denser northern site, the applicant has provided additional grasscrete spaces adjacent to the public open space to provide additional off street parking. On balance, I consider the level of parking to be acceptable in this location close to the village centre and bus routes where a shortfall in car parking would not result in conditions that would have a severe impact on highway safety. This view is shared by the Highway Authority.
- 10.32 Some parking will be lost for the existing computer premises at 264 Hesketh Lane, however, five spaces have been provided outside the proposed adoptable highway boundary and access will be afforded to the rear of the property. It should be noted that this property is under the same ownership as the application site at present. This arrangement is considered to be satisfactory.
- 10.33 At the request of LCC Highways, a pedestrian/cycle path has been introduced leading from a proposed cul-de-sac onto Astland Gardens. However, this link would need to pass through third party land lying between Astland Gardens and the site, so there can be no guarantee that this could be provided in totality. In my view this link is not critical as the alternative route a pedestrian/cyclist would have to make to access the amenities in Hesketh Bank along the proposed estate road is no further.
- 10.34 Condition 16 of the outline permission requires that a Parking and Management Strategy be submitted to and approved by the Local Planning Authority. The

submission of this document will deal with the management of roads and parking areas that will not be adopted by the Highway Authority as well as detailing the parking provision for users of the fishing lake, light railway and linear park on the northern parcel of land not included in this Reserved Matters application. An indication has been given in the current submission of where a suitable access to the future employment site can be provided along with replacement parking spaces for users of the light railway/fishing lake. No development to be served off the proposed northern roundabout access on Station Road will be allowed to commence until an acceptable parking strategy has been agreed.

- 10.35 In terms of manoeuvring, width of roads and footpath provision, concerns have been expressed by the Highway Authority about the road layout; however, a full swept path analysis of the proposed site layout has been provided and whilst the Highway Authority raise a number of concerns relating to the fact that some of the site will not be laid out to adoptable standard, generally the main access roads are now acceptable. The applicant has stated that a management company will maintain the private “shared accesses”.
- 10.36 I am satisfied that vehicles can manoeuvre safely within the site and access and egress would not cause adverse harm to highway safety or the free flow of traffic in the local area. On balance I consider that the parking is adequate for this sustainable site close to the village centre and a regular bus route. The Highway Authority has given careful consideration to the application and do not object to the proposal. On this basis I am satisfied that the proposed is compliant with Policies GN3 and IF2 in the Local Plan.

Trees and Biodiversity

- 10.37 A detailed landscaping scheme has been submitted which includes the layout and planting of the linear park as well as incidental planting within the residential areas which will increase biodiversity and assimilate the development into its semi-rural surroundings. In addition, the majority of TPO trees within the site will be retained. Suitable compensatory planting has been provided to mitigate for the loss of existing trees.
- 10.38 The applicant has submitted a number of ecological surveys, which were required to be undertaken as part of the outline planning permission due to the fact that three areas within or adjacent to the site are designated as Biological Heritage Sites and are subsequently subject to Policy EN2.1 (Nature Conservation Sites/Major Wildlife Corridor) as well as being close to the Ribble and Alt Estuaries SPA and Ramsar and the Martin Mere SPA and Ramsar. The proposed development has been assessed under the Habitats Regulations with regards to European protected sites. Although there are pathways that could give rise to likely significant effects, these pathways can be sufficiently addressed by the implementation of a Construction Environmental Management Plan (CEMP). MEAS have advised that provided the CEMP is implemented, the proposed

development will have no likely significant effects on the above European protected sites. This view is shared by Natural England.

- 10.39 The proposed development has also been assessed against the three tests set out in the Habitats Regulations for site's affecting European protected species, in this case, Bats and Great Crested Newts. MEAS conclude that, provided the measures set out in the updated Bat and Newt reports are implemented, the proposals will not be detrimental to maintaining the local Pipistrelle bat populations and the Great Crested Newt populations at favourable conservation status. Full details of the Habitats Regulations Assessment (HRA) for European Protected sites and species affected by the proposed development can be found on the Council's website.
- 10.40 As well as European protected sites and species, there are other impacts on locally protected sites and species such as the BHS's, barn owls and birds. Mitigation has been proposed for the loss of such species within the development through the provision of hibernacula, log piles, bat, barn owl and house martin boxes. This is secured by condition on the outline planning permission. I am satisfied that the proposed development is compliant with Policy EN2 of the Local Plan.

Surface Water, Drainage and Flood Risk

- 10.41 In terms of drainage and flood risk there are three main issues on this site. Firstly, it is known that there are water supply issues in the Hesketh Bank area with low water pressure in many areas; secondly, the foul water system is at capacity; and thirdly, the site is adjacent to the tidal River Douglas. At the time the outline planning application was considered, the statutory bodies assessing the impact of the proposed development on the above matters (United Utilities (UU), Environment Agency (EA) and LCC Lead Local Food Authority)) did not raise any objections to the proposal. Stringent conditions were imposed on the outline planning permission requiring details of the surface water management scheme and compliance with the Flood Risk Assessment submitted. Full details of drainage have not been applied for under this Reserved Matters application; however, such details are required to be agreed prior to commencement of development on the site.
- 10.42 Concern has been raised that proposed houses should be an appropriate distance from the top of any adjacent watercourse. This is generally an EA requirement adjacent to a main river. The watercourse running along the southern boundary is not a main river and therefore falls under the jurisdiction of the Lead Local Flood Authority and not the EA. The LLFA have raised no objection to the proposed layout and in any event, a minimum 4m buffer has been retained between the middle of the watercourse and the proposed garden boundary fences. This allows sufficient room to maintain the watercourse. The LLFA is satisfied that the proposed development itself is not at risk of flooding

and will not result in an increased risk of flooding off-site.

Public open space and Linear Park

- 10.43 Policy IF2 of the Local Plan supports the delivery of a Linear Park between Hesketh Bank and Tarleton and it is considered that the site assists in the delivery of part of the Linear Park. The proposed layout indicates that land can be made available along the river bank for the provision of the park with a pedestrian/cycle link through the central BHS (with protection included for Great Crested Newts) and the residential area on the northern part of the site, to the northern BHS, light railway and lake. As such, the proposal is compliant with Policy IF2.

Landscape Character Area

- 10.44 Part of the site lies within a landscape character area of local importance as this site contains the only remaining example of the Hillhouse Coast Boulder Clay Cliff (a shallow cliff cut into the boulder clay as the level of the Irish Sea rose after the retreat of the glaciers). The fact that the area lies within this Landscape Area of Local Importance does not in itself prohibit building upon it and the principle of residential development on the site has been accepted by approval of outline planning permission. I am satisfied that the scale and layout of development is designed to limit the impact on the wider open countryside on the eastern side of the river by development in this instance being limited to largely two storey and a wide landscaped buffer being provided by the implementation of the linear park between the residential development and the river.

Local Infrastructure

- 10.45 Local residents are concerned about the impact of the additional population on local services such as school places and health provision. Again, these issues were considered at outline planning stage and I am satisfied that the relevant bodies were consulted and no significant impact was identified other than the need for primary school places on the basis of a contribution of £350 per dwelling. However, after re-assessing the proposal, LCC subsequently identified that there are sufficient existing primary and secondary places to accommodate the impact of the development and therefore LCC are no longer seeking an education contribution.

Phasing

- 10.46 Concern has been expressed about the phasing of the development and clarification regarding the deliverability of the brownfield land has been raised. In terms of the phasing of the residential development, the applicant has stated that they would commence work on the southern part of the site first. I was initially concerned that this would not offer sufficient comfort to ensure that the northern

phase (including the brownfield land outside this current Reserved Matters application) would be built out in an expeditious manner. Therefore Condition 6 on the outline planning permission was imposed to ensure that no more than 50% of the open market residential development on the southern phase is commenced prior to the construction of the affordable housing and no more than 90% of the open market housing on the southern phase can be occupied until the affordable development has been completed. Condition 31 also deals with the delivery of a marketing strategy for the employment area and requires that this be submitted to the Council prior to any works commencing on site and that the development be marketed in accordance with the approved strategy. The S106 Agreement also requires that no more than 50% of the total number of dwellings on the southern part of site be constructed until the employment area has been marketed in accordance with the approved marketing scheme for a continuous period of 12 months. Only if the marketing exercise has been completed and no demand been evidenced by employment uses can residential development on the site be completed.

Masterplanning

- 10.47 As was the case when considering the outline planning application, concern has been raised in relation to the requirement by Policy EC3 to prepare a masterplan. There is no set definition of what constitutes a masterplan or how a masterplanning exercise should be conducted and whilst the indicative masterplan submitted with the outline planning submission did not provide full details of the development of the site, the actual submission of a planning application meant that the process of masterplanning the site began with setting broad parameters for a sustainable mixed development on the site. This subsequent Reserved Matters application, although for only approximately two thirds of the site, clearly deals with the spatial arrangement of residential areas, public open space and the linear park. Whilst the remaining northern part of the site has not been included, I am satisfied that the conditions imposed on the outline permission will ensure that there is the structure yet flexibility in a changing market to ensure a mixed use site is delivered in accordance with Policy EC3 of the Local Plan.

Financial Benefits

- 10.48 The scheme will deliver financial benefits in the form of New Homes Bonus which would equate to approximately £1,500,000 over six years. The development is also CIL liable and would require a CIL payment in the region of £1,400,000 with the affordable housing potentially eligible for social housing relief.

Planning Obligations

- 10.49 The Outline permission granted for the redevelopment of this site is the subject of a legal agreement requiring the developer to provide a viable level of affordable and specialist housing for the elderly, on-site public open space, marketing and

phasing of the employment land and a primary school contribution. These obligations reflected the relevant policy requirements at the time outline permission was granted and remain part of the proposed development which must be delivered in line with the terms of the agreement. Lancashire County Council previously confirmed that there is no longer a need for a primary school contribution and therefore a deed of variation is required to remove that obligation from the S106 Agreement.

11.0 RECOMMENDATION

- 11.1 That planning permission be delegated to the Director of Development and Regeneration subject to a planning obligation (Deed of Variation) under S106 of the Town and Country Planning Act being entered into as set out in paragraph 10.49 above and subject to the following conditions.

Conditions

1. The development hereby approved shall be carried out in accordance with details shown on the following plans:-
 - Plan reference JB-HB-PL01 Rev K (Planning Layout) received by the Local Planning Authority on 25th September 2017;
 - Plan reference HB.302(Boundary treatment plan) received by the Local Planning Authority on 5th May 2017;
 - Plan reference TGDP/HABW/MP1(Masterplan) received by the Local Planning Authority on 19th May 2017;
 - Plan reference HB.308.01 Rev B (Affordable housing plan) received by the Local Planning Authority on 5th May 2017;
 - Plan reference HB.SPS Rev C (Site parking scheme) received by the Local Planning Authority on 25th September 2017;
 - Plan reference HB.SPS.01 (Site parking scheme) received by the Local Planning Authority on 25th September 2017;
 - Plan reference HB.FPV.01 (Footpaths and verges) received by the Local Planning Authority on 25th September 2017;
 - Plan reference HB.IFD.01 Rev B (Interface distances) received by the Local Planning Authority on 5th May 2017;
 - Plan reference 30206/1/1 Rev A highway and drainage layout received by the Local Planning Authority on 5th May 2017;
 - Plan reference 30206/1/2 Rev A highway and drainage layout received by the Local Planning Authority on 5th May 2017;
 - Plan reference LPH.SGD.WD01 Single/Double garage plan received by the Local Planning Authority on 22nd August 2017;
 - Plan reference LPH.SGD.WD02 Triple garage plan received by the Local Planning Authority on 22nd August 2017;
 - Plan reference SDF05 Rev A fence plan received by the Local Planning Authority on 5th May 2017;
 - Plan reference SDF12 fence plan received by the Local Planning Authority on 5th May 2017;

Plan reference DWFD.01 wall and fence plan received by the Local Planning Authority on 5th May 2017;

Housetype plans Ref:

Apartments plan and elevations

The Gilby plan and elevations

The Lumley plan and elevations

The Souter plans and elevations

The Moseley plans and elevations

The Hatfield plans and elevations

The Morden plans and elevations

The Hanbury plans and elevations

The Chedworth plans and elevations

The Clayton plans and elevations

The Rufford plans and elevations

The Clandon plus plans and elevations

The Roseberry plans and elevations

The Kendal plans and elevations

The Winster plans and elevations

all received by the Local Planning Authority on 5th May 2017.

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any subsequent Orders or statutory provision re-enacting the provisions of these Orders no garages, extensions, alterations, porches, out buildings, swimming pools, hardstandings or means of enclosure shall be erected or undertaken without the express written permission of the Local Planning Authority.
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any subsequent Orders or statutory provision re-enacting the provisions of these Orders no window shall be added to the gable elevation facing 20 Astland Gardens on Plot 72 until details of the positioning, size and design have been submitted to and approved in writing by the Local Planning Authority.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any subsequent Orders or statutory provision re-enacting the provisions of these Orders, all garages on the site shall be maintained as such and shall not be converted to or used for living accommodation without the prior written approval of the Local Planning Authority.
5. Prior to the occupation of the dwelling on Plot 90 (as shown on plan Ref JB-HB-PL01 Rev I received by the LPA on 14th August 2017) the ground and first floor gable windows shall be fitted with obscure glass (Pilkington level 3 or equivalent) and shall be non-opening or top hung and shall remain thus fitted at all times thereafter.
6. Prior to the occupation of the dwelling on Plot 72 (as shown on plan Ref JB-HB-PL01 Rev I received by the LPA on 14th August 2017) the ground first floor gable window shall be fitted with obscure glass (Pilkington level 3 or equivalent) and

- shall be non-opening or top hung and shall remain thus fitted at all times thereafter.
7. The development hereby approved shall be carried out in accordance with the materials schedule received by the Local Planning Authority on 5th May 2017
 8. The development hereby approved shall be carried out in accordance with the measures identified within the Arboricultural Impact Assessment and Method Statement (revision G) received by the Local Planning Authority on 5th May 2017.
 9. The measures contained within the Habitat Management Plan received by the Local Planning Authority on 5th May 2017 shall be implemented in full throughout the duration of the development.
 10. The mitigation measures outlined at section 5 of the Great Crested Newt and Amphibian Survey and Mitigation Strategy received by the Local Planning Authority on 5th May 2017 shall be implemented in full throughout the duration of the development.
 11. The mitigation measures outlined at section 5 and 10 of the Licensed Bat and Barn Owl Survey and Assessment received by the Local Planning Authority on 5th May 2017 shall be implemented in full throughout the duration of the development.
 12. Before first occupation of any of the dwellings on the site, details of signage to be erected to inform the public of the presence of newts within the central area of the Biological Heritage Site shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, details of size, number, location and wording shall be provided and the agreed signage shall be installed prior to occupation of the first dwelling.
 13. No development shall take place until a construction method statement setting out how pollution prevention guidelines will be followed throughout the construction period to prevent harm to the protected sites has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented throughout the construction phase of the development.
 14. No dwelling shall be occupied until details of how the mitigation required under Conditions 10 and 11 above will be funded and managed in perpetuity have been submitted to and approved in writing by the Local Planning Authority. The agreed management and funding shall be implemented thereafter.
 15. Prior to construction of any dwelling a scheme for the provision of electric vehicle charging points throughout the development and timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the agreed details.
 16. No dwelling shall be occupied until a scheme has been submitted to and approved in writing by the Local Planning Authority that provides the details of the siting, size and design of sheds which shall be located within the rear garden areas of all plots containing a housetype with an integral garage. The agreed shed shall be provided to each of the associated dwellings prior to occupation of that dwelling.
 17. Within a period of 9 months from the date of this permission the approved landscaping scheme indicated in plan refs: 4711.09 Rev F, 4711.10 Rev F,

4711.11 Rev F, 4711.14 Rev F and 4711.15 Rev F received by the Local Planning Authority on 25th September 2017 shall be carried out. All trees and shrubs planted 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 dead or dying material shall be replaced for a period of ten years from the agreed date of planting.

Reasons

1. For the avoidance of doubt and to ensure compliance with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
2. The character and location of the property are such that the Local Planning Authority wish to exercise maximum control over future development in order to comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
3. To protect the privacy of adjacent residential properties and so comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
4. The character and location of the property are such that the Local Planning Authority wish to exercise maximum control over future development in order to comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
5. To protect the privacy of adjacent residential properties and so comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
6. To protect the privacy of adjacent residential properties and so comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
7. To ensure that the external appearance of the building(s) is satisfactory and that the development therefore complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
8. To protect the trees and shrubs and thereby retain the character of the site and the area and to ensure that the development complies with the provisions of Policies GN3 & EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
9. In the interests of nature conservation and to ensure compliance with the provisions of Policies GN3 & EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
10. In the interests of nature conservation and to ensure compliance with the provisions of Policies GN3 & EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
11. In the interests of nature conservation and to ensure compliance with the provisions of Policies GN3 & EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

12. In the interests of nature conservation and to ensure compliance with the provisions of Policies GN3 & EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
13. In the interests of nature conservation and to ensure compliance with the provisions of Policies GN3 & EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
14. To safeguard a protected species and so ensure that the development complies with the provisions of Policy EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
15. In the interests of sustainable transport choice and to comply with Policy IF2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
16. To safeguard the safety and interests of the users of the highway 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.
17. To assimilate the proposed development into its surroundings and to ensure that the development complies with the provisions of Policy EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

Reason for Approval

1. The Local Planning Authority has considered the proposed development in the context of the Development Plan including, in particular, the following Policy/Policies in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document:
 - SP1 - A Sustainable Development Framework for West Lancashire
 - GN1 - Settlement Boundaries
 - GN3 - Design of Development
 - GN4 - Demonstrating Viability
 - EC3 - Rural Development Opportunities
 - RS1 - Residential Development
 - RS2 - Affordable and Specialist Housing
 - IF2 - Enhancing Sustainable Transport Choice
 - IF3 - Service Accessibility and Infrastructure for Growth
 - IF4 - Developer Contributions
 - EN1 - Low Carbon Development and Energy Infrastructure
 - EN2 - Preserving and Enhancing West Lancashire's Natural Environment
 - EN3 - Provision of Green Infrastructure and Open Recreation Space
 - EN4 - Preserving and Enhancing West Lancashire's Built Environment
 together with Supplementary Planning Guidance and all relevant material considerations. The Local Planning Authority considers that the proposal complies with the relevant Policy criteria and is acceptable in the context of all relevant material considerations as set out in the Officer's Report. This report can be viewed or a copy provided on request to the Local Planning Authority.

No.5 APPLICATION NO.	2017/0738/FUL
LOCATION	Former Farm Shop Course Lane Newburgh Lancashire WN8 7LA
PROPOSAL	Replace existing greenhouses with new agricultural building.
APPLICANT	Birleywood Ltd
WARD	Newburgh
PARISH	Newburgh
TARGET DATE	18th September 2017

1.0 REFERRAL

- 1.1 This application was to be determined under the Council's delegation scheme however Councillor Pope has requested it be referred to Committee to consider the impact on the Green Belt.

2.0 SUMMARY

- 2.1 The proposed development is acceptable in principle. The proposal is considered to be appropriate to the location and will not have a significant impact on the character or appearance of the area or on the amenity of neighbouring properties. The development would not result in any additional adverse impact on highway safety or on flooding/drainage within the local area. The proposed development is considered to be compliant with the NPPF and Policies EC2, GN1 and GN3 of the West Lancashire Local Plan 2012-2027 DPD.

3.0 RECOMMENDATION - APPROVE with conditions.

4.0 SITE DESCRIPTION

- 4.1 The site comprises two adjoining greenhouses located to the northern side of Course Lane in Newburgh. The greenhouses are located to the rear of the building known as the farm shop which is in the same ownership. Planning permission ref: 2016/1245/FUL was granted for replacement of the westernmost greenhouse with an agricultural storage building.
- 4.2 To the rear and west side of the site there are agricultural fields also in the same ownership. The site is within the Green Belt but lies adjacent to the settlement boundary of the Rural Sustainable Village of Newburgh.

5.0 PROPOSAL

- 5.1 The application proposes the erection of an agricultural storage building following the demolition of both greenhouses which are currently on the site. The building would measure 45m x 15m, would have a maximum height of 5.1m and would be sited on the footprint of the existing greenhouses. There is currently a partial area of hardstanding between the greenhouses and the former farm shop and it is proposed to resurface and enlarge this area.

6.0 PREVIOUS RELEVANT DECISIONS

- 6.1 2017/0651/CON - Approval of Details Reserved by Condition Nos. 3, 4, 5, 9, 10, and 11 of planning permission 2016/1151/FUL relating to sustainable drainage principles & surface water sustainable drainage scheme, external facing & roofing material, landscaping scheme, external lighting, one-way system, access, and parking & turning areas - Part Approved / Part refused
- 6.2 2016/1245/FUL - Replace existing greenhouse with new agricultural storage building - Approved
- 6.3 2016/1151/FUL - Internal and external works to building including extensions to front and rear; recladding and glazing; revised roof and creation of mezzanine floor; car parking; to create retail and cafe units and ancillary facilities - Granted
- 6.4 2016/0951/PNP - Application for Determination as to Whether Prior Approval is Required for Details - Agricultural storage building - Withdrawn
- 6.5 2013/1338/PNC - Application for determination as to whether prior approval of details is required - Change of use to a flexible use of Class A1 (Shops), Class A2 (Financial and Professional Services), Class A3 (Restaurants and Cafes), Class B1 (Business), Class B8 (Storage or Distribution), Class D2 (Assembly or Leisure) from an agricultural building - Granted
- 6.6 2010/1215/COU - Change of use of existing farm shop to B1 and/or B8 uses. (Re submission of planning permission 2009/0701/COU including details of hours of operation) - Granted
- 6.7 2009/0701/COU - Change of use of existing farm shop to B1 and/or B8 use - Refused (Dismissed at appeal)
- 6.8 1997/0036 - Use of building for farm shop/sale of garden requisites/local needs provisions, creation of car park and alterations to access - Refused
- 6.9 1993/0888 - Application for determination as to whether prior approval is required for details - glasshouse - Approved

7.0 OBSERVATIONS OF CONSULTEES

7.1 Environmental Health Officer

I have no objections to this application, as long as the proposed replacement building will be used in association with the agricultural activities on the site. Any exterior lighting should be positioned so that its use does not impede on neighbouring properties.

7.2 LCC Highways

There are no highway objections in principle to this application. As you are aware the site access points to the site off Course Lane are poorly maintained and pose dangers to users of the site and public highway, I therefore request that a condition requiring details of the construction of the access is imposed.

7.3 Newburgh Parish Council

Newburgh Parish Council notes that the proposed use of the unit indicates the preparation, packaging and storage of vegetables. This could include plant, refrigerated storage and the use of refrigerated vehicles. We would expect to see conditions limiting the noise from and movements of vehicles, particularly refrigerated vehicles. The capacity of the unit seems disproportionate based on the amount of vegetables grown on site. Newburgh Parish Council is concerned to find out that only one close neighbour was notified directly about the planning application. We have been contacted by residents who felt that they lived close enough to have been consulted directly.

8.0 OTHER REPRESENTATIONS

8.1 Letters of representation have been received which can be summarised as:

The existing greenhouses are not prominent or unsightly however the proposed building would be higher and more visible from the road. It would not be suitable for a Green Belt area;

Refrigeration units would cause unacceptable noise;

Traffic would be increased and cause concern for safety and noise pollution;

Concern that neighbours were not notified of the proposal.

9.0 RELEVANT PLANNING POLICIES

9.1 The National Planning Policy Framework (NPPF) and the West Lancashire Local Plan 2012-2027 DPD provide the policy framework against which the development proposals will be assessed.

The site is located within the Green Belt as designated in the West Lancashire Local Plan 2012-2027 DPD.

National Planning Policy Framework

Requiring Good Design
Protecting Green Belt Land
Conserving and Enhancing the Natural Environment

West Lancashire Local Plan Policies

GN1 - Settlement Boundaries
GN3 - Criteria for Sustainable Development
IF2 - Enhancing Sustainable Transport Choice
EC2 - The Rural Economy
EN2 - Preserving and Enhancing West Lancashire's Natural Environment

Supplementary Planning Document - Design Guide (January 2008)

Supplementary Planning Document - Development in the Green Belt (October 2015)

10.0 OBSERVATIONS OF DIRECTOR OF DEVELOPMENT AND REGENERATION

10.1 The main considerations for this application are

Principle of development - Impact on the Green Belt
Design
Impact on residential amenity
Highways
Drainage

Principle of development - Impact on the Green Belt

10.2 Paragraph 89 in the National Planning Policy Framework states that "A local planning authority should regard the construction of new buildings as inappropriate in Green Belt." There are 6 exceptions to this rule including "*buildings for agriculture and forestry*". The applicant advises that the building is required for the storage of agricultural produce and equipment and may also be used for ancillary sales of farm produce grown on the holding.

10.3 The site has been acquired by new owners who intend to continue to farm the land which they envisage will be used partly for turf production and partly for other crops, including vegetables. The applicant farms other land within the local area, including land at Dark Lane, Ormskirk and the building is required to support the agricultural activities. The supporting Planning Statement indicate that the building will be used in association with the agricultural land at Newburgh for the storage, packing and sale of agricultural and horticultural produce. In

terms of the sale of produce, the applicant indicates that this is likely to take place from the building which is the subject of this application and partly from the refurbished farm shop at the front of the site. Provided that the retail use of the building is ancillary to the agricultural use of the building this would not require planning permission. I am satisfied that the principle of the development is acceptable and the building represents appropriate development in the green belt.

Design

- 10.4 Policy GN3 supported by the Council's SPD Design Guide requires that new development should be of a scale, mass and built form, which responds to the characteristics of the site and its surroundings. Care should be taken to ensure that buildings do not disrupt the visual amenities of the streetscene because of their height, scale or roofline.
- 10.5 The building would replace two slightly dilapidated greenhouses which form part of a small cluster of farm buildings. The buildings are seen in the context of the residential development on the edge of the village. I consider the size, scale and type of materials for the proposed building would be in keeping with other agricultural buildings in the local area. I acknowledge there would be an increase in the height of the building however given the positioning of the building behind the farm shop I am satisfied this increase would not significantly disrupt the street scene.
- 10.6 The area between the proposed building and the farm shop building is proposed to be cleared and additional hardstanding laid down. The applicants have proposed that the surface finish would be concrete. In order that the surface water drainage of the site is not affected by the development it is my view that this surfacing should be porous. This can be secured by a suitable planning condition.
- 10.7 On that basis I consider the development would comply with the requirements of GN3 and the SPD - Design Guide.

Impact on residential amenity

- 10.8 Paragraph 17 of the NPPF requires that planning should always seek to ensure a good standard of amenity for all existing and future residents. The application must also be assessed in terms of Policy GN3 of the West Lancashire Local Plan (2012-2027), which states that development should retain or create reasonable levels of privacy and amenity for occupiers of the neighbouring properties.
- 10.9 I note concerns from nearby residents that the building may be used for refrigerated storage and may require deliveries and collections from refrigerated vehicles. I recommend that a suitable condition is imposed to secure details of

any external mechanical equipment prior to installation so that the impacts of that equipment can be fully assessed. The building would be over 40 metres from the nearest neighbouring property and, given the separation distances to nearby dwellings, I am satisfied that the use of the replacement building and deliveries to or from it would not have a significant impact on the amenity of neighbouring properties.

Highways

10.10 Policy GN3 of the West Lancashire Local Plan 2012-2027 DPD states that development should incorporate suitable and safe access and road layout design in line with latest standards. Adequate parking should be provided in accordance with policy IF2.

10.11 I have consulted the Highway Authority who have raised no objection to the principle of the development however it has been suggested that part of each of the accesses needs to be resurfaced in a bound material. The areas in question lie outside of the red edge for this application. However as part of the conditions discharge application 2017/0651/CON relating to the former farm shop the Council has recently approved improvement works to the accesses.

Drainage

10.12 Limited details have been submitted within the planning application on how the drainage of foul and surface water would be dealt with. The submitted forms indicate that a soakaway would be provided to deal with surface water but details of foul sewage are undecided at the time of submission. An appropriately worded planning condition is recommended to require the submission of full drainage details.

Other matters

10.13 Concerns have been raised in regard to the consultation which was undertaken by the Council. A site notice was posted on a lamppost on Course Lane at the front of the site. A neighbour notification letter was sent out to immediately adjoining neighbours. The Council has met its duty to adequately advertise the application in accordance with relevant legislation.

11.0 RECOMMENDATION

11.1 The proposed development is compliant with the NPPF and the relevant policies in the West Lancashire Local Plan 2012-27 and is recommended for approval.

Conditions

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

2. The development hereby approved shall be carried out in accordance with details shown on the following plans:-
Plan reference 04 and 06 received by the Local Planning Authority on 13th July 2017 and plan reference 01 and 02 received on 24th July 2017.
3. No development shall take place until a scheme for the separate foul and surface water drainage of the site, including any necessary attenuation measures, has been submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be implemented in full and maintained as such at all times for the duration of the development.
4. No development above slab level shall take place until full details and samples of the external facing and roofing materials have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
5. Before any hardstanding is laid on site details of the materials to be used in the construction of that hardstanding shall be submitted to and approved in writing by the Local Planning Authority.
6. No external mechanical ventilation or refrigeration equipment shall be installed at the premises until full details of such equipment has been submitted to and approved in writing by the Local Planning Authority. The equipment shall be installed and operated thereafter in accordance with the approved scheme.

Reasons

1. Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and to ensure compliance with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
3. To ensure that the site is properly drained in the interest of local amenity and that the development, therefore, complies with the provisions of Policies GN3 & IF3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
4. To ensure that the external appearance of the building(s) is satisfactory and that the development therefore complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
5. To ensure that the site is properly drained in the interest of local amenity and that the development, therefore, complies with the provisions of Policies GN3 & IF3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
6. 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.

Reason for Approval

1. The Local Planning Authority has considered the proposed development in the context of the Development Plan including, in particular, the following

Policy/Policies in the adopted West Lancashire Local Plan 2012-2027
Development Plan Document:
GN1 - Settlement Boundaries
GN3 - Criteria for Sustainable Development
IF2 - Enhancing Sustainable Transport Choice
EC2 - The Rural Economy

together with Supplementary Planning Guidance and all relevant material considerations. The Local Planning Authority considers that the proposal complies with the relevant Policy criteria and is acceptable in the context of all relevant material considerations as set out in the Officer's Report. This report can be viewed or a copy provided on request to the Local Planning Authority.

No.6 APPLICATION NO.	LCC/2017/0064
LOCATION	Beaconsall Exploration Site Marsh Road Banks Lancashire PR9 8DY
PROPOSAL	County Matter - Variation of Condition 1 of permission LCC/2017/0016 to allow works to plug and abandon the borehole and to restore the site in accordance with Condition No. 17 of permission LCC/2017/0016 to be undertaken between 01 April 2018 and 31 October 2018.
APPLICANT	Cuadrilla Resources
WARD	North Meols
PARISH	North Meols
TARGET DATE	4th October 2017

1.0 REFERRAL

- 1.1 This application was to be determined under the Council's delegation scheme however Councillor Mills has requested it be referred to Committee to consider the impact on the surrounding area.

2.0 SUMMARY

- 2.1 The application to vary the condition complies with Policy EN2 of the West Lancashire Local Plan in that it avoids works affecting nesting birds and over-wintering bird habitat. However the applicant is advised to take steps to avoid nesting birds in the spring of 2018 so that the plugging, abandonment and restoration works can take place before the end of August 2018.

3.0 RECOMMENDATION

- 3.1 **NO OBJECTION**

4.0 THE SITE

- 4.1 The application relates to an existing hydrocarbon exploration well site located within an area of flat agricultural land approximately 1.5 km northwest of Banks and 3km west of Hesketh Bank. The site is located approximately 700 metres north of Marsh Road from which access to the site is gained via an agricultural track known as Bonny Barn Road.
- 4.2 The site covers an area of 1ha and consists of a hardcore drilling platform surrounded by fencing with soil storage mounds on two sides and the well head in the centre of the platform.

- 4.3 The nearest residential properties are located at Marsh Nurseries 200 metres to the west and at Marshfield Farm 400 metres to the north. Other properties are located off Marsh Road. A public right of way is located approximately 290 metres to the east of the drilling platform.
- 4.4 The site is located within the Marsh Farm Fields /North Meols Biological Heritage Site. The Ribble Estuary SSSI and Morecambe Bay SPA are located approximately 650 metres to the north beyond the embankment / flood defence that forms the edge of the agricultural land.
- 4.5 The site is also located within the Green Belt.

5.0 THE PROPOSAL

- 5.1 Planning permission is sought to vary Condition 1 of extant planning permission LCC/2017/0016. The planning application has been made to Lancashire County Council (LCC), who are the determining authority in this instance. LCC are seeking the views of West Lancashire Borough Council.
- 5.2 Condition 1 of the existing permission requires the restoration of the site and is worded as follows:

The works to plug and abandon the borehole and to restore the site in accordance with the requirements of condition 17 below shall not commence before 1st April 2017 and shall be completed by 31st August 2017

Reason: To ensure the plugging and abandonment of the borehole and restoration of the site within a reasonable timescale in the interests of the visual amenities of the area and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan and Policies GN3 and EN2 of the West Lancashire Local Plan 2012-2027

- 5.3 The applicant proposes that the condition be varied as follows:
The works to plug and abandon the borehole and to restore the site in accordance with the requirements of condition 17 below shall not commence before 1st April 2018 and shall be completed by 31st October 2018.

6.0 PREVIOUS RELEVANT APPLICATIONS

- 6.1 LCC/2017/0016 - County Matter - Variation of Condition 14 of planning permission LCC/2014/0047 so that permitted noise limits during plugging and abandonment of the well and restoration are limited to 55dB(A) between 08.00 and 21.00 and 42dB(A) between 21.00 and 08.00 when measured at the boundary of the nearest residential receptor.

- 6.2 LCC/2014/0047 – County Matter – Retention of the site compound and access track for a further 3 years to allow pressure monitoring of the Bowland shale reservoir, followed by plugging and abandonment of the existing exploratory well and site restoration.
- 6.3 2012/1273/CMA - County Matter - Scoping opinion for environmental statement to accompany application to vary planning condition 1 of permission 2010/0973
- 6.4 2012/1032/CMA - County Matter - Variation of Condition 1 of planning permission 2010/0973/CMA to extend the period of time for the testing for hydrocarbons in the drilled exploratory borehole and restoration of the site by a further 18 months until 28 March 2014.(The above application is to be amended in the following way:-
Undertaking a specialised reservoir diagnostics programme at 4 levels within the well to determine recoverability of natural gas;
The additional testing would commence in late July 2013 for a period of between 60 - 90 days;
The site would be restored by 28th September 2014.)
- 6.5 2010/0973/CMA - County Matter - Temporary change of use from agriculture to site for drilling exploratory borehole and testing for hydrocarbons including construction of a drilling platform.
- 6.6 2005/0332 - County Matter - Variation of Condition No. 2 imposed on planning permission 8/2002/0035 to extend the operations period to 10th October 2006.
- 6.7 2002/0035 - County Matter - Construction of an exploration drilling site and access track; mobilisation of a drilling rig; setting up and drilling of an exploration well; testing any discovered hydro carbon bearing horizons; and if successful the completion and suspension of the well with a well head valve assembly.

7.0 OBSERVATIONS OF CONSULTEES

- 7.1 Director of Leisure and Wellbeing (21/08/2017) – No objection

8.0 OTHER REPRESENTATIONS

- 8.1 None

9.0 RELEVANT PLANNING POLICIES

- 9.1 National Planning Policy Framework (NPPF) and the West Lancashire Local Plan DPD (2012-2027) provide the policy framework against which the development proposals will be assessed.

- 9.2 The site is located within the Green Belt, Banks Enclosed Marsh Conservation Site and a Coastal Zone as designated in the West Lancashire Local Plan DPD (2012-2027).
- 9.3 Joint Lancashire Minerals and Waste Local Plan
- 9.4 West Lancashire Local Plan Policies include:
GN1 – Settlement Boundaries
GN3 – Criteria for Sustainable Development
EN1 – Low Carbon Development and Energy Infrastructure
EN2 – Preserving and Enhancing West Lancashire’s Natural Environment

10.0 OBSERVATIONS OF DIRECTOR OF DEVELOPMENT AND REGENERATION

Background

- 10.1 Planning permission was originally granted on this site for an exploration well for hydrocarbons in 2010 (permission 8/10/973). In 2015 a further permission ref: LCC/2014/0047 was granted for retention of the well site for a further period of three years to allow the pressure monitoring of the Bowland shale reservoir followed by plugging and abandonment and restoration of the site back to agriculture. In 2017 the applicant advised LCC that it did not propose to undertake the pressure monitoring. However, it was still necessary to plug and abandon the well and restore the site as required by the original planning permission by 31st August 2017.
- 10.2 In order to carry out the plugging and abandonment operations, machinery is required. However, Condition 14 (relating to noise) on the original permission effectively prevented the applicant from restoring the site as any noise generating works such as the re-spreading of soils or cementing of the borehole carried out as part of the restoration would be likely to breach the noise condition. In addition, the noise condition did not meet current guidance as it set a noise limit at the site boundary rather than at a noise sensitive property and therefore failed the test of reasonableness. As such the noise condition was varied by way of planning application LCC/2017/0016 to restrict noise to no more than 50dB at any noise sensitive property.
- 10.3 In order to begin the plugging, abandonment and restoration works in the spring of 2017, the original permission (Condition 3) required that the applicant first undertook a nesting bird survey to establish the presence or absence of nesting birds. This was undertaken in June 2017 and a nest of a Little Ringed Plover containing 4 eggs was found on the site. As such, the applicant was unable to undertake the plugging and abandonment works until the birds had fledged, leaving insufficient time to complete the works before the 31st August 2017 deadline. Furthermore, the applicant cannot begin the works now, as the site is within a SPA, and SSSI and as such the habitat is protected during the wintering

bird season between the beginning of September and end of March. There is therefore only a very short window of opportunity to undertake the works in the spring/summer.

Assessment

- 10.4 The main issue is whether or not it is reasonable to allow an extension of time of one year to plug, abandon and restore the site. The County Ecologist has provided advice to LCC on the matter and advises that (inter-alia) "*A start date of April 1st avoids the wintering bird season (as set out by permission LCC/2014/0047).*

However, whilst specifying completion by end August similarly avoids the wintering period, it gives the applicant no option but to work in the breeding bird season. The applicant has confirmed that breeding birds (little ringed plover) are present on site. This species is listed under schedule 1 of the Wildlife and Countryside Act 1981 (as amended) such that, in addition to the general protection afforded to wild birds, their nests and eggs, it would also be an offence to intentionally or recklessly disturb the birds in, on or near an active nest, or to disturb the dependent young.

In principle therefore there can be no objection to the proposed time extension, since it is necessary to avoid a breach of the Wildlife and Countryside Act 1981 (as amended): works must now be delayed until such time as nesting is complete, the nest is abandoned, and dependent young are absent.

However, the provisions of the Conservation of Habitats and Species Regulations 2010 (as amended) will also still apply. In this case, not only does the work need to avoid the breeding bird season (when birds are actively breeding and would be disturbed) but also the wintering bird season (which a restriction on works between end October and end March allows for). If works cannot now be carried out between the end of birds breeding on site and the end of October (2017), they will need to be delayed until 2018.

It also occurs to me that unless the applicant takes steps to deter birds from breeding on site during 2018, the same scenario may play out next year, i.e. birds begin nesting and site restoration has to be delayed for a further year (ad infinitum).

- 10.5 I would agree with the above assessment and on the basis of the advice from the County Ecologist, would not object to an extension of time and the variation of Condition 1 of planning permission LCC/2017/0064.

11.0 RECOMMENDATION

11.1 That West Lancashire Borough Council raises NO OBJECTIONS to the application.

No.7 APPLICATION NO.	2017/0402/WL3
LOCATION	55A Pennington Avenue Ormskirk Lancashire L39 1NG
PROPOSAL	Conversion of existing communal residents lounge, kitchen and offices into a new 3 bed flat. Refurbishment of previous wardens flat and separation of communal garden to provide allocated gardens. Allocation of 4 parking spaces outside of the building for exclusive use of flats. Change of use from grassed open space to provide 3 no car parking spaces.
APPLICANT	West Lancashire Borough Council
WARD	Scott
PARISH	Unparished - Ormskirk
TARGET DATE	19th October 2017

1.0 SUMMARY

- 1.1 The proposed development would provide a satisfactory residential environment for future occupants and additional off road parking. It would not be detrimental to either residential amenity or highway safety. The proposal accords with Policy GN3, RS1 and IF2 of the West Lancashire Local Plan and as such is recommended for approval.

2.0 RECOMMENDATION

- 2.1 **APPROVE with conditions**

3.0 THE SITE

- 3.1 The site relates to a detached building which was last used as a 3 bed wardens flat on the first floor and a communal lounge for the wider community on the ground floor. A warden has not resided at the property since 2000. The site has an ample rear garden which is bound by a timber fence.

4.0 THE PROPOSAL

- 4.1 Planning permission is sought for a number of alterations to the site:

Conversion of the existing ground floor communal lounge to a 3 bedroom flat;
 Refurbishment of the existing first floor wardens flat;
 Subdivision of existing communal garden into separate gardens for the residents of each flat;
 Alterations to windows and doors;

Allocation of 4 parking spaces outside the building for exclusive use of the flats;
Change of use from grassed open space to provide 3no car parking spaces
opposite no 59 – 61 Pennington Avenue.

5.0 PREVIOUS RELEVANT DECISIONS

- 5.1 2014/0196/WL3 – Change of use from grassed open space to car parking.
Laying of kerbs, stone base, tarmac road surfaces and footpaths as on
plans. GRANTED
- 5.2 8/81/57 – Full application to erect two storey common room/wardens flat
accommodation, provision of 4 parking spaces, landscaping of site and alteration
to existing pedestrian/vehicular access on land between 55 and 57 Pennington
Avenue. - GRANTED

6.0 CONSULTEE RESPONSES

- 6.1 Lancashire County Council Highways – 17.08.2017
No objection, notes suggested
- 6.2 Environmental Protection – 22.09.2017
No objection

7.0 OTHER REPRESENTATIONS

- 7.1 13 letters of objection have been received from 11 residents and can be
summarised as follows:

Parking

Parking is already at a premium, works under application 2014/0196/WL3 helped
but did not overcome the problem;
Spaces are often used by people visiting or working in Ormskirk preventing
residents using them;
The residents of the proposal should not be given preferential treatment of
allocated parking;
On Pennington Avenue there are 24 Houses, 12 maisonettes and 18 flats, this is
a total of 54 separate households. The street has 19 separate parking spaces for
the use of residents only (not enforced), 1 space is reserved for the warden
between 9am to 5pm. This is not enough;
Spaces are often occupied by non-residents of the Avenue;
The proposal to add further residences and give them existing parking spaces
allocated for residents shows a total disregard for local residents' needs;
Concerns that parking at the head of the cul-de-sac limits emergency vehicles
gaining access to the sheltered housing of 69-70;

Existing garaging facilities are not being used by residents as they are owned by local shop owners for storage. Being offered and sold/rented by the Council to non-residents of Pennington Avenue. These garaging facilities should not be counted as parking provision for residents on Pennington Avenue for the purpose of this application;

The amendments to the parking to add 3 additional spaces still leaves residents with a loss of an overnight space as the wardens space was only operational between the hours of 9.00 – 17.00;

If a warden needs to visit the cul-de-sac they will have to park in a resident's space if their allocated space gets removed;

The new residents of the proposal will be able to use the 'residents' spaces' for visitors etc. but this is unfair as other residents are not permitted to use the allocated spaces;

The location of the additional spaces is to be on the grassed area where people have been parking anyway because of a lack of parking. Decreasing overnight parking and taking away emergency parking will leave residents worse off.

Amenity / Privacy

The property has a rear first floor bay window which can directly overlook the back gardens of properties. This window is to remain as part of the proposal and will be for a living room;

The first floor bay window sits 2.7m away from the property line with number 57 and the base is about 2.1m above the top of the dividing fence. Consequently direct views into the private space of number 57 and 59 will be possible;

Concern that the proposal will give greater rise to a loss of privacy as the building is currently not used and when it was used it was by the warden only who will have been checked by police. Anyone could now move into this flat with a vantage point over neighbouring gardens.

Loss of community centre

It is understood the community building hasn't recently been used to its full potential however it has still been used by the community;

Where will these services go? Or will they just cease to be?;

The wider community will be impacted by its loss.

8.0 SUPPORTING INFORMATION

8.1 None

9.0 LOCAL PLAN ALLOCATION

9.1 The site is located within Ormskirk which is designated as a Key Service Centre in the West Lancashire Local Plan.

- 9.2 **National Planning Policy Framework**
Delivering a wide choice of high quality homes
Requiring good design
Promoting healthy communities
- 9.3 **West Lancashire Local Plan (2012-2027) DPD**
Policy GN1 – Settlement Boundaries
Policy GN3 – Criteria for Sustainable Development
Policy RS1 – Residential Development
Policy IF1 – Maintaining Vibrant Town and Local Centres
Policy IF2 – Enhancing Sustainable Transport Choices
- 9.4 **Supplementary Planning Document, Design Guide (Jan 2008)**

10.0 OBSERVATIONS OF DIRECTOR OF DEVELOPMENT AND REGENERATION

Principle of Development – Residential Development

- 10.1 Policy RS1 of the Local Plan states that residential development will be permitted within the Borough's settlements, including Key Service Centres, on brownfield sites, and on greenfield sites not protected by other policies. The site is within the settlement area of Ormskirk and as such the principle of a residential use within the settlement boundary is acceptable subject to the proposal complying with all other planning policy.

Loss of community facility

- 10.2 The existing first floor was originally occupied by a warden who oversaw residents in the immediate local area. However a warden has not resided at the property since 2000. The Council still provide sheltered services but no staff have service accommodation.
- 10.3 The communal lounge was last used March 2017 however owing to dwindling number of users the Council made a decision to close the facility. Residents now have access to and use Bath Springs Court facility which is within the sheltered housing scheme. This site is about 0.6miles from the application site.
- 10.4 Whilst the loss of the ground floor communal facility will have some impact upon the local community I am satisfied that there are other similar facilities in Ormskirk to cater for the needs of local residents.

Design / appearance / amenity

- 10.5 Minimal changes are proposed to the external fabric of the building and revolve around the alterations of windows and the alterations of some external materials.

All the proposed works are considered acceptable and are in accordance with Policy GN3 of the West Lancashire Local Plan (2012-2027) DPD.

- 10.6 The rear garden will be subdivided to provide garden areas for each flat. The resultant amenity area for each unit is considered acceptable.
- 10.7 The proposal to create the 3 additional parking bays would result in the removal of part of the grassed area and an ornamental tree which contributes to the attractive make-up of the streetscene, however a section of the grassed area would still remain and therefore the impact on the character of the area would not be significant.

Impact upon adjoining land uses

- 10.8 Policy GN3 of the Local Plan states that developments should 'retain reasonable levels of privacy, amenity and sufficient garden / outdoor space for occupiers of the neighbouring and proposed properties.'
- 10.9 The lawful use of the first floor is already a flat albeit restricted to the warden. As such a full complement of residential accommodation is already provided. Whilst refurbishment is proposed of this unit no new windows are proposed. In regards to the ground floor, again no windows are to be added although at the front some alteration to the size of windows are proposed. These alterations are considered acceptable.
- 10.10 I note that neighbouring objections have raised concerns regards the loss of privacy as a result of the proposal and in particular the existing first floor bay window of the lounge. However I consider that the proposal would not result in any greater loss of privacy or overlooking than currently exists. The bay window does offer some views into the neighbouring gardens however noting the angled nature of the properties from each other I do not consider this to be so significant. Furthermore the first floor of the premises already has a lawful use as a flat and the submitted plans show that the right hand side panel of the bay window would be obscure glazed.
- 10.11 I do not consider that the proposed change of use of the ground floor unit would result in any detrimental impact to neighbouring properties. If anything the proposal is likely to result in fewer visitors to the site then when it operated as a community facility and was in full use.
- 10.12 Noting the above I am satisfied that the amenity and privacy of neighbouring properties is retained as part of the proposal.
- 10.13 Whilst there would be overlooking of the garden area belonging to the ground floor flat from the rear facing windows on the proposed first floor flat, this is a

common feature of flats of this type and is on balance acceptable. Both properties would be provided with adequate external amenity space.

Parking / highways

- 10.14 When planning permission for the warden's office and communal facility building was granted (ref 8/81/57) the scheme included 4 parking spaces, 1 for the use of the warden and 3 for the community facility. This proposal would see these 4 spaces designated for use by the residents of the proposed flats.
- 10.15 In practice local residents indicate that they have historically been able to park in the spaces allocated to the community facility. Concern has been expressed about the potential loss of off street parking if these spaces are reserved for use by the residents of the proposed flats. Therefore the proposal involves the creation of 3 additional parking bays on the grassed area at the head of the cul-de-sac adjacent to existing bays. The provision of the 3 additional bays will be for the use of other residents of the Avenue. Consequently the residents of Pennington Avenue will not experience a net loss of parking provision.
- 10.16 Each new parking space would exceed the minimum parking standard set out in Manual for Streets (4.80 x 2.40m) measuring 5m x 2.50m. In all cases there is sufficient turning area to enable vehicles to turn within the head of the cul-de-sac to allow them to exit Pennington Avenue in a forward gear. The Highway Authority is satisfied with the parking arrangements.
- 10.17 On this basis I am satisfied that the proposal accords with Policy GN3 and IF2 of the Local Plan.

11.0 RECOMMENDATION

- 11.1 That planning permission be GRANTED subject to the following conditions:

Conditions

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
2. The development hereby approved shall be carried out in accordance with details shown on the following plans:-
Plan reference
Proposed and existing plans and elevations received by the Local Planning Authority on 20.09.2017
Existing and proposed parking plan received by the Local Planning Authority on 11.07.2017
3. Prior to occupation of the development hereby approved the proposed fence within the rear garden to demark the boundary between the units hereby permitted shall be erected in the position and in accordance with the details

- shown on the approved plan, and shall be retained thereafter for the duration of the development.
4. Notwithstanding the approved plan, the proposed hardstanding shall be made of a porous material or provision shall be made to direct run off water from the hard surface to a permeable or porous area or surface within the site boundaries.
 5. All external elevation materials shall be as detailed on plan reference (existing and proposed plans and elevations) received 11th April 2017. If the applicant or developer has any doubts as to whether the proposed materials are acceptable they should check with the Local Planning Authority before commencement of the building works.
 6. The 3 new parking spaces as detailed on plan reference Existing and proposed parking plan received by the Local Planning Authority on the 11.07.2017 shall be provided prior to the occupation of the ground floor flat.

Reasons

1. Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. for the avoidance of doubt and to ensure compliance with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
3. for the avoidance of doubt and to ensure compliance with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
4. To ensure that the development minimises the potential of flash flooding in the interest of local amenity and that the development, therefore, complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
5. To ensure that the external appearance of the building(s) is satisfactory and that the development therefore complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
6. To allow for vehicles visiting the site to be parked clear of the highway and to assimilate the new car parking areas within the site and to ensure that the development complies with the provisions of Policies GN3 & IF2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

Notes

1. The new vehicular access, within the adopted highway will need to be constructed under a section 184 agreement of the 1980 Highways Act (Vehicle crossings over footways and verges), The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant is advised to contact LCC before works begin on site. Further information and advice can be found at www.lancashire.gov.uk and search for "vehicular crossings".

Reason for Approval

1. The Local Planning Authority has considered the proposed development in the context of the Development Plan including, in particular, the following Policy/Policies in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document:

Policy GN1 - Settlement Boundaries

Policy GN3 - Criteria for Sustainable Development

Policy RS1 - Residential Development

Policy IF2 - Enhancing Sustainable Transport Choices

Together with Supplementary Planning Guidance and all relevant material considerations. The Local Planning Authority considers that the proposal complies with the relevant Policy criteria and is acceptable in the context of all relevant material considerations as set out in the Officer's Report. This report can be viewed or a copy provided on request to the Local Planning Authority.

No.8 APPLICATION NO.	2017/0885/FUL
LOCATION	192 - 198 Ennerdale Tanhouse Skelmersdale Lancashire WN8 6AN
PROPOSAL	Change of use from residential to mixed use of residential with communal space and office space.
APPLICANT	Mr Adrian Tayler
WARD	Tanhouse
PARISH	Unparished - Skelmersdale
TARGET DATE	24th October 2017

1.0 SUMMARY

1.1 The proposed development accords with Policies SP1, GN1, GN3 and IF2 of the Local Plan and as such is recommended for approval.

2.0 RECOMMENDATION

2.1 **APPROVE with conditions**

3.0 THE SITE

3.1 The application site is an existing 4 storey detached rendered building within the Ennerdale Housing Estate. It is currently surrounded by palisade fencing. There is a community centre to the south and there are two storey residential dwellings to the north, east and west. The building was originally built as residential accommodation but was last used as an office. Application reference 2016/0675/FUL was granted for the conversion of the vacant office unit into 4 no. 2 bed flats and 2 no. 3 bed maisonettes. Works on this proposal have been started on site but are on hold while this application is determined.

4.0 THE PROPOSAL

4.1 The application seeks planning permission for a change of use from residential to a mixed use of residential with communal and office space.

4.2 The proposal would provide an office/ therapy room/visiting room on the ground floor. The first floor would be for 1, 4 bedroom flat with associated kitchen and communal living room. The third and part of the second floor will be for a 6 bedroom maisonette, with the bedrooms on the third floor and the communal / living room and kitchen on the second floor. The other half of the second floor will provide an IT suite and a consulting room for use by the residents of the building.

- 4.3 Other minor external alterations are proposed such as the replacement of Juliet balconies with windows and some door and window alterations. Also proposed is a variation to the render pattern of the external building.
- 4.4 The building would be used by the Tanhouse Community Enterprise in partnership with Birchwood Centre Skelmersdale. It would provide assisted living for residents who have suffered trauma or those suffering with mental health issues.

5.0 PREVIOUS RELEVANT DECISIONS

- 5.1 2016/0675/FUL - Conversion of vacant office unit into 4 no. 2 bed flats and 2 no. 3 bed maisonettes. GRANTED
- 5.2 1990/1498 – Conversion of maisonette block into Neighbourhood Housing Office. GRANTED.

6.0 CONSULTEE RESPONSES

- 6.1 Highway Authority – 19.09.2019
No objection

7.0 OTHER REPRESENTATIONS

- 7.1 None received.

8.0 SUPPORTING INFORMATION

- 8.1 None

9.0 LOCAL PLAN ALLOCATION

- 9.1 The National Planning Policy Framework (NPPF) and the West Lancashire Local Plan 2012-2027 DPD provide the policy framework against which the development proposals will be assessed.
- 9.2 The site is located within the Regional Town of Skelmersdale as designated in the West Lancashire Local Plan 2012-2027 DPD.

West Lancashire Local Plan 2012-2027 DPD

SP1 A Sustainable Development Framework for West Lancashire
GN1 Settlement Boundaries
GN3 Criteria for Sustainable Development
IF2 Enhancing Sustainable Transport Choice

9.3 **Supplementary Planning Document**, Design Guide.

10.0 **OBSERVATIONS OF DIRECTOR OF DEVELOPMENT AND REGENERATION**

Principle of Development

10.1 The site is located within the settlement area of Skelmersdale, and surrounded by residential development. The building was originally constructed as residential accommodation and converted into office use in 1990, as such a mixed use of residential accommodation and office / communal facilities in this location is considered acceptable subject to compliance with all other relevant plan policies.

Visual appearance / design / character of area

10.2. Policy GN3 of the Local Plan states that in the case of conversion or alterations to existing buildings, the proposal should relate to the existing building in terms of design and materials.

10.3 The proposed alterations to the building mainly involve the installation of windows and changes to the access to the building. Also proposed is an alteration in the render pattern. I am satisfied that the external alterations to the building are acceptable and would not impact detrimentally upon the character of the building or the street scene.

Impact on Residential Amenity

10.4 Policy GN3 of the Local Plan advises that developments should retain reasonable levels of privacy and amenity for occupiers of the neighbouring and proposed properties.

10.5 Whilst the conversion works would result in alterations to windows, in the most part the proposed scheme reduces the amount of new openings from the previous approved application. I am satisfied in terms of window orientation there would be no undue impact on amenity for surrounding residents.

10.6 I do not consider that the introduction of a ground floor office would result in any detrimental impact to adjoining neighbours.

10.7 In terms of the impact on residential amenity of future occupiers, there is a garden area to the rear of the building to the south which would provide sufficient amenity space for future occupiers of the building. All habitable rooms have adequate outlook.

10.8 I am satisfied that the conversion of the premises to a mixed use of residential/communal and office use would not have an undue impact on the amenities of local residents, or future occupants.

Highways

- 10.9 Skelmersdale was designed as a new town and therefore the layout and design of the housing estates commonly features parking provision for properties in communal parking areas along the access roads. The block 192-198 Ennerdale was originally constructed as flats/maisonettes which was later converted to office space, therefore the application is to convert it back to its original use with a limited element of office space. There is unlikely to be any increased demand for car parking associated with the proposed use above the authorised uses of the premises. There is no objection to the development on highway safety grounds; I consider that the use of premises should have a negligible impact on highway safety and highway capacity within the immediate vicinity of the site.
- 10.10 The Environmental Protection Manager advised as part of application reference 2016//0675/FUL that electric vehicle recharging points should be provided on the site. However, as the site was previously developed for residential purposes and the car parking is already in situ rather than being a new provision, it is not reasonable in this instance to require the provision any vehicle charging points.

11.0 RECOMMENDATION

- 11.1 That planning permission be GRANTED subject to the following conditions:

Conditions

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
2. The development hereby approved shall be carried out in accordance with details shown on the following plans:-
Plan reference Existing and proposed floor plans and elevations received by the Local Planning Authority on 11.08.2017
3. The external render finish shall be smooth and finished in red ref: 2050Y90R and grey ref 2502B as detailed in the submitted Weatherby booklet received by the Local Planning Authority on the 11th August 2017.

Reasons

1. Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. for the avoidance of doubt and to ensure compliance with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
3. To ensure that the external appearance of the building(s) is satisfactory and that the development therefore complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

Notes

1. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.
Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

Reason for Approval

1. The Local Planning Authority has considered the proposed development in the context of the Development Plan including, in particular, the following Policy/Policies in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document:

SP1 A Sustainable Development Framework for West Lancashire
GN1 Settlement Boundaries
GN3 Criteria for Sustainable Development
IF2 Enhancing Sustainable Transport Choice

Together with Supplementary Planning Guidance and all relevant material considerations. The Local Planning Authority considers that the proposal complies with the relevant Policy criteria and is acceptable in the context of all relevant material considerations as set out in the Officer's Report. This report can be viewed or a copy provided on request to the Local Planning Authority.



PLANNING COMMITTEE

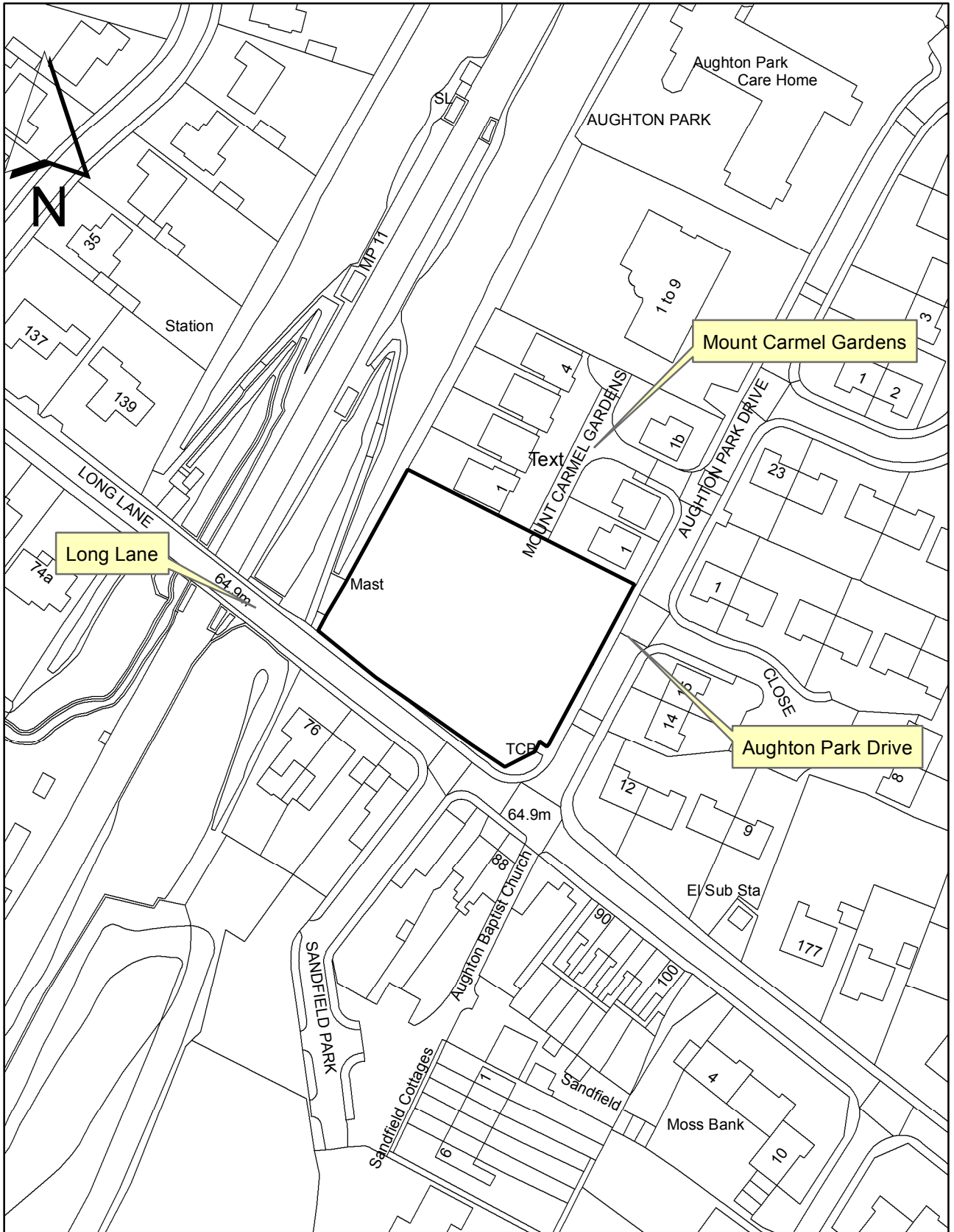
5th October 2017

(Agenda Item 7)

PLANNING APPLICATION ITEMS

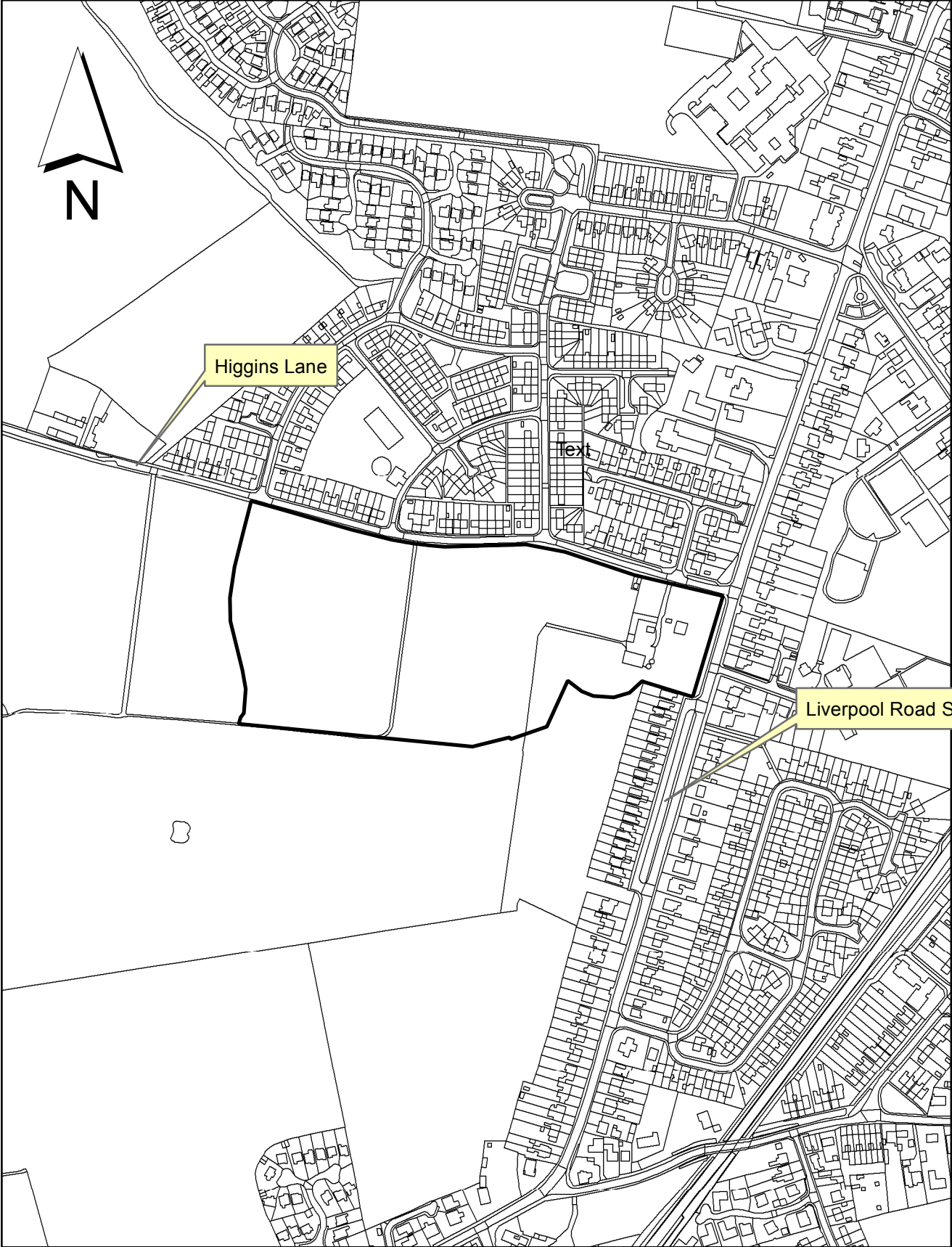
LOCATION PLANS

Land at Junction with Long Lane, Aughton Park Drive, Aughton
L39 5QE

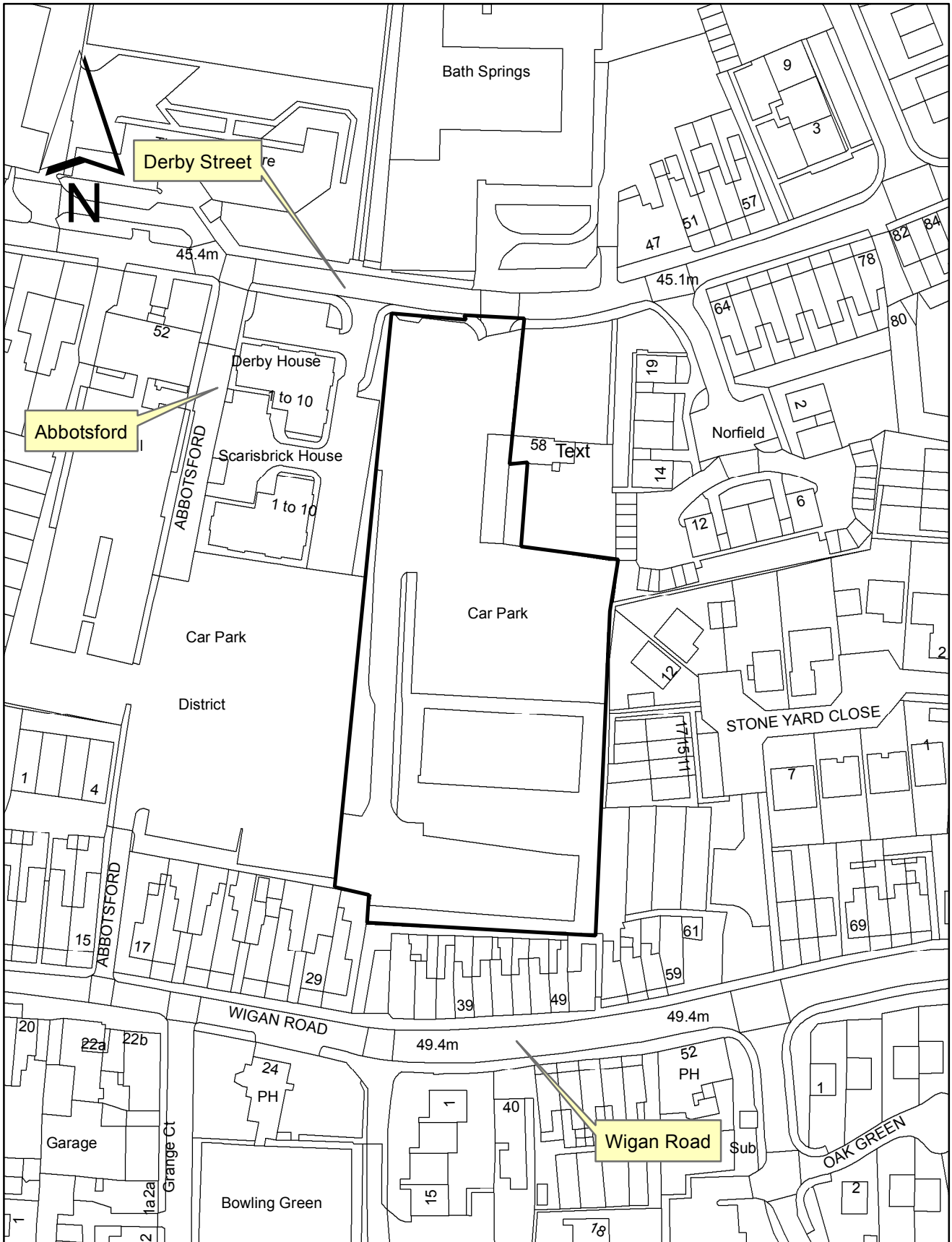




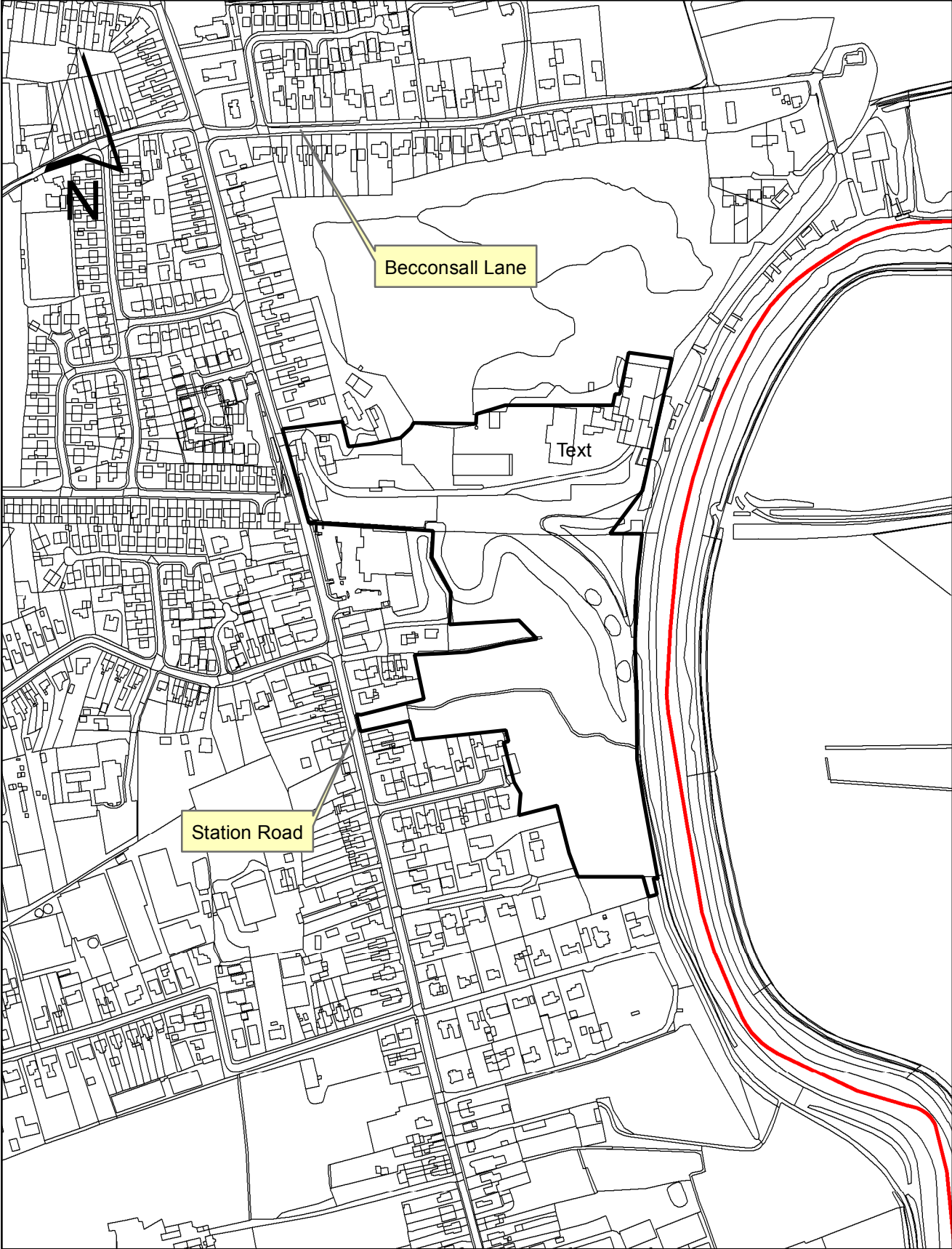
Yew Tree Farm, Liverpool Road South, Burscough L40 7RE



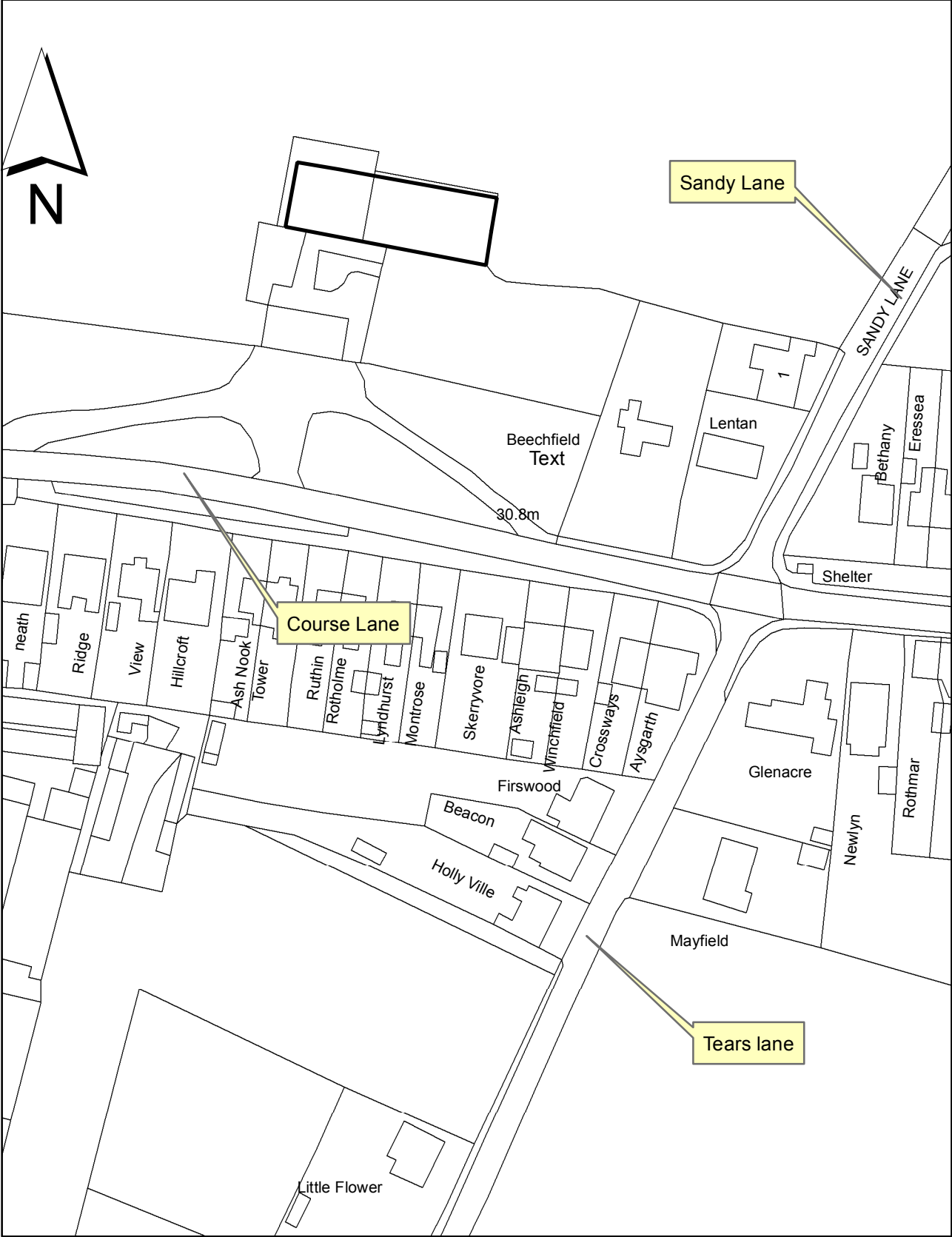
Site of Former Westec House, Derby Street, Ormskirk L39 2DF



Henry Alty Ltd, Station Road, Hesketh Bank, Preston
PR4 6SP

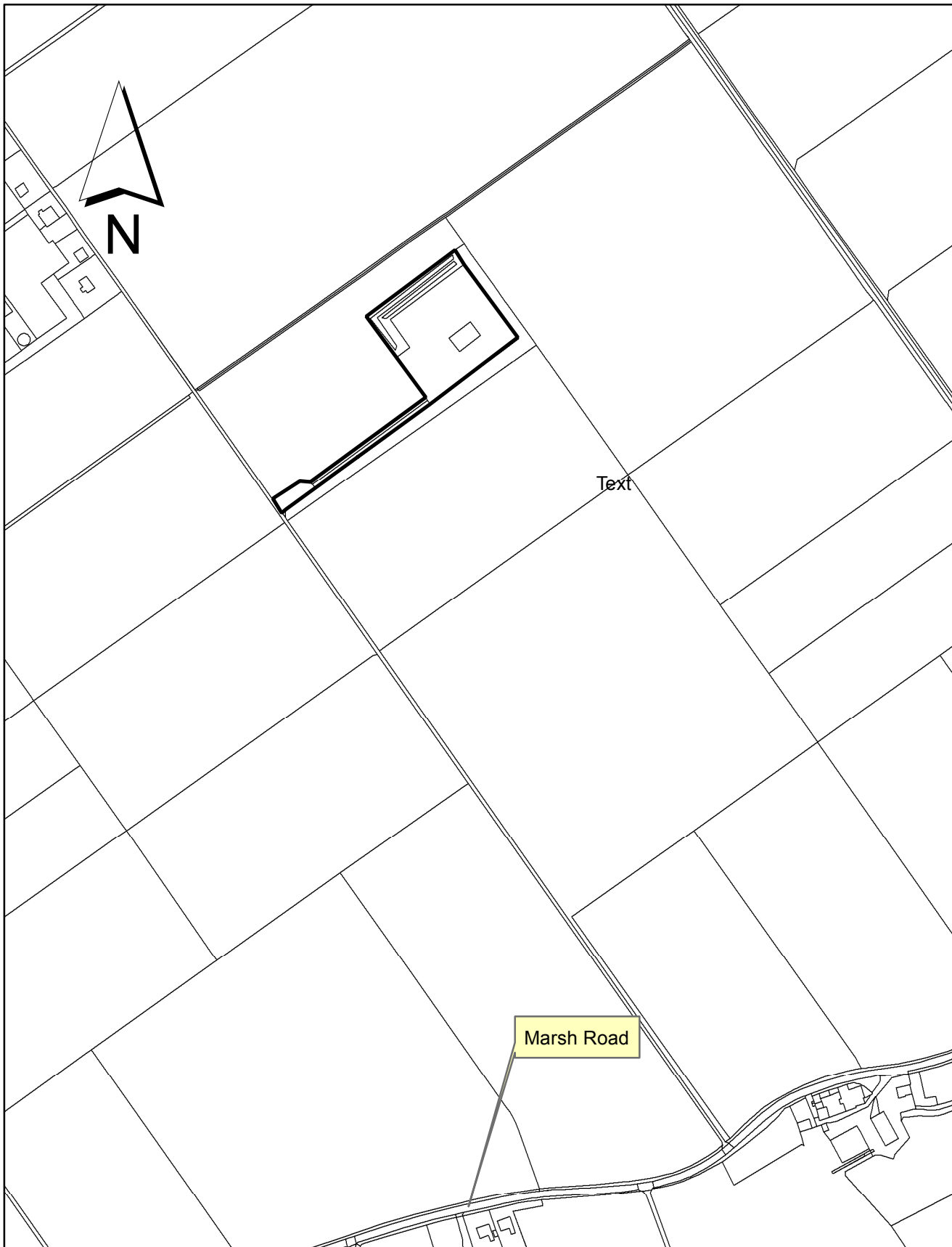


Former Farm Shop, Course Lane, Newburgh WN8 7LA

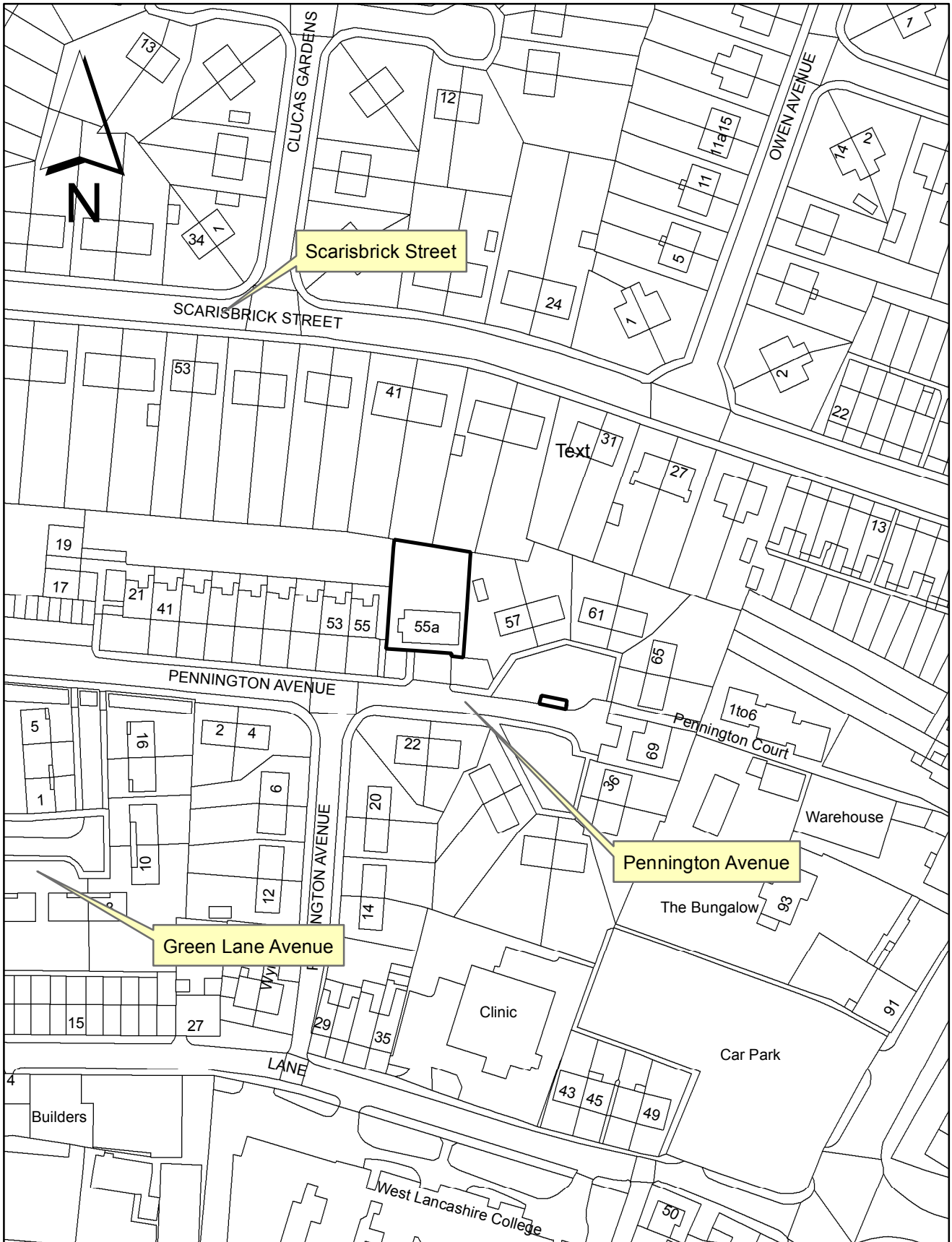




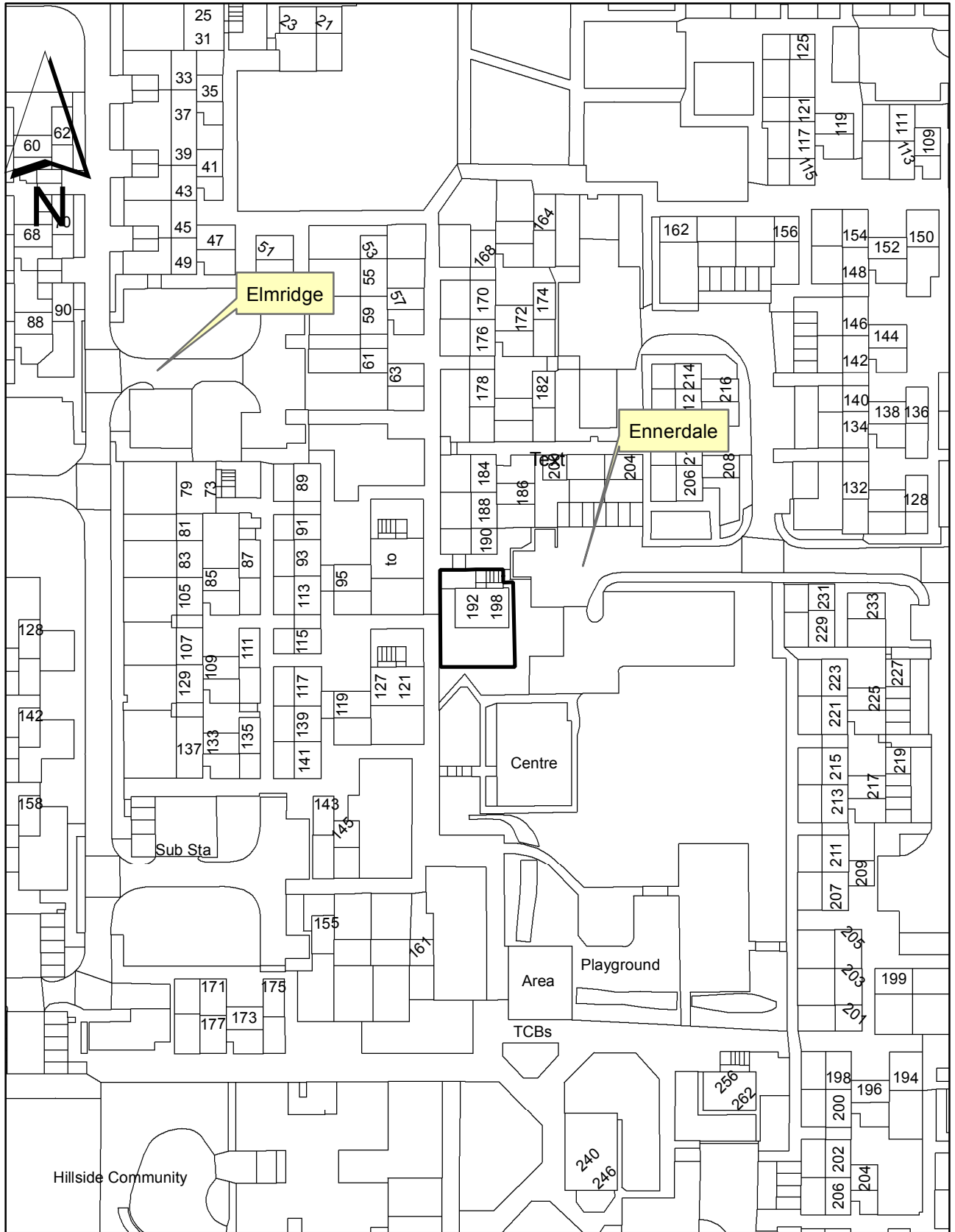
Beaconsall Exploration Site, Marsh Road, Banks
PR9 8DY



55A Pennington Avenue, Ormskirk L39 1NG



192-198 Ennerdale, Tanhouse, Skelmersdale WN8 6AN





**PLANNING COMMITTEE:
5th OCTOBER 2017**

Report of: Director of Development and Regeneration

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. 2 – YEW TREE FARM, LIVERPOOL ROAD SOUTH

OTHER REPRESENTATIONS

I am aware that a representation has been sent to all Planning Committee Members commenting on the Councils' Strategic Flood Risk assessment (SFRA) from a local resident objecting to the proposed development. This correspondence states that the 2012 SFRA was not "fit for purpose" and that it should be constantly updated. The representation claims that the inadequate SFRA has led to organisations and consultees related to the Yew Tree Farm development site relying upon outdated information. The representation expresses the view that the SFRA should be part of the information before Councillors as they deliberate the current application.

The same objector also raises concern about the lack of affordable and specialist housing on this phase of development. The representation questions the validity of the viability assessment and suggests it did not consider information on the impact on certain groups of people and as such considers the application penalises those people with disabilities and impacts on their Equality and Human Rights. The representation also points to the lack of bungalows and the increase in road traffic on the A59 and comments that the development would increase road safety issues for residents and problems related to Air Quality.

OBSERVATIONS OF DIRECTOR OF DEVELOPMENT AND REGENERATION

The SFRA was a key component of the evidence base that informed the Local Plan. At Examination, the Inspector raised no concerns with the SFRA and he would not have been able to find the Local Plan "sound" and recommended it for adoption had there been any doubt.

The current SRFA is already a public document which Members can view at any time. More recently, a draft Level 1 SFRA has been published for comment alongside the new Local Plan review consultation (May 2017). Furthermore, there is no requirement in any guidance or legislation on SFRAs for a Council to constantly review it, other than through the Local Plan process. Any application where there is a potential for flood risk is required to prepare a site-specific Flood Risk Assessment using the most up-to-date evidence and data (e.g. if Flood Zones have changed or if a critical drainage area has been designated). A FRA was submitted for the Yew Tree Farm development site in 2015 and was found to be acceptable (subject to conditions) by the Environment Agency and the Lead Local Flood Authority.

In terms of affordable housing, the Government produced specific guidance in 2014 on viability in planning that advises a site is viable if the value generated by its development exceeds the costs of developing it and also provides sufficient incentive for the land to come forward and the development to be undertaken. In this case, the initial "up front" costs of highway improvement related to the site are considerable (provision of a new signalised junction on Liverpool Road South and also at the Square lane/Liverpool Road South junction along with a new wide spine road and cycle path). This has a significant impact upon the deliverability of the first phase as it takes the "hit" for initially bringing the whole site forward. The cost, land value and profit have all been scrutinised by independent consultants, Keppie Massy on behalf of the Council who confirm that the site would not be viable should affordable housing be required to be provided. Viability assessments can only provide guidance on the financial aspects of a development and do not comment upon impacts upon groups of people. It should be noted that, this development is part of a much wider development, and once the initial infrastructure has been provided, subsequent phases of development will not bear the same costs, providing greater opportunities for affordable housing delivery across the wider site, which will help to deliver a mix of affordable products.

Whilst no bungalows are included on this first phase, there is a variety of apartments, terraced, semi-detached and detached housing. All houses will be constructed to meet current Building Regulations Part M, which means that they would readily be capable of adaptation. The outline planning permission for the site and the approved phasing plan indicates that specific elderly housing provision will be provided within phase 3.

The proposed development will increase traffic along the A59, however, this was taken into consideration at the outline application stage and mitigation provided along the highway network. LCC highways have raised no objection to this application.

In my view, the application is policy compliant and provides appropriate development on a sustainable allocated site.

REPORT NO. 3 – SITE OF FORMER WESTEC HOUSE, DERBY STREET

The officer's report recommends that planning permission be delegated to the Director of Development and Regeneration subject to a planning obligation (Deed of Variation) under S106 of the Town and Country Planning Act being entered into. However, the wording of this recommendation is incorrect as I have been advised that the Council (as Local Planning Authority) cannot enter into an agreement with itself (Landowner). As with the Outline planning permission for this site, the planning obligations will be dealt with by way of a Unilateral Undertaking and therefore the recommendation should be amended as follows:

That the decision to grant planning permission be delegated to the Director of Development and Regeneration 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 being entered into and subject to the following conditions:

The Local Planning Authority has received an amended drawing relating to site drainage. The amendment relates to the size of the pipe connecting to the proposed hydrobrake; this has been increased from a 225mm diameter pipe to a 300mm diameter pipe. The receipt of this amendment means that Condition No. 2 must be amended as follows:

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

Drawing nos. P01, P03 Rev A, P05, P11, P12, P14, P15, P16, P17, P18, P20, P22, P24, P25 Rev B, P26 Rev B, P27 Rev B, P28 Rev A, 11474_L01 Rev P01, 11474_L02 Rev P01, 11474_L03 Rev P01, 11474_L04 Rev P01, 11474_L05 Rev P01, 01 (Preliminary), 406 (Existing surface impermeable area), 407 (surface impermeable area plan), 410 (Hydrobrake manhole details), 17C004/001 A (Topographical Survey) received by the Local Planning Authority on 14th June 2017

Drawing no. P06 received by the Local Planning Authority on 8th September 2017

Drawing nos. 401 Rev P2 (drainage layout) and P02 Rev B received by the Local Planning Authority on 25th September 2017

I also wish to draw Members attention to an error within paragraph 10.21 of the officer's report; this should read as follows (revision highlighted):

"Surface water from the proposed development would be disposed of via an existing surface water sewer which is located beneath **proposed rear gardens and a car parking area**. The applicant is proposing to achieve a 30% reduction in the existing run off rates through the use of oversized surface water pipes and control of the discharge rate via a hydrobrake".

REPORT NO. 4 – HENRY ALTY LTD, STATION ROAD

OTHER REPRESENTATIONS

I have received two further neighbour objections. Concerns relate to health problems caused by pollution, traffic congestion, lack of improvements to infrastructure and very few social houses, as well as a concerns about the proposed 4 dwellings adjoining an existing ditch to the south and the lack of a 6m buffer zone from the top of the bank of the ditch.

OBSERVATIONS OF DIRECTOR OF DEVELOPMENT AND REGENERATION

This is a Reserved Matters application and as such, outline planning permission has been granted for a mixed residential-led scheme on the site. All statutory consultees are satisfied that the application is acceptable in principle and would not lead to significant harm to pollution or highway impact. Sufficient infrastructure is available in the local area to support the proposed development on this allocated site.

In terms of the proposed dwellings bordering the existing ditch to the south of the site, the layout indicates a minimum 4m "buffer" between the rear garden fences of the proposed dwellings and the ditch. There is no statutory "buffer" requirement to this ditch as it is not a main river. Moreover, neither the Environment Agency nor the Lead Local Flood Authority have raised an objection to the proposed layout.